

The North Carolina Whig.

"Be true to God, to your Country, and to your Duty."

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TERMS:

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Doctry.

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Trip lightly over grief,
By smiling on the line,
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Miscellaneous.

LOYD'S ORAM.

"I fear that I shall never win her."

"Come, come, Harry, this will never do; faint heartedness will not do for you."

"Yes, that's an old saying; but what's the use of philosophizing with one situated as I am?"

"This little colloquy took place between a couple of confidential 'chums,' upon the occasion of Harry Gleason's timid courtship with the idol of his heart—the beloved of Bloomsdale."

Lucy Day was a beautiful little creature, with soft blue swimming eyes, fair, curling hair, a cheek dyed with rose hue, and lips like the cherry. Symp like was her form and indeed, hers was not a mere superficial beauty—for her young mind was a treasury of the beautiful. She was passionately fond of readings—not of the light, trashy novels, with which our happy country is flooded over—but of good sound, and essential books. Her soul was an uncorrupt fountain, from which gushed a language that imparted a fervent elasticity to joy itself. Pure, gentle and confident, she was indeed an object worthy to be loved.

Harry Gleason was a young man of fair proportion and prepossessing appearance, and was both kind and kind as he was kind and affable in disposition. He was the only son of a wealthy farmer of Bloomsdale, who, perceiving that the prop of his house was tottering to some extent of mental ability, sent him to traverse the fields of science.

Harry and Lucy had both been raised in the same village, went to the same *alma mater* during the week days of early childhood; and to the same little church on Sabbath; and, spring or winter, whether going or returning, Harry and Lucy were ever found side by side—kipping over the green fields, or sliding upon the ice-bound rivulet which, when Janus reigned, formed the northern boundary of the little village of Bloomsdale.

It was no wonder that they loved each other, as they actually did, for a sweeter, fairer, more Eden-like spot in all the expanse of this wide, wide world, could not be found than Bloomsdale—whose every tree and shrub seemed to breathe of love.

It was a heavenly place! where Flora was forever building up bowers of honeysuckle and wild rose sweet-brier and geranium. It reposed at the foot of a majestic hill, upon whose brow the sunbeams in every wood seem to scorch the innocent flowers and rob them of their rainbow days. Willow groves and clusters their blossoming and budding fruit trees ornamented the green fields of Bloomsdale, whilst larks with dripping dew upon their glossy pinions, goldfinches, robins, many fairy warblers with throats full of music sported along the margin of the pellucid rivulet on the north, or wheeled through the clear ether in joyous festivity.

"Well, Harry let me put you on a plan," exclaimed his confident, with whom he was discoursing, as related at the commencement of our story. "You are aware that Lucy is exceedingly fond of reading, and

indeed, she but yesterday expressed a wish, whilst at Miss Moore's, to have a copy of the 'Lady's Book' and 'The Book'—"

"Then it shall be a wish no longer!"

"But wait my boy, will you hear me out. And she added moreover, that on the night previous she had a dream; and the substance of the dream, was that a fine-looking young gentleman of her acquaintance had called upon her, presented his compliments, and requested her to accept, as a token of his high regard for her mental enjoyment, a year's subscription to the 'Lady's Book'."

"And did she deliver this long speech in your presence?"

"Not exactly; but Miss Moore, who, you will understand, is a particular friend of mine, related the foregoing, and added by the way of appendix (all in a secret too) that Lucy said the very identical person who presented her with the 'Book,' subsequently desired her hand in marriage, and—"

"Nonsense! nonsense! and more than I would expect of you, Charley Jackson."

"True as the light of day, Harry; and now if you take my advice you will commit yourself. 'Nothing risked nothing won,' recollect."

Harry Gleason's hope was now in the ascendant for in his own mind he has determined to carry out the joke if it was, whether it was proved to his advantage or otherwise. And indeed, he had nothing to fear, nevertheless, many had sought the fair hand of Lucy Day, only to meet with a decided negative. His whole thoughts were of darling Lucy—in her was his all of happiness and should he lose her, he felt that all should be lost.

Much of our felicity consist in daylight dreams and golden hours of youth yet to come; we love to dream of the coral groves beneath the green billows; of the pearl temples, and the water-nymphs with their long dark tresses and sweet-toned lyres; of the ocean monsters in myriads who form mountainous piles around the haunts of sea-eyples, and fishes, as if enchanted, to the melodious warblings of these siren maidens. But not so with Harry.

"How very kind of you, Harry," exclaimed Lucy, as he handed her the July number of the 'Lady's Book,' and which was the commencement of a new volume. "Is it not really beautiful?" And the reading too, is of such substantial and soul-inspiring nature! Do you know, Harry I was wishing the other day that some kind friend would favor me with such a present? And I am so glad that you proved to be that friend."

"Indeed, Lucy, it is but a slight tribute from your humble."

"Oh! do not say slight Harry, I beg of you, for it is a real gem, and coming through your hands makes it still more valuable to me."

Now although their conversation seemed kind and affectionate, yet was there a seeming estrangement on the part of Harry; and which, as I have previously stated that they loved each other, even from infancy upward, rendered it the more striking. But Harry's absence some years at college seem'd only to have added to his extreme bashfulness, and especially when in the presence of her, who of all others he most loved. And Lucy loved him equally, nor did she endeavor to conceal her devotion, (she was not trifling coquette) which only seemed to add to the discomfiture of her lover. They were indeed true, and as some would term it, blind lovers. Each loving and each beloved in secret. What a contrast between the love which germs with childhood and that which ripens with age! But to the interrupted colloquy.

"And now that you have been so kind as to bring me this beautiful 'Book,'" continued Lucy, "please share the delight of running over its contents. 'Nosh and the Dove,' how sweet and how natural. I remember reading about it in the eighth chapter of Genesis. 'Colored Fashions,' too—"

"Beautiful! are they not, Lucy?"

"Yes!"

"And Mr. Godey gives them in every number of his excellent 'Book' besides a host of valuable receipts, dress patterns, needle-work, crochet, and in fact everything that would prove valuable to a lady—it is indeed what the name purports."

"And now too—'These happy days are over.' Oh, Harry, does not your mind often return to the Mysian days when you and I sported so innocently together?"

"Oh, the scene of my childhood I cannot forget, like visions of beauty they are haunting me yet."

"Yes, those were bright and happy days, Harry; but time may bring days still happier to me—to both—I hope," exclaimed Harry, in return.

"And so do I," added Lucy, in a tone faintly audible.

Three months subsequent to the period at which our story commences, Harry Gleason and Charley Jackson met at the residence of Miss Moore, in the delightful village of Bloomsdale. And Lucy was there, too. Charley had been on a tour south

and was consequently ignorant of an engagement that took place during his absence.

"Well, Harry," said Charley, after they had exchanged mutual salutations, "what do you think of the 'Lady's Book'—would it not be a suitable present for a young lady?"

Ellen Moore smiled, and Lucy looked wondrous.

"And what's your opinion of 'dreams,' Lucy? did the person who presented you with the 'Book,' propose also for your hand, and—ha! ha!"

"Oh, Ellen!" exclaimed Lucy blushing, "then you have betrayed confidence, and instead of keeping my secret—"

"Hush, child! why you know we women are all good at keeping a secret—keeping it going—and besides, Charley what a particular friend—"

"Well, I told nothing by it, I guess," interrupted Lucy.

"But I have gained a jewel," added Harry. And the whole united in a general laugh, although it was pretty much at Lucy's expense; but hers was not the disposition to be ruffled by a good joke and especially one that terminated so happily.

"Now, Lucy," said Ellen, after the merriment had somewhat subsided. "Charley managed to gain my consent in a similar manner, but I will tell you all about it at some future time. And now that you and Harry are engaged, suppose that we arrange both our affairs for the same day."

And for this purpose we leave them, kind reader, whilst we draw up the conclusion. Now with regard to dreams, we place but little confidence in their efficacy; but where they may serve to unite two pure and loving hearts, as in the case of Harry and Lucy, they will be almost induced to wish that all true lovers (especially bashful ones) might be blessed with dreams, whether they be day-dreams or otherwise—and doubly blessed with the object of their dreams, even through the influence of the "LADY'S BOOK."

BRITISH VIEW OF THE CONTEST FOR THE SPEAKERSHIP.—This obstinate contest is a good sign of the prosperous condition of the United States, both in their foreign and domestic relations. Did an enemy stand at their gates, were a commercial crisis impending, were a servile war raging in the Southern States, the election of Speaker would not be spun out to such a length. All the other considerations would be flung to the winds in order that Congress might proceed without delay to concert measures for averting the danger. But the United States have peace within their borders and beyond them. With ample elbow-room in their extensive and thinly populated territory, with an ample field of remunerative employment for a thousand times the capital and labor they can command, men have no temptation to civil broils; and, unless they force a quarrel on some foreign nation, no People or Government have any thing to gain by attacking them. The annual meetings of their Representatives are devoted to routine business, which might stand over for a year or two without seriously injuring them. They are the political locusts of the modern world; they can afford to indulge in leisure and procrastination. *Præterea non morer.* The nations of the Old World have the wolf constantly at the door, and must dearly abide any moment of precious time they let slip.—*London Daily News.*

The President has communicated to the Senate, in executive session, Lord John Russell's letter of January 10, 1854, to Mr. Fremont, and was then submitted to Mr. Fremont, Secretary of State. It declares that the British Government intends strictly to carry out the Clayton-Bulwer Treaty, and to assume the sovereignty directly or indirectly, in Central America. The Senate has remonstrated in objection of secrecy, and the letter will be published. The official advice by the American does not in any way change our friendly relations with England. Mr. Baileman writes that no real prospects of peace are entertained by the Ministry, and England is preparing the largest fleet ever floated for operations against Russia in the spring. Louis Napoleon is still anxious to extricate himself from the war, having attained all the desired prestige of the occasion.

CINCINNATI, January 28.
STAMPEDE OF SLAVES.—ARRIVES OF SOME OF THEM—HORRIBLE MURDER OF A CHILD BY A MOTHER, &c.—There was a stampede of slaves from the border counties of Kentucky last night. The whereabouts of several have been discovered here, and the officers at noon to day proceeded to make arrests. Approaching a house where the slaves were secreted, the latter fired, wounding two or three spectators, but not severely. One slave woman, finding escape impossible, cut the throat of one of her children, killing it instantly, and inflicted severe wounds upon two others. Eight of the slaves are said to have escaped.

VIOLENT ASSAULT UPON GREELEY.—As Horace Greeley was coming from the Capitol Building this afternoon, he was attacked by the Hon. Albert Rust, of Arkansas, who, with his fist, inflicted several blows upon the defenceless head of Greeley. When Greeley was approaching the National Hotel, Rust again struck him over the arm with a stick. The assault is supposed to have been caused by some severe strictures in the Washington letter, which appeared in the Tribune newspaper, on Mr. Rust's proposition in the House, requesting all the candidates for the Speakership to withdraw from the contest.

TRAGEDY OF THE SEA.
A young clerical gentleman relates the following anecdote of one of his Dutch brethren. "The old parson was about commencing one of his spiritual exercises, when, to his being a little near sighted, was added the dim light of a country church. After clearing out his throat, he gave out the hymn, prefacing it with the apology:

"The light is bad, mine eyes are dim,
I never can see to read this hymn."

The clerk supposing it was the first stanza of the hymn, struck up a tune of common metric.

The old parson, taken somewhat slack, by this turn of affairs, corrected the mistake by saying:

"I didn't mean to sing this hymn,
I only meant to sing the hymn."

The clerk, still thinking it a combination of the couplet, finished in the preceding strain.

The old man at this vexed wroth, and exclaimed at the top of his voice:

"I think the devil is in you all—
But what no hymn to sing at all!"

A LUCKY ESCAPE.—The Memphis Appeal says a physician of that place paid a morning visit, recently to one of his patients in the upper end of the town, and on entering the room of the sick man, the following dialogue took place:

"Patient.—I say, Doctor, I've got you chesed this load of poles."

"Doctor.—How?"

"Patient.—Rising on his elbows and looking across the room. Look there, Doctor, at that feller lying there; I got him to take that pill you left me, and it killed him in an hour."

In the early part of the eighteenth century, a farmer was condemned to suffer the extreme penalty of the law for counterfeiting. His wife called to see him a few days previous to his execution, to take a last farewell, when she asked him—

"My dear, would you like the children to see you executed?"

"No," replied he, "what must they come for?"

"That's just like you," said the wife, "you never wanted the children to have any enjoyment."

A western editor thus apologizes for the non-appearance of his paper at the usual time:

"Owing to the fact that our paper-maker disappointed us, that the mails failed and deprived us of our exchanges, that a Dutch pedler stole our printers, that the rats ran off with our paste, and the 'devil went to the circus while the editor was at home tending babies, our paper is unavoidably delayed beyond the proper period of publication."

"Are sisters Sal and Nance resources?" "No, my son. Why do you ask that question?" "Because I heard Uncle John say, if you would only husband your resources, you could get along a good deal better than you do." "And I thought it would be a good idea, because you wouldn't have so many men here for supper every Sunday evening; that's all, pa."

THE CURIOUS FLOWER.—I have seen persons who gather for the parlor their choicest blooms, just as they begin to open into full bloom and fragrance, lest some passer by should tear them from the bush and destroy them. Does not God sometimes gather into heaven young and innocent children for the same reason—lest some rude hand may despoil them of their beauty?

GOOD AT GUESSING.—"Well Pat, which is the way to Burlington?" "How did you know my name was Pat?" "O, I guessed it."

"Think, be the powers, if ye are so good at guessing, ye'd better guess the way to Burlington."

A SURE LAWYER.—A lawyer, being sick, made his will and testament, and gave all his estate to fools and madmen. Being asked the reason for so doing, he said, "From such I got it and to such I return it again."

"Reply, sir," said a judge to a blunt old Quaker who was on the stand. "Do you know what we sit here for? Yes, verily I do," said the Quaker "three of you for four dollars each a day, and the fat one in the middle for four thousand a year!"

A letter was recently received at the Post Office in Cleveland, Ohio, directed to "The big landlord, at Cleveland, with a big wart on his nose." The clerk in the office knew the man, but were afraid to present it.

SPECIAL MESSAGE FROM THE PRESIDENT.
The subject message from the President of the United States, was transmitted to both houses of Congress, in relation to the Kansas question:

To the Senate and House of Representatives:
Circumstances have occurred to disturb the course of governmental organization in the Territory of Kansas, and produce there a condition of things which renders it incumbent on me to call your attention to the subject, and urgently to recommend the adoption by you of such measures of legislation as the grave exigencies of the case appear to require.

A brief exposition of the circumstances referred to, and of their causes, will be necessary to the full understanding of the recommendations which it is proposed to submit.

The act to organize the Territories of Nebraska and Kansas was a manifestation of the legislative opinion of Congress on two great points of constitutional construction: one, that the designation of the boundaries of a new Territory, and provision for its political organization, are measures which of right fall within the powers of the general government; and the other, that the inhabitants of any such Territory considered as an inclosed State are entitled, in the exercise of self-government, to determine for themselves what shall be their own domestic institutions, subject only to the constitution and the laws duly enacted by Congress under it, and to the power of the existing States to decide according to the constitution and principles of the constitution, at what time the Territory shall be received as a State into the Union. Such are the great political rights which are solemnly declared and affirmed by that act.

Based upon this theory, the act of Congress defined for each Territory the outlines of republican government, distributing public authority among lawfully created agents—executive, judicial and legislative—to be appointed either by the general government or by the Territory. The legislative functions were intrusted to a council and a House of Representatives, each elected and empowered to enact all the local laws which they might deem essential to their prosperity, happiness and good government. Acting in the same spirit, Congress also defined the persons who were in the first instance to be considered as the people of each Territory; enacting that every free white male inhabitant of the same above the age of twenty-one years, being an actual resident thereof, and possessing the qualifications hereafter described, should be entitled to vote at the first election, and be eligible to any office within the Territory; but that the qualifications of voters and holding office at all subsequent elections should be prescribed by the legislative assembly: Provided, however, that the right of suffrage and of holding office should be exercised only by citizens of the United States, and those who should have declared on oath their intention to become such, and have taken an oath to support the constitution of the United States, and the provisions of the act.

Under these auspicious circumstances, the primary elections for members of the legislative assembly were held in most, if not all, of the precincts at the time and the places, and by the persons designated and appointed by the Governor according to law.

Those decisions of the returning officers and of the governor are final, except that, by the parliamentary usage of the country applied to the organic law, it may be concluded that each house of the assembly must have been competent to determine, in the last resort, the qualifications and the election of its members. The subject was, by its nature, one appertaining exclusively to the jurisdiction of the local authorities of the Territory. Whatever irregularities may have occurred in the elections, it seems to me late now to raise that question. At all events, it is a question as to which, neither now, nor at any previous time, has the best possible legal authority been possessed by the President of the United States. For all present purposes the legislative body thus constituted and elected, was the legitimate assembly of the Territory.

Accordingly, the governor, by proclamation, convened the assembly thus elected to meet at a place called Pawnee city; the two houses met and were duly organized in the ordinary parliamentary form; each sent a message to the other, and the governor the official communications used on such occasions; an elaborate message opening the session was communicated by the governor; and the general business of legislation was entered upon by legislative assembly.

But, after a few days, the assembly resolved to adjourn to another place in the Territory. A law was accordingly passed, against the consent of the governor, but in due form otherwise, to remove the seat of government temporarily to the Shawnee Manual Labor School, or Mission, and thence the assembly proceeded. After this, receiving a bill for the establishment of a ferry at the town of Kewanee, the governor refused to sign it, and by special message, assigned for reason of refusal, no any thing objectionable in the bill itself, but the presence of the governor, or incompetency of the assembly as such, but only the fact that the assembly had by its act transferred the seat of government temporarily from Pawnee city to the Shawnee Mission. For the same reason, he continued to refuse to sign other bills, until, in the course of a few days, he, by official message, communicated to the assembly the fact that he had received notification of the termination of his functions as governor, and that the duties of the office were legally devolved on the legislative assembly of the Territory; thus to the last recognizing the body as a duly elected and constituted legislative assembly.

It will be perceived that, if any constitutional defect attached to the legislative act of the assembly, it is not pretended to consist in irregularity of election, or want of qualification of the members, but in the change of its place of session. However trivial this objection may seem to be, it requires to be considered, because upon it is

of exercising constant vigilance and putting forth all his energies to prevent, or counteract the tendencies to illegality, which are prone to exist in all imperfectly organized and early associated communities, and his attention to be diverted from his official obligation by other objects, and himself set an example of the violation of the law in the performance of acts which rendered him his duty, in the sequel, to remove him from the office of chief executive magistrate of the Territory.

Before the requisite preparation was accomplished for the election of a territorial Legislature, and election of delegate to Congress had been held in the Territory on the 29th of November, 1854, and the delegate took his seat in the House of Representatives without challenge. If arrangements had been perfected by the Governor so that the election of members of the legislative assembly might be held in the territorial precincts at the same time as for delegate to Congress, any question as to the qualification of the persons voting as people of the territory, would have passed necessarily and at once under the supervision of Congress, as the judge of the validity of the return of the delegate, and would have been determined before conflicting passions had become inflamed by time, and before opportunity could have been afforded for systematic interference of the people of individual States.

This interference, in so far as concerns its primary causes and its immediate commencement, was one of the incidents of that pernicious agitation on the subject of the condition of the colored persons held to service in some of the States, which has so long disturbed the repose of our country, and created individuals, otherwise patriotic and law-abiding, to toil with misdirected zeal in the attempt to propagate their social theories by the perversion and abuse of the powers of Congress. The persons and the parties whom the tenor of the act to organize the Territories of Nebraska and Kansas, thwarted in the endeavor to impose, through the agency of Congress, their particular views of social organization on the people of the future new States, now perceiving that the policy of leaving the inhabitants of each State to judge for themselves in this respect was inadvisable, resorted to the convictions of the Union, then had recourse, in pursuit of their general object, to the extraordinary measure of propagandist colonization of the Territory of Kansas, and thus to anticipate or to force the determination of that question in this inclosed State.

With such views, associations were organized in some of the States, and their purposes were proclaimed through the press in language extremely irritating and offensive to those of whom the colonists were to become the neighbors. Those designs and acts had the necessary consequences to awaken emotions of intense indignation in States near to the Territory of Kansas, and especially in the adjoining State of Missouri, whose domestic peace was thus the most directly endangered; but they are far from justifying the illegal and reprehensible counter-movements which ensued.

Under these inauspicious circumstances, the primary elections for members of the legislative assembly were held in most, if not all, of the precincts at the time and the places, and by the persons designated and appointed by the Governor according to law.

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founded all that superstructure of acts, plainly against law, which now threatens the peace, not only of the Territory of Kansas, but of the Union.

Such an objection to the proceedings of the legislative assembly was of exceptional origin, for the reason that by the express terms of the organic law, the seat of government of the Territory was "identified temporarily at Fort Leavenworth," and yet the governor himself remained there less than two months, and of his relocation transferred to the Shawnee Mission, where it in fact was at the time the assembly were called to meet at Pawnee city. If the governor had any such right to change temporarily the seat of government, still more the legislative assembly. The objection is of exceptional origin, for the further reason that the place indicated by the governor, without having any exclusive claim of preference in itself, was a proposed town site only, which he and others were attempting to locate unlawfully upon land, within a military reservation, for participation in which illegal act the commandant of the post—a superior officer of the army—has been dismissed by sentence of court martial.

Not is it easy to see why the legislative assembly might not, with propriety, pass the territorial act transferring its sittings to the Shawnee Mission. If it could not, that must be on account of some prohibitory or incapacitating provision of act of Congress. But no such provision exists. The organic act, as already quoted, says the "seat of government is hereby located temporarily at Fort Leavenworth," and it then provides that certain of the public buildings there "may be occupied and used under the direction of the governor and legislative assembly." These expressions might possibly be construed to imply that when in a previous section of the act it was enacted that "the first legislative assembly shall meet at such place on such day as the governor shall appoint," the word "place" means place at Fort Leavenworth, not place any where in the Territory. If so, the governor would have been the first to err in this matter, not only in himself having removed the seat of government to the Shawnee Mission, but in again removing it to Pawnee city. If there was any departure from the letter of the law, therefore, it was his in both instances.

But, however this may be, it is most unreasonable to suppose that by the terms of the organic act Congress intended to do implicitly what it has done expressly—that is, to forbid to the legislative assembly the power to choose any place it might see fit as the temporary seat of its deliberations. That is proved by the significant language of one of the subsequent acts of Congress on the subject—that of March 3, 1855—which, in naming appropriations for public buildings of the Territory, enacts that the same shall not be expended "until the Legislature of said Territory shall have been by law the permanent seat of government. Congress, in these expressions, does not profess to be granting the power to fix the permanent seat of government, but recognizes the power as one already granted. But how? Unlawfully, by the comprehensive provision of the organic act itself, which declares that "the legislative power of the territory shall extend to all rightful subjects of legislation consistent with the constitution of the United States and the provisions of this act." If, in view of this act, the legislative assembly had the large power to fix the permanent seat of government at any place in its discretion, of course by the same enactment it had the less and the included power to fix it temporarily.

Nevertheless, the allegation that the acts of the legislative assembly were illegal by reason of this removal of its place of session, was brought forward to justify the first great movement in disregard of law within the Territory. One of the acts of the legislative assembly provided for the election of a delegate to the present Congress, and a delegate was elected under this law. But, subsequently to this, a petition of the people of the Territory proceeded, without authority of law, to effect another election.

Following upon this movement was another of a similar nature, yet such an act has not been held to be indispensable, and, in some cases, the Territory has proceeded without it, and has nevertheless been admitted into the Union as a State. It lies with Congress to authorize beforehand or to confirm afterwards, in its discretion; but in no instance has a State been admitted upon the application of persons suing against authorities duly constituted by act of Congress. In every case it is the people of the Territory, not a party among them, who have the power to form a constitution and ask for admission as a State. "No principle of public law, no practice or precedent under