

## The Tarborough Press,

BY GEORGE HOWARD,  
Is published weekly at Two Dollars and Fifty Cents per year, if paid in advance—or, Three Dollars at the expiration of the subscription year. For any period less than a year, Twenty-five Cents per month. Subscribers are at liberty to discontinue at any time, on giving notice thereof and paying arrears—those residing at a distance must invariably pay in advance, or give a responsible reference in this vicinity.  
Advertisements not exceeding a square will be inserted at One Dollar the first insertion, and 25 cents for every continuance. Longer advertisements in like proportion. Court Orders and Judicial advertisements 25 per cent. higher. Advertisements must be marked the number of insertions required, or they will be continued until otherwise ordered and charged accordingly.  
Letters addressed to the Editor must be post paid or they may not be attended to.

## H. Johnston,

BEGS leave to inform his customers and the public, that he has

Received his Fall Supply of

## GOODS,

Of all the most Fashionable Articles, Suitable for Gentlemen's wear.

SUCH AS

Superfine Cloths, Cassimeres & Vestings, Beaver cloth and Lion skin, for overcoats, Cramlet for cloaks.  
Socks, Collars, Bosoms, and black silk Cravats, Suspenders, of superior quality.

He also has a few

## Fine black beaver Hats,

Of the latest fashion. Gentlemen wishing to purchase Goods in his line, will do well to call and examine before they purchase, as he is determined to sell low for Cash, or on a short credit to punctual customers.

Tarboro', Nov. 15th, 1838.

## COFFIELD KING,

MERCHANT TAILOR,

RESPECTFULLY informs his friends and the public generally, that he has received his

## Fall and Winter

## GOODS,

Consisting of superfine blue and black Cloths,

Invisible green and brown do. Striped and corded Cassimeres of various colors,

Plain black and figured Vestings, do black and figured Velvets,

Plain and figured Valenciens, do do Marseilles,

Plain black and fancy Stocks, Umbrellas, Bosoms, Collars, Gloves, Suspenders, &c.

All of which he will sell low for Cash, or on a short credit to punctual customers. He trusts by due attention to business, and his long experience therein, to give due satisfaction to those who may favor him with their orders.

He also will keep constantly on hand an assortment of

## Ready made Clothing,

Tarboro', Nov 5th, 1838.

## At the cheap Cash Store.

## JAMES WEDDELL,

HAS now on hand a large and general assortment of

Groceries, Hardware, cutlery.

China, Glass and Earthenware, Cotton Bugging Rops, Twine, &c &c

Which he offers cheap for Cash, country produce, or on a short credit to punctual men.

Nov. 24th, 1838.

## State of North Carolina,

MARTIN COURT OF EQUITY.

Sophia Griffin }  
James Griffin } vs. James Griffin }  
Petition for Divorce and Alimony.

MR. JAMES GRIFFIN: Sir, you are hereby notified personally to be and appear before the Judge of our said Court at the Court House in Williamston, on the last Monday in February next, then and there to answer the several allegations of the petition of the said SOPHIA. And it is ordered, that you be restrained and enjoined from transferring, assigning, or in any way withdrawing from the hands of Aca Robason, adm'r of John Robason dec'd, any estate or effects to which you may be entitled by virtue of your marriage with the said Sophia, unless you enter into bond and security in the sum of one thousand dollars to answer and abide such order and decree as may be had in the aforesaid cause.

Witness, C. B. HASSELL, Clerk and Master of our said Court, at office, the 1st November, 1838.

C. B. HASSELL, C. M. E.  
Price adv \$10 00. 45 3m

## State of North Carolina,

EDGECOMBE COUNTY.

Superior Court of Equity,  
SEPTEMBER TERM, 1838.

Martha and Zilly Scarborough, }  
vs. } Origin  
Stephen Wooten & Richard T. } at bill.  
Eagles, ex'rs &c. et al. }

IT appearing to the satisfaction of the Court, that John R. Scarborough, one of the defendants in this case, is not a resident of this State: It is therefore ordered, that publication be made for six weeks successively in the Tarborough Press, notifying said defendant that unless he appear at the next term of this Court, to be held on the second Monday in March next, at the Court House in Tarborough, and answer, plead, or demur, judgment pro confesso will be entered against him.

Witness, ISAAC N. FLEET, Clerk of said Court, at office, the second Monday in September, 1838.

I. NORFLEET, C. M. E.  
Dec. 5th, 1838. 1 Price adv \$5 00.

## State of North Carolina,

EDGECOMBE COUNTY.

Court of Pleas and Quarter Sessions,  
NOVEMBER TERM, 1838.

State }  
vs. } Bastardy.  
James E. Lewis, }

IT appearing to the satisfaction of the Court, that JAMES E. LEWIS, the defendant in this suit, is not a resident of this State: It is therefore ordered, that publication be made for six weeks successively in the Tarborough Press, notifying said defendant that unless he appear at the next term of this Court, to be held on the fourth Monday in February next, at the Court House in Tarborough, and answer, plead, or demur, judgment pro confesso will be entered against him.

Witness, JOSEPH BELL, Clerk of said Court, at office, the fourth Monday in November, 1838.

JOS. BELL, C. C.  
Price adv \$5 00. 1 6

## State of North Carolina,

EDGECOMBE COUNTY.

Court of Pleas and Quarter Sessions,  
NOVEMBER TERM, 1838.

State }  
vs. } Bastardy.  
Edwin Ellis, John Ritter }  
and John Carter, Sr. }

IT appearing to the satisfaction of the Court, that EDWIN ELLIS and JOHN RITTER, defendants in this suit, are not residents of this State: It is therefore ordered, that publication be made for six weeks successively in the Tarborough Press, notifying said defendants that unless they appear at the next term of this Court, to be held on the fourth Monday in February next, at the Court House in Tarborough, and answer, plead, or demur, judgment pro confesso will be entered against them.

Witness, JOSEPH BELL, Clerk of said Court, at office, the fourth Monday in November, 1838.

JOS. BELL, C. C.  
Price adv \$5 00. 1 6

## State of North Carolina,

EDGECOMBE COUNTY.

Court of Pleas and Quarter Sessions,  
NOVEMBER TERM, 1838.

James Norvell, Enos Taylor, }  
Samuel Taylor, Nancy O- }  
dom, Elizabeth Norvill, }  
David Norvill, Hezekiah }  
Langly and wife Cherry }  
vs. }  
Stephen Wooten & Ephraim }  
Wooten, adm'rs of Enos }  
Norvill, dec'd, James Tay- }  
lor, Enos Norvill, Eli John- }  
ston and wife Charity, Ex- }  
um Revel and wife Patey, }  
James E. Lewis and wife }  
Penny, and Dorcas wife of }  
Josiah Kail, }

IT appearing to the satisfaction of the Court, that Stephen Wooten and Ephraim Wooten, administrators of Enos Norvill, dec'd., James Taylor, Enos Norvill, Eli Johnston and wife Charity, Exum Revel and wife Patey, James E. Lewis and wife Penny, and Dorcas wife of Josiah Kail, defendants in this suit, are not residents of this State: It is therefore ordered, that publication be made for six weeks successively in the Tarborough Press, notifying said defendants that unless they appear at the next term of this Court, to be held on the fourth Monday in February next, at the Court House in Tarborough, and answer, plead, or demur, judgment pro confesso will be entered against them.

Witness, JOSEPH BELL, Clerk of said Court, at office, the fourth Monday in November, 1838.

JOS. BELL, C. C.  
Price adv \$7 50.

## POLITICAL.

WE copy from the Globe the following remarks, made to the U. S. Senate on Mr. Brown's introducing the

## RESOLUTIONS

Of the Legislature of North Carolina.

Mr. STRANGE said: It is with great reluctance, Mr. President, that I occupy the public time and attention of the Senate upon matters which seem properly to rest between our constituents and my colleague and myself. Two considerations, however, prompt me to occupy a portion of both. The one is, the established practice, so far as I am able to judge, prevailing in this body, on like occasions; and the other, its being, in my judgment, the most convenient and respectful mode of throwing immediately before our constituents our purposes, with a short statement of the reasons which govern us. I find myself in one of the most responsible positions I have ever occupied, and my anxious wish has been so to act as to ensure, at least, the unwavering approbation of my own conscience. From my political adversaries I have learned to know, by sad experience, that I have no favor to hope for, and not even justice to expect. As I may, my conduct will be misrepresented and my motives impeached. Even from my political friends, I have reason to apprehend division in their judgment of my course; while I know they will do justice to my motives.

The resolutions just read come from a source entitled to my highest respect and most deferential consideration. They are from the Legislature of a State to which I am deeply indebted, ways without number. Though but an adopted son of that State, she has heaped upon me kindnesses far, very far beyond my deserts, and I have enjoyed golden opinions far beyond my merits from all sorts of people. Though not a native of the State, there has my heart found the objects of its tenderest affections, and thither does it turn instinctively when that magic word "home" stirs within it those holy associations which no other word has power to awaken. Coming, then, from such a source, how gladly would I have found myself able to follow in any direction to which they might point! how cheerfully have I reposed upon such a counselor, and thrown off the responsibility of acting upon my own fallible judgment! Had these resolutions been couched in terms of command, no alternative would have been left me but obedience or resignation. Coming as they do, merely in the language of counsel or advice, I should unhesitatingly follow that counsel could I do so consistently with my sense of duty and my own self-respect. But the two first of these resolutions counsel me to that which not all the terrors of an *auto de fe* could induce me to perform. Gracious Heaven! to place upon the everlasting records of my country, my own declaration, that I had violated her Constitution, upon the infamous motive of party servility! No! sooner would I bite off my tongue, and spit it back in the faces of those who had counseled such infamy, however high and dignified the stations they might fill. No! conscious as I am of having been actuated in what I did, by motives the highest, the purest, the most patriotic, I am proud to have my name associated with the act, and am content that posterity may judge of me by it alone. Mistaken I may have been, but never was corruption further from my heart. If those were corrupt who did the deed, what were the Legislatures of the noble States who commanded it to be done? I myself, in the part I acted, but conformed to the express instructions of the Legislature of North Carolina. A Legislature elected when that question was distinctly before the people; and notwithstanding those instructions were given, a Legislature, a majority of which was favorable to those instructions, was again elected. I could not, therefore, with proper respect to the Legislature and people of North Carolina, by whose command the act was done, censure it in the manner proposed, if there was nothing else to restrain me.

Far be it from me, in thus remarking upon the resolutions, to impeach the motives or impugn the conduct of those who passed them. My own opinion is, that family quarrels should never be carried beyond the paternal domain, and, if I have any thing to complain of in the temper, language, or substance of these resolutions, on a different theatre will that complaint be made. Here, at least, it is my wish and my purpose, always to speak respectfully of those whom the people of North Carolina shall see fit to elevate to high places.

The terms of the resolution having placed conformity to them entirely out of the question, it remains to be considered what is my alternative course. Were I at liberty to consult the suggestions of impassioned personal pride, I should certainly resign. It is always easier to retreat from difficulty

or danger than to encounter it, and abide the issue. When a man gets into a political difficulty, the shades of private life have many attractive charms, and upon them he is apt to cast a wishful eye. For my part, I acknowledge that I feel myself in a political difficulty, from which I would willingly retreat, if I might do so with propriety. But the question is one of duty simply, and not of choice. If it is not my duty to resign, it is my duty to remain here. One or the other is clearly obligatory upon me; and which is the question? As I said before, had these resolutions been couched in the language of command, obedience or resignation would have been my duty. I accepted the trust I now hold, under the full knowledge that those who sent me here expected me to obey instructions when received, or resign. Such is the creed of the political party that elected me, and I should disappoint their expectations if I refused to act upon that principle; but, on the other hand, I should be guilty of treachery to them if, upon any other ground than a high sense of duty, I surrendered the trust to which they have assigned me. If the Legislative elections in North Carolina were shortly to occur, my position would be clear of all difficulty. I would at once, at the close of this session, return back to the people the trust I hold, to be conferred by them according to their pleasure. But in the long interval to ensue before another election in that State, very calamitous results might, in my apprehension, attend an immediate resignation. Every man knows that a most important political struggle is now going on in the land, pregnant, as all admit, with the most interesting consequences. Each party is full of hope, and expects victory in the issue. A leather may turn the scale. The diminution of force on one side, or a slight accession on the other, may decide the controversy. And shall I cast in a feather into the scale of my adversaries? It is my duty to stand here, and do my utmost in advancement of those principles which I hold sacred. It is my duty, if for no other reason but to keep those out who would certainly be sent in my place. I know there are many men of both parties in North Carolina, who are better qualified than myself to fill this station. But of the many able sons of North Carolina who differ with me in political opinions, and for whom I have the highest personal respect, I should reluctantly see any one here at the present moment. Those who sent me here, therefore, have a right to expect that I will maintain my post, unless driven from it by some paramount principle, and that I do not abandon it in a cowardly manner on the occurrence of the first difficulty. There is but one great and paramount principle which can be supposed to demand my resignation; and that is the doctrine of instruction. Upon that doctrine my colleague has fully and ably enlarged. Am I, then, by any creed upon that subject, placed in a situation to render my resignation a duty? Of the political party of which a majority of those who voted for these resolutions constitute a part, it is a principle that there is no right in the Legislature to instruct, and, consequently, no obligation on the part of the Senator either to obey or resign. No complaint, therefore, can be made by them of any course which we may think proper to adopt. Of the political party to which I have been attached, the creed is to be found in Mr. Leigh's celebrated report in the Virginia Legislature, and in the uniform practice of all those Legislatures who have attempted any efficient action in Federal affairs. In the document before mentioned it is said, "Senators are instructed, and Representatives requested;" and it goes on to give the reason for this difference of language, that over the one a right to command is claimed, and towards the other the mere tender of advice. In the one case, they may assume to declare the popular will in the language proper to the expression of will—*commanda*; and when so expressed, it must stand for that will, whether really so or not. In the other, their command does not stand for the popular will, and the responsibility still rests upon the Representative to find out what it is. This difference of language has been uniformly used, so far as I am able to learn, in all resolutions adopted by Legislatures of the different States, whenever they have attempted any direct action in Federal affairs. They have assumed that the Legislature is recognised as embodying the popular will of the State, so far as Senators are concerned, whenever they think proper to use language appropriate to the utterance of will. But whenever they adopt only such language as they may with propriety use to a Representative, in addressing their Senators, it is not intended to be more operative upon the one than the other. In the one case, they themselves assume the responsibility, and stand between the Senator and the people of the State. In the other, they do not undertake to utter the public will; but while they suggest, leave the public servant to judge of that will upon his own responsibility. Such has been the obvious understand-

ing of all the preceding Legislatures of North Carolina, who have undertaken to address their agents in this body. From their earliest action down to 1834, when the resolutions were passed commanding the act now denounced as unconstitutional, and dictated by party servility, they used this peculiar phraseology. Language consists merely of the signs, which, by common consent, have been received as representing particular ideas. Technical language frequently differs from common language. By common consent, the word *instructions* has received a technical signification, when used in an address by the Legislature of a State to its Senators in Congress. These facts were all known to the Legislature of North Carolina, which passed the resolutions under consideration. Was, then, the omission of the word uniformly used by the Legislatures heretofore, when they designed direct action upon their Senators, an accidental or whimsical omission merely; and was it intended or believed that those used would be inefficient? I have not the slightest idea that it was. In the first place, the known belief of many who voted for these resolutions, that the Legislature has no right to instruct Senators, and consequently that there is no obligation on Senators to obey, forbids the idea. They could not have intended what they believed they had no right to do. Such a supposition would, I am persuaded, do them great injustice. The just conclusion is, that they meant to do just what they have done—the expression of their belief that public opinion is what they set forth in these resolutions to be their own opinions; believing, most justly, that while they had no right to command, their opinions would be most respectfully considered by their Senators. The omission of the word *instructions* was designed. And why? Because it was well known that a peculiar force and signification was attached to it, and an operation given to it which they did not approve, and therefore did not wish to sanction by its use. That the omission was designed, is further proven by the fact, which is a matter of history, that in both houses a proposed amendment by its insertion was rejected. But to place the matter beyond all doubt, my colleague and myself addressed a joint letter to the Legislature—not inquiring what effect they intended their resolutions to have—not implying a doubt which we did not entertain—but openly declaring what he firmly believed, that we should not hold them as instructions; at the same declaring our purpose to obey or resign, should we be instructed. This letter was written in the most perfect sincerity and good faith. I care not who may think proper to question it. I can appeal to God and my own conscience for my truth. But it is also known to friends here, to whom I declared my determination to resign if my construction of the resolutions was pronounced erroneous. It was not so pronounced. We received no answer to our communication. The vindication of my sincerity in addressing that letter, therefore, presents a strong consideration against resignation. If I resign now, it may be justly said that when I wrote my letter to the Legislature I considered these resolutions as instructions, in the face of my declaration to the contrary, and am now borne down by the weight of my conviction. I still think, as I thought then, that they are not instructions either in fact or according to the intention of most of those who voted for them; and so believing, the alternative of obedience or resignation is not presented to me. Is there, then, any obligation upon me to resign? Does any human being perceive any? Who can point it out? Perfect obedience is out of the question. It follows, then, in my judgment, that for the present it is my duty to remain here, and, while I do not treat the resolutions as instructions, I will show them all due respect and give to them such influence over my conduct as my judgment may approve. I have said that had the Legislature met during the ensuing year, I would resign at the close of this session; but it is still my purpose to afford the sovereign people of North Carolina the earliest opportunity of deciding the important question, by what class of politicians they choose to be represented in this body. The Legislature, at its first biennial session, shall have an opportunity of selecting for the seat I fill a Democrat or a Federalist; one who thinks it right to wipe off the foul and unjust stigma cast upon the fame of Andrew Jackson, or one who is for perpetuating it through all generations. This they will have an opportunity of doing, under a fair expression of popular sentiment, and to the people of North Carolina will I cheerfully submit the issue.

Mr. CLAY of Kentucky contended that these resolutions were neither indecorous or disrespectful. [Mr. Strange said he made no allusion to disrespectful language.] Mr. C. said he understood at least one of the Senators to say that one of the resolutions was disrespectful to the Senate. Mr. Brown said he spoke of one of the resolutions; but, emanating, as they did, from the