# RALBIGIE RIGISTER AND NORTH-CAROLINA GAZETTE.

"Ours are the plans of fair delightful peace, unwarp'd by party rage, to live like brothers."

HREE DOLLARS Per Annum? ONE HALF IN ADVANCE.

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#### ADVERTISEMENTS,

Not exceeding sixteen lines, will be inserted three times for a Dollar; and twenty-five cents for each subsequent publication: those of greater length in proportion. If the number of insertions be not marked on them, they will be continued until ordered out and charged accordingly.

#### Every man his own Lawyer.

For a year or two past, there has been published in this State, by B. SWAIM, Esq. Attorney at Law, entitled "THE MAN OF BUSINESS." The object of the publication is to communicate a knowledge of the principles of the Law, in easy and familiar language, so that every man of common intelligence may, in cases of ordinary occurrence, ascertain what the Law is, without reference to Counsel. The valuable Forms which it contains are, of themselves, worth the subscription price of the Work. We subjoin a specimen ortwo from the publication, and may occasionally do so hereafter :

#### EXECUTIONS.

1. A growing crop is subject to Execution : but it must be sold on the premises. A sale made at the Court House, two miles off, was void.

2. The purchaser of a growing crop, gress and egress, to gather, and carry it away when ripe.

3. When the Officer sells a growing crop, he ought to execute to the purchaser a Bill of Sale; which may be as follows:

STATE OF NORTH CAROLINA, ? Randolph County.

favor of C. D, against E. F, levied on one third if he has an Execution in his hands, and part of a certain field of growing Oats, supposed to ontain twelve acres, be the same more or less, on belonging to the said G. H.) this one third being the interest of the defendant E. F; did on this day expose the same to public sale on the premises, according to law, when and where J. K. became the purchaser at the price of - dollars. Now, therefore know ye, that for and in consideration of the said J. K. the receipt whereof is hereby duly acknowledged, I, the said A. B. have granted, bargained, sold, assigned, and by these presents de grant, bargain sell, and assign to the said J. K. the aforesaid one third part of the said growing not soon be thus decided. Oats: to have and to hold the same as the interest of the said E. F, in as full and ample a manner as he, the said E. F. has heretofore held the same, together with like privileges of ingress and egress and And I, the said A. B, Constable (or Sheriff as the case may be) have covenanted, and by these presents do covenant, to warrant and defend the right and itle hereby conveyed, to him the said J. K, his Executors and Administrators, so far as my office equires, and no farther.

In testimony whereof, I hereunto set my hand and seal, this 4th day of February, A. D. 1837. A. B. Const. [SEAL.]

Done in presence of

the Supreme Court decided that a defen- ownership of the property, dant's interest in a crop of growing grain might be seized and sold under execution go into the minute distinctions which exbefore it was gathered.

Battle 241.

#### EXECUTION OF CIVIL PROCESS.

within one of the following exceptions, have sufficient leisure. viz. 1st. If the goods of A. be in the house of another person, it may be broke o get them, provided the Officer first request the door to be opened, and is refused entrance. But even then, he runs the risk of consequences; for if the goods of the defendant, which he supposes to be in the house turn out not to be there, he is he may break the house to deliver pos- proportion than water. session to the Plaintiff, after recovery in possession, provided he cannot otherwise ving entered the house peaceably to ex- never improves. ecute process, is afterwards locked in, he may lawfully break the house to get out.

2. A man's dwelling house is called in aw "his castle;" and the same privi- malt from which it is distilled. lege extends to all out houses adjoining to the dwelling house.

3. A barn at an ordinary distance from may be broke open to execute civil process; but if the property or the person that the Officer is in pursuit of, happens breaking is a trespass on the owner.

or subsequently, give notice of their wish to have within the house, he may break Chamber has no color. the Paper discontinued at the expiration of the doors, trunks, &c. (after request and reyear, will be presumed as desiring its continuance fusal,) and is justified, provided he find in oak casks? the person or property on which to do ex-

#### Questions by a Subscriber.

"1st. Is a Constable bound to work the public Roads? and do military duty?" "2d. Can a Constable recover Execution Cost, when he does not levy the Execution ?"

"Sd. B. was owner of a cow, and C stood security to S for B; who gave K a mortgage on the cow. S obtained Judgment against B and C; and B being inin Periodical numbers, a very valuable Work solvent, C caused D, the Constable, to levy the Execution on the cow that was in mortgage to K; but had never been in his possession. This Execution was levied three days before the mortgage was out. (We suppose this means, three days before the mortgage became absolute, the condition being forfeited.) I advertised ten days, and then sold the cow. Neither party attended the sale, nor was there any objection started from any quarter. D had at the same time an older judgment in his hands, than S's and the proceeds of the sale were sufficient to satisfy both judgments. Is not D bound to satisfy both judgments? and is B, C or D under any obligation to K for the mortgage? Insert the answers in the next "Citizen" after this comes to hand if convenient.

Yours with due respect. D. N. B."

Answer 1st .- A Constable is exempt from working the Public Roads, and also from Military duty.

Answer 2d. - A Constable is entitled to Execution Cost without actually levy-Know all men by these presents, that, whereas, ing the Execution. He may demand I, A. B, Constable, (Sheriff or Coroner, as the case his Execution Cost of the Plaintiff even, may be) by virtue of an Execution in my hands, in before he goes to hunt for property. Or,

the Defendant pays the debt before he the premises of G. H; (the remaining two thirds levies, the Cost is due to the Officer from the Defendant.

We are aware that the profession are not universally agreed on this point; but we have here stated what we conceive to be the better apinion. The point has nethe said sum of - dollars to me in hand paid by ver been decided by the Supreme Court. And, considering the small amount in controversy, to carry it up, is so very small, we think it likely the point will

Answer 3d. - When an Officer makes a levy on property, it ennures to all the Executions he has then in his hands eall other rights and privileges thereunto belonging. | qually—that is in proportion to their respective amounts, although some of the may be exposed to the atmosphere, from thers. If an Officer makes a levy by acidify it. virtue of one or more Executions, they are to be satisfied, no matter how many |ing? Judgments he may have in hand, on which no Execution has issued; they are entitled to nothing.

we think clearly it has the preference in heads of cider out of doors; the frost 4. The most usual way is to levy the satisfaction out of the proceeds of the Execution, and then wait till the grain Cow sold. If the mortgagee had a good tap drew off from the bottom that which comes to maturity, and is gathered be- mortgage, it was not necessary for him was not frozen. This was the spirituous fore it is sold. And indeed it had been to attend the sale, and put up his claim. considered the only way of proceeding For the public registration of the mortaccording to law, until the decision of a gage on the Records of the County (with-late case (Jacob Smith vs. Henry Tritt, out which it was no mortgage) is presumfrom the county of Haywood ;) Wherein ed to give notice to all persons, of the

We have not now sufficient leisure to

ist in law between Mortgages and Deeds We consider it however the better way of Trust; nor can we enter into a detailto wait till, the crop is gathered, unless ed statement of the nature and effect of oxygen, hydrogen and carbon, in certain dulent transfer, or some other prospect before or after the Trust or Mortgage be-

## DOMESTIC SCIENCE.

## SPIRITS.

Why are spirits heaviest in Winter

Why is new spirit better stored i an action of ejectment, under a writ of wood than in glass or earthen vessels? Because wood mellows the raw flavor tained has been at this time all volatili- Esq. was appointed Secretary. execute the writ. 3d. If an Officer, ha- of the spirit, which glass or earthenware zed.

> Why have Irish and Scotch whiskeya smoky flavor?

Because turf is used in drying the called whiskey?

than other?

derably under proof.

Why is spirit of sugar called rum? sugar.)

Why is the spirit "gin" so called? corrupted into our word geneva.

Why was spirit called agua vitæ?

ing in spirits of wine, prove it to be adulterated?

est quantity of water in the spirit.

toxicated?

same effect as if it had been swallowed. compliment to the monarch. On these were nominated, unanimously, as the Whig candi- he gave up the rest of his pies, &c. He This kind of intoxication is, however, occasions, his genius appears to desert date, to represent this district in the House of Rep- nevertheless kept possession of them till transitory, and disappears when the per- him; but he never disguises the morality son is brought into the open air.

and warm in winter?

called " Vinegar ?" Because of its derivation from the French vinaigre, from vin, wine, and

Why is vinegar best made from wine?

Because in France vinegar is made from weak wine, exposed to air and warmth simultaneously. The superiority of wine vinegar, generally, has been

Why is " mothering" produced in vin-Because of the vegetable gluten it con-

tains, which then begins to putrefy. Why, in making vinegar, should the casks be only half filled ?

Because a large surface of the liquor Executions may be much older than o- whence the oxygen is to be derived to

Why is vinegar strengthened by freez-

Because only the weak and watery parts become ice, and the residue is pure acid. Mr. Cobbett tells us of a person As to the mortgage, in the case stated, in America, "who placed several hogsturned to ice the upper contents, and a part, and as strong as the very strongest beer that can be made. The top part, when turned, was weak cider."

> Why is vinegar boiled for pickling? Because the heat coagulates the impurities, which, when cooled, may be separated by straining.

> Why is vinegar (or pyroligneous acid)

obtained by distilling wood? Because the wood chiefly consisting of

there is great apparent danger of a frau- a Sale of an Equity of Redemption, either proportions, and in a certain state of combination, the elements separate duof loss to the plaintiff. - See 1 Devereux comes absolute: But we hope what we ring the heating of the wood, and they have said will suffice for the present, to recombine immediately after in different show satisfactorily and correctly, the proportions, and give rise to new subpractical solution of the question propo- stances. Part of the oxygen and hysed. Mortgages and Deeds of Trust, in drogen combine each with a portion of 1. A Sheriff, Coroner or Constable, their practical effect, embrace many dif- carbon, and form two sets of compounds, cannot lawfully break open a dwelling ficult questions, which we intend to spare carbonic oxide and carbonic acid, with house in the execution of Civil process, no pains in simplifying, and rendering carburetted and bicarburetted hydrogen; form of what is called in common pyro- States. F. B. Satterthwaite, Esq. call

## ELOQUENCE OF BOURDALOUE.

particularly admired. It produced an upon the Chairman appointed

Because of its derivation from the word extraordinary effect, when he pronounced the dwelling, is not thus protected. It usque, from usquebah, the Irish aqua vita. his funeral oration upon Lewis the Four-Why is some brandy of darker color teenth. The church was hung with black, a magnificent mausoleum was raised over Pitt county. Because of the addition of burnt sugar, the bier, the edifice was filled with tronot to be within, as he supposed, the or from some matter dissolved away from phies and other memorials of the monthe timber of the cask which contains it. Jarch's past glories, daylight was excluded, 4. When the Officer is once peaceably Pure brandy, like any other pure spirit, but innumerable tapers supplied its place, ter Midyett, from Hyde county. and the ceremony was attended by the Why is French brandy only exported most illustrious persons in the kingdom. Bennett, from Washington county. Massillon ascended the pulpit, contem-Because when exported in chestnut plated for some moments the scene be- short time returned, and reported to the the midst of it, a voice under the hedge casks, although shipped of a strength a- fore him, then raised his arms to heaven, meeting that they had unanimously se-lordered him to "stand and deliver."bove proof, it has, when it arrived in looked down on the scene beneath, and, lected EDWARD STANLY, Esq; and after He instantly took to his heels, followed Holland or Germany, been found consi-laster a short pause, slowly said, in a a short and eloquent address from Mr. by a donkey, on whose back were two Because of its derivation from the last ditory rose from their seats, turned to nomination made by the Committee was ter of his pursuers, when some of his pies yllable of the Latin word saccharum the altar, and slowly and reverently unanimously adopted, and the name of fell out, and he stopped to pick them up.

Because it is favored with the berries their literary merit, will generally prefer ble person to represent them in the 24th prisoners, to whom he was well known. of the juniper : in Italian, ginebro or gin- the sermons of Massillon to those of Bour- Congress of the United States. epro or ginevro; and the French genevre, daloue and Bossuet. But those who read On motion of Col. R. H. Bonner, the worth of buns, and the boy in astonishsermons for instruction, and whose chief same Committee were appointed to cor- ment replied, "Why, sure you ain't goobject in the perusal of them is to be ex- respond with Mr. Stanly and inform him ing to buy so many?" " Buy!" rejoined Because the old physicians attributed cited to virtue or confirmed in her paths, of his nomination, and to solicit his ac- Death, "That's a good un ;" upon which to it the important property of prolong- will generally consider Bourdaloue as the ceptance of the same. first of preachers, and every time they Why does a piece of potash, dissolv. peruse him, will feel new delight.

When we recollect before whom Bourlaloue preached: that he had for his au-Because so strong is the attraction of ditors the most luxurious court of Euthe basis of potash for oxygen, that it rope, and a monarch abandoned to amthus discovers and decomposes the small- bition and pleasure, we shall find it impossible not to honor the preacher for the Why do the workmen employed in cel- dignified simplicity with which he unilars and distilleries appear habitually in- formly held up to his audience the severity of the Gospel and the scandal of the Because the vapor of alcohol, copious - cross. Now and then, and ever with a day evening, the fourth of May, the undersigned prayers, but Death pulled out a knife. y inhaled in their lungs, produces the very bad grace, he makes an unmeaning were appointed a committee to inform you that you and threatened him instant death unless of the Gospel, or withholds its threats. this duty, as we have entire confidence in the sound-Why are deep cellars cool in summer In one of the sermons which he preached ness of your political views, your devotion to the up all, which they put into their pockets Because of the earth conducting heat matchless eloquence the horror of an in, and attachment to, our republican institutions off with, leaving him only his empty but slowly, and frosts penetrating it but adulterous life, its abomination in the eye particularly those peculiar to our section of the counof God, its scandal to man, and the public and private evils which attend it; but look to you with confidence, should you be elected, Why is the well known acid liquor he managed his discourse with so much to relieve, as far as in your power, the present address, that he kept the king from sus- alarming state of the country, which seriously threatpecting that the thunder of the preacher ens every class of individuals, and every section of was ultimately to fall upon him. In general, Bourdaloue spoke in a level tone the United States, which has been unconstitutionally of voice, with his eyes almost shut. On extorted from them. Because it contains less glutinous and this occasion, having wound up the attenmucilaginous matter than that prepared tion of the monarch and the audience to the highest pitch, he paused. The audi-Why is French superior to English ence expected something terrible, and seemed to fear the next word. The pause continued for some time; at length, the preacher, fixing his eyes directly on the royal hearer, and, in a tone of voice equally expressive of horror and concernsaid, in the words of the prophet, "Thou art the man!" Then leaving these words to their effect, he concluded with a mild and gentle prayer to heaven for the conversion of all sinners. A miserable courtier observed, in a whisper, to the monarch, that the boldness of the preacher exceeded all bounds, and should be check-"No, sir," replied the monarch, "the preacher has done his duty-let us do ours." When the service was concluded, the monarch walked slowly from the church, and ordered Bourdaloue into his presence. He remarked to him his ungrateful as to refuse my assistance in advancing general protection of religion, the kind- and supporting correct principles. I will therefore ness which he had ever shown to the society of Jesus, his particular attention to Bourdaloue and his friends. He then reproached him with the strong language of the sermon, and asked him what could be his motive for insulting him thus publicly before his subjects. Bourdaloue fell on his knees-"God is my witness that I said in my sermon, is my morning and evening prayer. May God, in his infinite mercy, grant me to see the day when life, or in a private station, promptly to resist the The monarch was affected, and silently of the south. dismissed the preacher; but from this time

## WHIG NOMINATION.

the court began to observe that change

which afterwards, and at no distant pe-

WASHINGTON, 4th May, 1837. Washington Whig, a very large and rewithin one of the following the case come more familiar to the people, when we further portions of the carbon and oxy. spectable meeting of the citizens of the within one of the following the carbon and oxy. gen, with a very small quantity of hydro- third Congressional District of North gen, then combine, and produce acetic Carolina met at the Court-house in the icid. The remainder of the carbon and town of Washington, on Thursday evenhydrogen, with a very small portion of ing, the 4th day of May, for the purpose oxygen, also unites, and produces a pe- of recommending a suitable person to beculiar tar. The water, acetic acid, and come a candidate to represent this disthe tar, all distil over together, in the trict in the next Congress of the United a trespasser in breaking the house. 2d, lighter by means of heat, in a greater over towards the end of the distillation tion, Gen. J. O. K. Williams was apover towards the end of the distillation tion, Gen. J. O. K. Williams was ap. tion of the fearful penalty of death. Two en for the delivery of said Nag and Saddle to is the strongest portion; no doubt be- pointed Chairman; and, on motion of boys condemned to death for robbing Twenty-five Dollars for the delivery of said King with the Limber con- Col. R. H. Bonner, William M. Marsh, another of his pies and huns! cause the water which the timber con- Col. R. H. Bonner, William M. Marsh,

> The Chairman explained the object of the meeting in a neat and forcible address; and on motion of F. B. Satterthwaite, Esq. a Committee, consisting of two persons from each County composing this In delivering his sermons, Bourdaloue district, were appointed by the Chair, to used no action; Bossuet and Massillon recommend to this meeting some proper Why is the Irish and Scotch spirits used much; the action of the last was person to become a Candidate; where-

F. B. Satterthwaite & Frederick Grist, | vember by his father, who is a small confrom Beaufort county. from Edgecomb county.

solemn and subdued tone, "God only is Hines and Col. Barrow, the Chairman persons. Being provided with a light great!" With one impulse, all the au- put the question to the meeting, and the pair of heels, he was fast getting the bet-Edward Stanly was unanimously recom- when his followers came up with him .-Those who read sermons merely for mended to the people as a fit and suita- To his surprise he found in them the

motion, tendered to the Chairman and rable quantity, which he and Brown ate Secretary, and the meeting then adjourn. with the utmost expedition; the latter

WM. M. MARSH, Sec'y.

CORRESPONDENCE.

WASHINGTON, May 5th, 1837. At a large and respectable meeting of the Whig proper quantity, or the value of them .voters of the third Congressional District, held at the Court-house in the town of Washington, on Thursresentatives in the next Congress of the United Brown, seizing him by the throat, utter-States. We take great pleasure in the discharge of try, in which we recognise no right of others to interfere, be their motives what they may. We also the country, as well as restore to the people (the only rightful owners) the surplus in the Treasury of

RICHARD HINES, F. B. SATTERTHWAITE. JOHN S. EASTON, JOHN D. BENNETT, JOHN NORCOTT. BANNISTER MIDTETT.

Z. W. BARROW,

JORDAN WALKER. EDWARD STANLY, ESQ.

WASHINGTON, 6th May, 1837. I received your note of yesterday, informing me of my being nominated, at a respecta-

ble meeting of our fellow-citizens, as one whom they were desirous should be a candidate, to represent this district in the next Congress. Your letter, gentlemen, has excited emotions of no ordinary character. It has been unsolicited on my part, and I had not the vanity to think of being called to so honorable a station, when there are so many 'older and abler soldiers' among us. I cannot disregard the wishes of those whom I so highly respect; I cannot and will not disregard the opinions of those, whose organ you are upon this occasion; I will not be so consent to engage earnestly in the contest before us, relying upon the people of the district to sustain the cause for which, two years since, they so nobly contended. I know, and I hope all will remember, this nomination is not made to gratify the ambition, or elevate the character of the candidate, but to sustain him, as the instrument of supporting our national honor and prosperity, and for the purpose of alleviating the present wide-spread distress. There are many more able to represent you, but none I hope it was not my intention to insult your more devotedly attached to the Constitution of the Majesty; but I am a Minister of God, United States and to our republican institutions; and must not disguise his truths. What and above all none more anxious, that North Caro- ered at the Neuse River Oil Works. or Ten not add, that I shall feel bound, whether in public the greatest of kings shall be the holiest." slightest interference with the peculiar institutions

I shall not now enter into a detail of all my political opinions; they have been always freely and fearlessly expressed; and I have the gratifying as surance of your letter, that they have not been disriod, led Lewis to a life of regularity and approved. In the coming three months, the people of the district shall be satisfactorially acquainted as

Accept, Gentlemen, the assurance, that no personal exertions shall be spared, to support the cause in which we have engaged,-no efforts untried, which shall promote the honor, safety and welfare Pursuant to public notice given in the of our beloved State; and receive my warmest ac knowledgments for the polite and kind manner in which you have made known the wishes of the

Most respectfully, Your ob't. servant, EDWARD STANLY. Messrs, RICHARD HINES, and others.

In the annexed report of a trial at the Norfolk Circuit, in England, we have a remarkable instance of the misapplicaanother of his pies and buns !

Crown Court-Before Mr. Justice Coltman .- James Death, aged 15, and Robert Brown, 18, were indicted for rob bing John Harris, on the King's highway, of several ounces of "bull's eyes," some papers, gratuitously, in order that the Thief buns, pork pies, and other commedities. may be apprehended. G. W. T. Mr. Barker conducted the case.

The prosecutor is a lad of the age of 23, and was employed on the 17th No-!

fectioner at Isleham, to carry out a bas-John Easton and John Norcott, from ket of buns, sweets, &c. from that village to the town of Fordham for sale. He Richard Hines and Wm. J. Andrews, stayed later than usual at Fordham. in consequence of having found a "very Col. Z. W. Barrow and Capt. Bannis- slack sale," & was turned home "heavy and heavily laden" somewhat late in the Jordan Walker and Major John D. evening. It chanced that in his way home he had to pass along a dark and The Committee retired, and, after a lonely lane, and when he had got into Death said they only wanted sixpenny he got off his donkey and made a snatch The thanks of the meeting were, on at the pies and buns, filching a conside-J. O. K. WILLIAMS, Cha'n. had, in the mean time, stolen a pair of shoes from the basket. The poor boy went on his knees, and entreated the hungry thieves not to eat his pies, assuring them, with tears in his eyes, that he dared not meet his father without the They not only turned a deaf ear to his ed the same threat, upon which he gave the following day, and their pockets bore unquestionable marks of having lately had pastry and sweets in them.

The learned Judges summed up, and the jury found the prisoners Guilty, and sentence of death was recorded.

The next Annual Convention of the Protestant Episcopal Church, in the Diocese of North Carolina, will be held at St. John's Church, Fayetteville, on the fourth Thursday in May, 1837. E. L. WINSLOW, Sec.y.

## NOTICE.

TNDER an order of the County Court of Chatham, at May Term, 1837, the Subscribers, as Administrators of ELIJAH FOUSHEE. deceased, will, on Monday, the 12th day of June next, at the late Dwelling of said det'd. proceed to sell

23 or 24 Likely Negroes.

And all the perishable Estate of said deceased. Nine months credit will be given, purchasers giving bond and approved security.

ROBERT LAMBERT, JOHN W. WARD, BERRY A. FOUSHEE,

Chatham, May 8, 1837. The Hillsborough Recorder will insert hree times, and forward account to William

## Feathers Wanted.

150 LBS. of Goose Feathers, are wanted by the Subscribers, for which, if good and new, they will pay at the rate of 30 cents

Raleigh, March 15, 1837.

COTTON SEED, FLAX SEED, AND Sunflower Seed.

Bought by the Subscribers, Fifteen Cents a Bushel will be given for the first named, delivlina should receive her share of the surplus, from Cents a Bushel at the Gin. Two Dollars a Bush-the lands, to which she is justly entitled. I need el for Sunflower Seed, and the highest Market el for Sunflower Seed, and the highest Market price for Flax Seed ; also for the Castor Bean. W. F. CLARK, W. H. MEAD.

Raleigh, Feb. 17.

## \$50 Reward! Stop the Thief!

X7AS STOLEN from the Subscriber, on the 3d instant, in the town of Pittsborough, Chatham county, N. C. a Chesnut Sorrel Mare, about 12 or 14 years old, of ordinary size, small white spot in the face, shews marks of stolen an excellent Saddle and Bridle.

The said Nag and Saddle, it is suppose was taken by a man by the name of JOHN D. MING, who has been seen travelling Westward with the Nag, and is supposed to be making his way to some part of Tennessee as he has been in that State,

The said King is a good looking man, supposed to be about thirty years of age, about five feet six or eight inches high, rather spare built. has dark or black eyes, free spoken, and pro-fesses to be a Singing Moster of Teacher of To-cal Music. He had on, when he left, a black Hat, blue cloth Coat, fashionable check'd of

plaid Pantaloons. A reward of Twenty-five Dollars will be give reward for his confinement in any

that he may be brought to justice. G. W. THOMPS May 10, 1837. All Editors in this State and Tennesses are requested to give the above a place in their

BLANK DEEDS FOR SALE AT THIS OFFICE.