



"The powers granted under the Constitution, being derived from the People of the United States, may be resumed by them, whenever perverted to their injury or oppression."—Madison.

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TERMS:

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No paper will be discontinued while the subscriber owes any thing, if he is able to pay;—and a failure to notify the Editor of a wish to discontinue at least one month before the expiration of the time paid for, will be considered a new engagement.

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Advertisements will be conspicuously and correctly inserted at One Dollar per square for the first insertion, and Twenty-five Cents for each continuance—except Court and other judicial advertisements, which will be charged twenty-five per cent. higher than the above rates; (owing to the delay, generally attendant upon collections). A liberal discount will be made to those who advertise by the year. Advertisements sent for publication, must be marked with the number of insertions desired, or they will be published until forbid and charged accordingly.

Letters to the Editor, unless containing money in sums of Five Dollars, or over, must come free of postage, or the amount paid at the office here will be charged to the writer in every instance, and collected as other accounts.

MISCELLANY.

REAL POETRY.

We have read some little poetry in our day and have been variously affected by it, but our feelings were never so wrought upon as in reading the following lines. We do not believe there is to be found in all the poetry that has been written, either ancient or modern, three stanzas containing more of the "real ore"—the pure, undiluted essence—than will be found in the article below. This is high praise, but we unhesitatingly submit our opinion to the better judgment of our brethren. Our correspondent has our thanks for this exquisite production.—Portland Transcript.

STANZAS.

When the cool storm howls round your door,
And you by light of taper,
Sit closely by the evening fire
Enjoying the last paper—
Just think of him whose work thus helps
To wear away the winter,
And put this inquiry to yourself—
Have I paid up the PRINTER?

From east and west—from north to south—
From lands beyond the water,
He daily, weekly, brings you news
From every nook and quarter—
No slave on earth toils more than he
Through summer's heat and winter;
How can you for a moment, then,
Neglect to pay the PRINTER?

Your other bills you promptly pay,
Whenever you do owe, sir,
The butcher for his meat is paid,
For "sundries" is the grocer;
The tailor and the shoemaker,
The hatter and the vintner,
All get their pay—then why neglect
To settle with the PRINTER?

The following was given as one of the regular toasts at the late Boston Horticultural Festival:

WOMAN—1 "Floral Lexicon," as follows:

Whate'er has beauty, worth or power,
Or grace, or lustre, is a flower.
Woman's a flower: in her we trace
Some blossom of the mind or face!
Does woman lead the courtly dance,
We hail the Flower of Elegance:
Does Fashion's wreath adorn her brow,
The Flower of Taste is woman now.
In woman's mein, in woman's mind,
The twin-born Flower of Grace we find;
And in her cheek we see
The Royal Rose of Dignity.
The lily symbol of her youth,
Blooms next her heart, the flower of Truth;
And more the violet buds express—
The Flowrets of her tenderness!

MR. MARSHALL vs. MR. CLAY.

We have heretofore alluded to the speeches made by Mr. Marshall, late of the "whig" party, relative to the "sashed boy of the Mills," Henry Clay. The following is given in a Frankfort (Kentucky) paper, as a description of part of a speech delivered by him at that place, during a recent visit:

The most burning and thrilling parts of his address were comprised in his withering sarcasm and scathing invective against the devotion of his party to the hidden or secret *one man power* by which they were ruled as with a rod of iron. He portrayed with the pencil of a Hogarth the lineaments of whiggery in this district, exhibiting them bowing with the cringing servility of abject slaves to the dictation of an individual; and while he did not reproach Mr. Clay or identify him as the subject of his picture, the mind instinctively turned to him as the master-spirit before whom the free voters of the district submitted with the most obedient resignation. But above all, he poured the red hot lava of his sarcasm upon the devoted heads of those crawling sycophants who follow in Mr. Clay's shadow and hang to his coat-tail as the only means left them to secure preferment; who cannot see the sun rise or set except in his—eyes; who do his bidding and consult him upon the preparation of a roast pig or the yoking of a rafter. He exhibited them as clinging to him wherever he might go, and following him like the farmer ploughing his devoted furrow after the tortuous windings of the heifer.

When he took his attitude *à la Beau Brummell*, placed his hand under his coat-tail on one side and held out the lapel on the other, as conveying an idea of the sycophancy of some of the great man's followers, suiting the action to the word and the word to the action, it struck us as if Cruikshank could have witnessed the scene, and could have conveyed his pictures the grinning delight of the democrats fairly agonized with laughter, and the sullen, down-cast looks of the whigs, he would have made his fortune. Oh! the effect was irresistible. We could not fill up the picture so vividly drawn but by reverting to some toadies who we knew he had in his mind's eye.

He said in conclusion, he knew the sword of whiggery was being whetted for him from point to hilt, and it might be that it would descend upon him. But he was prepared for the sacrifice, although he would not be an unresisting victim.

Retort.—A few days previous to a recent election, a candidate for the office of sheriff, was thus accosted by a neighbor:—"Well, sir, I hope you will be elected, for I would rather be hung by you than any body else?" "And I," replied the candidate, "would rather hang you than any body else."

A Dutch Device.—Smoking is carried to such an excess in Holland, that every inn is filled with a thick cloud of tobacco smoke; and when the waiter enters the room in search of any Dutchman who may be wanted, he takes a pair of bellows in his hands, to blow the smoke from the face of the party, that he may discover the person he wishes to find.

It's a Fact.—A Western paper says that young ladies who are accustomed to read newspapers, are always observed to possess winning ways, most amiable dispositions, invariably make good wives and always select good husbands. A truer thing never was said.

"Oh, my dear sir," said a poor sufferer to a dentist, "that is the second wrong tooth you have pulled out!" "Very sorry, sir," said the blundering operator, "but as there were only three when I began, I'm sure to be right next time!"

An Irishman and a negro were fighting a few days since in Philadelphia, and while grappling with each other, the Irishman exclaimed—
"You black vagabond, holler enuff!"—I'll fight till I die!"

"So will I!" sung out the negro; "I always does!"

North-Carolina Legislature.

We gave in our last, the proceedings of the Legislature on Monday and Tuesday, the two first days of its Session. On Tuesday, it will be recollected, several ballottings were had for three Engrossing Clerks, without success. The candidates voted for were Messrs. Cochran, Coleman, Rumley, Miller, McClelland, Gray, Baie, Hancock, Graves, Hayes, Drake, Hoyt, Hoover, Thomas, and West.

SENATE—Wednesday, Nov. 23.

Yesterday's Journal being read and approved, Mr. Edwards, from the Committee on Rules of Order, reported, that the Committee concur in recommending the rules that obtained in 1840 for the government of the Senate. Concurred in.

Mr. Spruill, from the joint Committee on the part of the Senate, to superintend the balloting for three Engrossing Clerks, reported that 163 votes were cast, necessary to a choice 83, and that no person having received a majority of such vote, there was no election; which report was concurred in.

A message was received from the House proposing "to go into the election of three Engrossing Clerks"; which being agreed to, the House was informed thereof, by Message, and Mr. W. P. Williams and Mr. Jones were appointed a Committee to superintend the balloting.

The names of the following Candidates were withdrawn from nomination, viz.: Messrs. West, Gray, Hancock, Hayes, Baie and Moore.

Received from the House a certificate from the County Court of Iredell, in favor of Ann Patterson, a Pensioner, which was read, and ordered to be countersigned by the Speaker of the Senate.

Mr. Reid presented the Pension Certificates of Isabella Campbell and Martha Spears, from the Clerk of the County Court of Cumberland which were also read, ordered to be countersigned by the Speaker and transmitted to the House.

The Senate then proceeded to vote for three Engrossing Clerks, when the vote stood thus: Cochran 27; Rumley 26; McClelland 12; Miller 21; Thomas 21; Drake 5; Coleman 10; Hoyt 14; Tate 1; Graves 7.

Mr. Morehead offered the following Resolution: Resolved, That a Committee of two be appointed to ascertain and report the amount of Public Taxes paid into the Treasury of the State, in the years 1838-'39-'40-'41 and '42 by each County in the State, that said Committee set forth in their Report the aggregate amount of Public Taxes paid by each County into the Public Treasury for the five years aforesaid, also the average amount paid by each.

Resolved, that they further report the Federal population of each County, as ascertained according to the census taken under the Act of Congress passed in the year 1839, entitled "An Act to provide for taking the sixth Census, or enumeration of the inhabitants of the United States."

Mr. Edwards suggested to the Senator from Guilford, whether, in the room of appointing a Committee to obtain the information sought for by the resolution, it would not better become the dignity of the Senate to call upon the Departments to furnish the Statistics be required; further than this, he had no objection to the resolution.

Mr. Morehead replied, that he had offered the resolution without any consultation with the friends he usually acted with; he, for one, was not desirous of staying the entire Winter in Raleigh; the matter sought for by the resolution was required before the Senate could act upon a most important duty which devolved upon them, and that his sole wish was to facilitate the business of the Senate.

After a further interchange of opinions between Messrs. Edwards and Morehead, the resolution was laid upon the table until to-morrow.

On motion of Gen. Spruill, the Senate adjourned.

HOUSE OF COMMONS.

On motion, a message was sent to the Senate, proposing to vote for Engrossing Clerks.

Mr. Francis introduced a Resolution for the relief of the late Door-keeper, which passed its first reading.

Mr. Halsey introduced the following Resolution: Resolved, That a committee of three be appointed to prepare and report to this House a Tabular Statement of the population of North Carolina, contained in the several Counties, agreeable to the last

Census, and the Federal Population contained in each; and prepare and report a statement of the Taxes paid into the Public Treasury of this State by each county for the last five years.

Which Resolution was adopted, and Messrs. Halsey, Biggs, and Norcum were appointed the committee.

A message was received from the Senate agreeing to the proposition to go into the election of three Engrossing Clerks.

The House then proceeded to vote; which resulted as follows: Graves 23; McClelland 37; Coleman 16; Drake 10; Tate 5; Lancaster 3; Hoyt 44; Rumley 49; Miller 52; Cochran 63; Thomas 46. The whole number being 163, and 82 being a majority, Mr. Robert Cochran was declared duly elected. Two more to elect.

The Governor's Message was then received, and was read to the House by the Assistant Clerk.

Mr. Barringer moved that the message and the accompanying documents be sent to the Senate, with a proposition to print five copies for the use of each member.

Mr. Biggs moved to amend, by inserting *one* instead of *five*. He stated that he made the motion without intending any disrespect to the Governor, but it was merely to save money. The expenses of printing had increased greatly since 1838, and it was time that they were retrenched. The custom before that time was to print but one.

Mr. Mills, objected to the amendment. Mr. Bower was in favor of the amendment. He went in for retrenchment and reform.

Mr. Francis concurred with Mr. Mills. The people had a right to have this information. It was a pecuniary business, to deny them this for the purpose of saving this little expenditure. Gentlemen must have some ulterior object in view. Let them out with it. All of the people were looking anxiously for the message. He knew his constituents were; and a great many people did not take a newspaper, and some were not able. He wanted all of them to have the information contained in the message.

Mr. Biggs again took the floor. He repeated that he intended no disrespect to the Governor. If the gentleman from Macon would go back to 1833 he would find out what had been the custom. His ulterior object was retrenchment, and to bring things back to where they were before.

Mr. Francis rose in reply. He thought their ulterior object had leaked out. There were some things in the message that did not suit their tastes.

Mr. Bower made some additional remarks in favor of the amendment.

The question was then taken on Mr. Biggs' motion, and it was adopted. Ayes 60; Noes 55.

The motion of Mr. Barringer, as amended, was then adopted.

Mr. C. Jones, in behalf of the Committee appointed for that purpose, reported Rules of Order for the government of the House.

On motion of Mr. Cardwell, they were amended, and afterwards adopted.

The House then adjourned until to-morrow morning, 10 o'clock.

Governor's Message.

Gentlemen of the Senate,
and of the House of Commons:

The periodical assemblage of a portion of the people, selected for their eminent qualifications, for the important trusts confided to them—to enact laws by which they, as well as their constituents, are to be governed—is an occasion interesting to the philanthropist, cheering to the friends of rational liberty, and an able commentary upon the excellence of our political institutions.

To that Department of the Government assigned to superintend the due execution of the Laws, this assemblage should always be acceptable, as affording an opportunity to show how the duties of that Department have been discharged—to point out the defects of the laws, which experience has proven to exist—and to suggest such amendments and enactments as the good of the community may require.

Such is the interesting occasion, fellow-citizens, which brings us together; and, in the name of our common constituents, I cordially greet you, and tender you my hearty co-operation in the adoption and execution of all measures that may redound to the welfare of the community.

Since the last meeting of your Honorable body, although portions of our State have been visited with affliction, and with physical causes, destructive to the hopes and labors of the husbandman—yet the general health of the land, and the bounteous productions of the soil, have been such as to elicit the most profound gratitude towards that Author, from whom all blessings flow, and to whose superintending Providence we are indebted for all we are, and for all we hope to be. And it is our especial duty, as it is that of every Department of every American Government, earnestly to solicit a continuance of those peculiar favors, which have rendered the American people the blessed of the earth.

Within the same period, an event has taken place, in the death of our late lamented Chief Magistrate, which, while a grateful people have mourned their bereavement, and a suffering country felt the affliction, yet has it proven the foresight of our Revolutionary sages, in the adoption of our Constitution, and has tested its wisdom and stability. A similar event, in most other countries, would have been followed by a resort to force, or, at least, to extraordinary legislation, to establish the succession.—With us, the successor, already indicated by the people themselves, glides into the Chief Magistracy, with an ease and quiet on his part, and an acquiescence on ours, that proves, how fortunate it is for the human family, when, in the establishment of their forms of Government, they select Wisdom, instead of Ambition, for their counsellor. And, it is to be fondly hoped, that every future test, like this, will assure the friends of our form of Government, of its strength, and its enemies, how delusive the hope of its destruction.

The Result of the late Treaty with Great Britain, gives us pleasing prospects of continued peace; and, however widely some of us may differ from the President, as to the manner in which he has discharged a portion of his duties, yet the meed of praise is due to him, for his earnest and successful efforts, sustained and carried through by the em-

ment abilities of his distinguished Secretary, to adjust our difficulties with that Power upon principles of Honor and of Justice. Nor is it to be believed, that the good arising from this adjustment, will be confined to the parties immediately concerned. The noble example, set by two of the most powerful, intelligent and honorable nations of the earth, in adjusting their difficulties, by a resort to argument, instead of arms, will be worthy the imitation of every member constituting the great family of nations.

The history of nations ought to have taught and, it is hoped has taught the present generation, that that good which arises from the guidance of reason, and the dictates of justice, is more beneficial and permanent, than that which results from the most brilliant triumph of arms, victorious over right and justice.

In inviting your attention to such matters as ought to engage your deliberation, during your present Session, I refer you to the first Article of our Constitution, as amended, whereby it becomes your duty, at this Session, to lay off the State into Senatorial Districts, and to apportion the representatives in the House of Commons among the several Counties of the State. The rules by which you are to be guided in the discharge of your duties, are so explicitly laid down in the Constitution itself, as to preclude all suggestions on the subject.

At the last Session of Congress, an Act was passed, to apportion the Representatives among the several States, according to the sixth Census. By this Act, the number of Representatives to which North Carolina is entitled, is reduced from thirteen to nine. It therefore becomes your duty, to lay off the State into nine Congressional, and eleven Electoral districts. In the discharge of this duty, justice to the citizens of every part of the State, demands, that the districts shall be laid off as nearly equal in Federal Population as it is practicable to make them, and that they shall assume such shape, as shall be most convenient for the voters and candidates of every district. Indeed, the principle that in all popular elections, every citizen should have the full political weight to which he is entitled by the Constitution and Laws of his country, is so obviously just and undeniable, that it is deemed scarcely necessary to suggest its adoption for your guidance in the discharge of your important duties.

By an Act of Congress, approved the 4th Sept. 1841, entitled "An Act to appropriate the Proceeds of the sales of the Public Lands, and to grant Pre-emption rights," a payment became due to North Carolina at the Public Treasury, on the 1st July last. On the 24th June preceding, a communication from the Treasury Department was addressed to this Department, requesting that an Agent should be designated to receive the payment. I forthwith appointed CHARLES L. HINTON, Esq., Public Treasurer, the Agent of this State to receive the payment; who proceeded to Washington for that purpose, but the amount was not then paid, for the reason, as it was alleged, that the net amount for distribution had not then been ascertained. On the 4th November, the acting Secretary of the United States, informed me that the accounts had been adjusted, and the sum of \$22,917 97 was found due this State, of which the Treasurer was informed, and he forthwith requested the Department at Washington to forward him a Draft for the amount. This Draft is daily expected. It becomes your duty to apply this fund to such purpose as your wisdom may suggest.

The Raleigh and Gaston Rail-road Company availed themselves of the Act of the last Session, entitled—"An Act to secure the State against any and every liability, incurred for the Raleigh and Gaston Rail-road Company, and for the relief of the same,"—by accepting the benefit of the Act, and giving the Executive notice of the acceptance within the time therein prescribed. The Deed of Mortgage, and Deed of Pledge, required by said Act, have been duly executed and registered, and Bonds to the amount of \$500,000, conditioned as required, have been executed and delivered to the Treasurer, signed by obligors, whom I believed at the time to be able to pay and satisfy said Bonds. The Treasurer endorsed \$300,000 of the Bonds of said Company, as directed by said act to do, and delivered them to the Company; and having heretofore, under a former Act, endorsed \$500,000,—the State stands responsible for the Company, now, to the amount of \$800,000. As yet, I am not aware that the Treasurer has been required to pay any thing for any responsibility incurred by the State for this Corporation.

At the same Session, an Act, somewhat similar, entitled "An Act for the relief of the Wilmington and Raleigh Rail-road Company," was passed. That Company availed itself of the benefit of the Act, by fully complying with its requirements, in giving the security, and their Bonds, to the amount of \$300,000, have been endorsed by the Treasurer, as by said Act he was directed to do. I am not aware that any demand has been made upon the Treasury, for any liability incurred for this Company; and I am informed that the Company has discharged \$50,000 of said bonds, as required by the Act. Besides the interest, which the State should feel, from pride and from utility, in the success of these two noble enterprises, there is an additional interest, which invites your serious attention. For the first of these Roads, we have seen that the State is bound as security for \$300,000—for the latter, she is bound as security now for \$250,000, besides being a Stockholder in the same to the amount of \$500,000.

The first and most important consideration then, is—How the Roads can be enabled to meet their liabilities, and thereby secure the State. The embarrassment of the country has been, for some time past, and is likely to be for some time to come, so extraordinary, that travel, the most profitable source of revenue to Rail-roads, has decreased exceedingly, and the productions of industry are so low, and the profits of merchandise so reduced, that the income from heavy transportation has greatly diminished. No doubt is entertained but that both Roads would speedily extricate themselves from debt, and make their stock profitable, could they have full employment. Any act of legislation that can aid them in procuring additional employment, without incurring additional responsibility on the part of the State, will certainly be wise and prudent.

It is more than probable that application will be made to charter a Company to construct a Rail-road from some point on the Raleigh and Gaston Rail-

road, to Weldon, the point where the Portsmouth and Roanoke, and Wilmington and Raleigh Rail-roads meet; thus connecting, by a continuous Rail-road, our seat of Government with our own excellent Port of Wilmington, on the one hand, and with one of the best seaports in the world, on the other. No valid objection to granting this charter is perceived, while there is much to sustain its propriety. The distance is short, some fifteen miles, the ground is favorable, and the usual expense of Depots and Cars can be dispensed with, by the use of those belonging to the Roads, so greatly interested in this connection. Besides the advantage of transferring heavy articles and such as are inconvenient to handle, directly from the Vessels to Cars, that will deliver them in Raleigh, and vice versa, it will shorten and quicken transportation, by competition, shorten the route by Rail-road to Wilmington, and give us the means of offering our products in the rival markets of Petersburg, Norfolk, and Wilmington, within a few hours after leaving the City of Raleigh.

The next inquiry is, by what means the vast productions of the fertile West can be made to travel Eastward, and reap the advantages of these Rail-road facilities. From personal observation, I have found the Roads leading from Raleigh Westward, for the distance of fifty or sixty miles, and those passing over similar Geological formations, which range from North-East to South-West, across the whole State, separating the rich valley of the Yadkin from Fayetteville, decidedly the worst in the State. Thus, we find the productions of this range, often seeking a market much more distant than our own, because more easy of access; the towns of Cheraw, Camden, Columbia, and in the far West, Augusta and Charleston, are much more familiarly known than even Fayetteville or Raleigh; much less, those Towns farther Eastward; and this grows out of the impracticability, in a great degree, of passing over our roads, with heavy burdens at that season of the year most convenient to take our produce to market. The remedy for these evils, is believed to be in good Turnpikes—improvements more within our means, and therefore more likely to be made, and answering every desirable purpose. I therefore recommend that a Charter be granted, to make a Turnpike Road from the City of Raleigh to some point Westward, selected with a view to its ultimate continuance to the extreme West, requiring the Corporation to commence operations at Raleigh, and to finish specified sections of the Road within specified periods, and making it forfeit its charter as to all that part of the contemplated Road, which is not finished within the time prescribed, but granting the privilege to charge Tolls on all such parts as are completed, having a due regard to the citizens of the counties, through which the Road may pass, so that they shall not be harassed by unnecessary exactions on those parts of the Road lying in the Counties where they reside. Such a Charter would hold out inducements to capitalists, to embark in the enterprise, as they could abandon it, whenever they found it was likely to be injudicious, and yet retain what was likely to be injudicious, and yet retain what was likely to be injudicious, and yet retain what was likely to be injudicious.

In connection with these Roads, I will again invite your attention to the facility with which the State can be called upon for payment. If either of these Companies shall fail "to pay the principal and interest as it accrues, the Public Treasurer is authorized to pay the same, out of any money in the Treasury at the time," and for this the faith of the State is pledged. By reference to the amount of semi-annual interest, and annual payments of principal, which are required to be paid, it will be seen, that it is not probable, nor indeed is it necessary, that there should be in the Treasury at all times, an amount sufficient to meet these contingencies, which, it is to be hoped, will never happen. Yet, as they may happen, and as the pledge of the State must be kept under all circumstances inviolate, and its faith sustained, I recommend that the Treasurer have authority to borrow from our Banks, a sum not exceeding, at any one time, the amount which the State may be required to pay between the sessions of the Legislature, and that these loans be contracted only as the demands are made, and after the funds belonging to the Treasury are exhausted.

By a Resolution of the last Legislature, the Treasurer was directed to borrow from the Literary and Internal Improvement Funds, such sums as might be necessary to defray the expenses of the State, until the 1st Nov. 1842—"he, at no time, borrowing more than is required for the time being," and the officers, having charge of these Funds, were directed thus to loan them. The inconvenience of this plan, to supply the wants of the Treasury, is experienced in this: A large amount of these funds have to lie idle in the Treasury, to be ready when the Treasurer may wish to borrow. The Boards, having charge of the funds, are thereby restrained from seeking for them permanent investments, and the profits which ought to arise from so large an amount, is greatly diminished, as it is not presumed the Legislature contemplated paying interest on any more than was actually used.

As these liabilities of the Treasury are to continue for years to come, it is the part of prudence to make provision to meet them promptly, no matter how sudden and unexpected the call. I would respectfully invite your attention to the Public Highways generally. In the Eastern section of the State, the variety of navigable sounds, rivers and streams, and the excellent adaptation of the face of the Country to good roads, render Legislative negligence on these subjects, less oppressive. But from Fayetteville, the highest point of good Navigation Westward, (and the only navigation in our own State, in that direction, excepting the slight batteau Navigation of the Dan, as high as the county of Rockingham,) to the Buncombe Turnpike, a distance of some two hundred and fifty or three hundred miles, what navigable River, Rail-road, Turnpike or McAdamized highway, gives to the laborer facilities of transportation? None!—literally, none! This vast extent of Territory, reaching from the Blue Ridge in the West, to the alluvial region in