

of an outbreak, which we most frankly confess begins to appear almost inevitable. We are not at liberty to state more at present, and we withhold much that has come to our knowledge for good and sufficient reasons.

From the N. Y. Sun, of Tuesday.

"Since the above was written, we have received intelligence that the Governor of Rhode Island has suddenly called the General Assembly together. They met on Monday and received a message from the Governor requesting an advisory committee, he being unwilling to go farther in such a crisis without advice and direction on the part of the Assembly. A committee was appointed, and the House adjourned to Tuesday. No allusion was made to any mode of compromise, and there are great fears of an outbreak. The volunteer companies of the suffrage party paraded on Saturday night, well armed and drilled, and with a determination to resist any attempt to enforce the late law of the Assembly."

(From the N. Y. Journal of Commerce.)

"The news from Rhode Island is rather more beligerent. Gov. King has called an extra session of the Legislature, which body accordingly convened at Providence on Monday last. The following is an abstract of the proceedings of that day, as stated in a slip from the Providence Journal:

Monday April.—The House came to order at a quarter before 2 o'clock, the Speaker in the Chair.

The roll was called, and 37 members, just a quorum, answered to their names. A message was received from the Governor.

Mr. Randolph moved that it be referred to a special committee.—(Carried.)

The message of the Governor, after a brief review of the current events, since the adjournment of the General Assembly, a few weeks since, and of the present state of affairs, suggests the propriety of making a requisition upon the President of the United States for aid, to put down the domestic violence with which the State is threatened, and recommends the appointment of a Board of Counsel to advise and consult with the Executive, and the organization of such a military force as shall be deemed necessary in the present exigency.

A gentleman who left Providence on Monday evening, informs us that the aspect of things was considered more discouraging than at any previous date.

From the Raleigh Standard.

MR. MOREHEAD'S REPORT.

We publish this week the Report and accompanying bill, made to the Legislature by James T. Morehead, recommending that the two Boards of Internal Improvement and Literature, should be united, and that all the money due the State by the purchasers of the Cherokee Lands should be collected and deposited in Bank; and the only reason assigned for this cruel policy at such a time of hard pressure as the last year, was, that it is incompatible with the Governor's dignity to attend to such small matters as renewing the Bonds given for them.

The public will, we trust, consider the subject coolly and dispassionately. The brother of the Governor, a "whig," recommends that all money due by the people to these Boards, should be collected these hard times, and put into the Banks, and only because it would be incompatible with the dignity of the Executive Officer to devote a little time to renew the Bonds of the poor log-cabin men who elected him. It is certainly the most oppressive and absurd policy ever invented. The State did not want the money—the Banks had enough without it—and its collection would be ruinous to the people, as the whole amounted to about half a million of dollars.

But even if the State wanted it, and the Banks, (who were not entitled to it) had desired it, pray tell us if the claims of an honest and industrious, hard-working people, borne down by the pressure of the times, are to be lightly set aside? Should not such a claim, (that of the State) high as it is, be asserted with caution, where the welfare, nay, the very life-bread of "log cabin men" was in jeopardy? But there was no need, no claim entitled to entertainment, but the onerous and oppressive proposition was made under the simple plea, that the act by which the people would be saved from ruin, compromised the dignity of the Governor, because he was "Captain General and Commander in Chief of the Militia!" Whew! Cannon! Guns! Drums! and Fiddlesticks! Did any one ever hear such a reason for refraining from the performance of an act of charity, mercy or justice! It is a "whig" argument, out and out—worthy of the hard-cider campaign and all the humbugs of 1840.

Will any one say that this is a mere electioneering effort to injure Governor Morehead? As well might it be said the press should be silent on every subject that concerns the public interest or the rights of the people, lest the conduct of public men should be brought into disrepute. We do

not understand this way of worshipping men at the expense of justice and truth.—Here are the facts. Broad, palpable, undeniable. Why do not the "whigs" admit, at once, that the Governor and his brother have committed an error, and ask the people to have a "generous confidence" that they will never do so again? Will they compromise their integrity as men and their honor as politicians, by denying a truth that can be read and understood by every log-cabin man in the country?

We copy from the official Record—we state the simple facts, and draw no other conclusions but those drawn by the whigery themselves—and what is to be the result? Will the people permit themselves to be deceived? No, they must see what is the amount of whig love for log-cabin men, and find that we have told the truth, when we have over and over said to them, that "whig" love for the people was all an imposition and deception.

REPORT

Of the Joint Select Committee on the subject of uniting the Literary and Internal Improvement Boards.

The Joint Select Committee, to whom was referred so much of the Governor's message as relates to the expediency of uniting the Board of Internal Improvement and the Literary Board, have had the same under consideration, and submit the following report:

In order to come to a satisfactory conclusion on the subject, it is deemed necessary to inquire into the organization of the two boards, the property and effects heretofore granted to each, how the same have been managed, and their present condition.

In the year 1825, the Legislature created the board known and styled "The President and Directors of the Literary Fund." The same act transferred to that board, among other things, the dividends arising from the stocks owned by the State in the Cape Fear Navigation Company, also on the stocks owned in the Ranoke Navigation Company, together with the taxes imposed on licence to retail spiritous liquors and auctioneers, and the monies arising from the entries of vacant land. Other stocks were transferred; but as some of them are included in the funds hereinafter set forth, and others becoming worthless, a further notice of them is deemed unnecessary.

By the act of the Legislature, passed at the session of 1836-'37, the Literary Board was remodelled, and the board known and designated by the name and style of "The President and Directors of the Literary Fund of North Carolina, was then created. By the same act, the funds invested by the act of 1825, in the Literary Board, were transferred to the newly created board, and, in addition thereto, the Legislature transferred to the said board, the following property, stocks and effects: to wit: all the swamp lands, which had not been previously granted; one million of the capital stock in the bank of the State and the bank of Cape Fear, also \$600,000, to be invested in the capital stock of the Wilmington and Raleigh Rail Road Company.

At the same session, the Legislature set apart the sum of \$400,000 to be expended in draining of the swamp lands, and the Literary Board is directed to put to interest upon short credits, such part of that sum as should not be wanted for immediate use in draining the lands and the interest arising therefrom, also to fall into the Literary Fund; also to re-invest the profits arising from its funds to the greatest advantage.

In obedience to the legislative mandate, the Literary Board purchased stock in the Bank of Cape Fear, to the amount of \$32,200; and invested in the bonds of the Raleigh and Gaston Rail Road, the sum of \$140,000; and in the bonds of the Wilmington and Raleigh Rail Road, the sum of \$85,000; and loaned to other corporations and to individuals, the sum of \$155,953 75. The latter sum is secured by about sixty bonds from individuals and corporations.

The committee believe, that the situation of the funds of this board will be better understood, by a recapitulation of its means.

Funds of the Literary Board.

Table with 2 columns: Description and Amount. Includes Stock, Bank of Cape Fear, Bank of the State, Notes on individuals and corporations, Swamp improvement, Bonds on Raleigh and Gaston Rail Road Company, etc.

Aggregate amount, \$2,241,480 05. The above sum of \$2,241,480.05, includes the amount of property and the increase thereof, from 1837, to 1st of November, 1840. The expenses of the board for the same period have been \$3,790 55. The Board of Internal Improvement was established by an act of the Legislature, passed in 1819, and by that act, the funds arising from the sales of the lands, acquired from the Cherokee Indians, together with the dividends of the stock, owned by the State in the Bank of Cape Fear, were invested in said board.

By the act of 1836-'37, the stock owned by the State in the Bank of Cape Fear, was transferred to the Literary Board; and

the surplus revenue, received from the Treasury of the United States, was transferred to the Board of Internal Improvement, deducting from the sum received, the sum of \$300,000, to be applied to the redemption of the public debt of the State; the sum of \$300,000, to be invested in the Stock in the Bank of Cape Fear; the sum of \$200,000, appropriated to the draining of the Swamp lands, and the sum of \$100,000, appropriated to meet the expenses and appropriations made at the same session.

The last recited act, directs the Board of Internal Improvement to loan their funds, "and required, 'upon good security,' either to individuals or corporations, taking 'bonds therefore, payable semi-annually; but capable of renewal, should the bonds 'not direct otherwise, and bearing interest 'from the date.'"

In obedience to the directions of the Legislature, the board have so conducted their funds as to present the following statement:

Table with 2 columns: Description and Amount. Includes Bonds for the sale of Cherokee lands, Do. sales made in 1836, Do. sales made in 1838, Bonds on individuals and corporations.

Aggregate amount, \$325,049 75

The expenses of the board from 1837, to November, 1840, were \$2,156 56. The amount received for the sale of Cherokee lands, is evidenced by about 4,000 bonds, half of which is now due; one fourth due in 1841; the remaining fourth will fall due in 1842.

The amount loaned out by the board to individuals and corporations, is secured by ten bonds.

It is due to the members of both boards, to state, that every facility has been given to the committee, in examining into that which they conceived to be their duty; and it is due to the Legislature, to state, that the statement of the funds, of each, has been made from reports, submitted to the present Legislature, which the committee believe to be correct.

The Literary board consists of the Governor and three other members; and the board of Internal Improvement consists of the Governor and two other members, each of whom are entitled to three dollars per day for attendance and to travelling expenses.

From the statements before made, it has already been shewn, that the two boards are directed to put their money to interest upon short credits, and upon semi-annual credits, and that there are, exclusive of the bonds given for the sale of the Cherokee lands, upwards of seventy bonds due the two boards; that the existing law requires a majority of each board to transact business. The result is, that in some instances, the expense in renewing a loan is greater than the interest received.

The committee beg leave to take another view of the subject, from the report made to the present Legislature. It is probable, that a large portion of the swamp lands will be brought into market during the present year; if so, the labor and expenses of the board, will be increased in proportion to the amount of the lands. A large portion of the lands acquired from the Cherokee Indians, remains yet unsold; when these lands are thrown into market, there will be, necessarily, a larger increase in expenditure.

From the views above stated, it is more a matter of surprise, that the expenses are not greater than they are so great.

In the opinion of the committee, the whole system is radically defective. What ever may have been the object, the Legislature had in view, in directing the monies of the two boards to be put to interest, on short credits, the effect is, to convert the Executive branch of the government, into a loan office, and to assign to that department, the performance of ministerial duties, wholly incompatible with the dignity and constitutional functions of a co-ordinate branch of the government.

The committee hope that they may be pardoned for a few observations upon this branch of the subject. It is one they touch with great feelings of delicacy, and intend nothing more than to elicit the attention of the Legislature.

The 4th section of the Declaration of Rights declares, "that the Legislative, Executive, and supreme Judicial powers of government ought to be forever separate and distinct from each other." By which it is clear, that the Legislature was to pass laws; the Judiciary to interpret and expound them; and the Executive to superintend their execution and, in order to enable the Executive to fulfil this high duty, the 18th section of the Constitution declares, that the Governor shall be Captain General and Commander in-chief of the Militia.

It is submitted, under this view, whether it was intended that the Executive should perform ministerial duties? If so, who is to superintend him, and compel him to perform his duty? The Legislature cannot, because he can only be impeached for violating any part of the Constitution, mal-administration or corruption. It would seem, that the strange anomaly is presented of a ministerial officer who cannot be reached by law, for an omission of duty. Again: under the existing law, the Governor appoints, under and with the advice of his Council, the members of the two Boards. Among other powers conferred by the 19th section of the Constitution, is the power to pardon and reprieve. From the very association of the Boards, their acts are joint. Suppose violation, mal-administration or corruption by the members—they have the pardoning power among them, by which they may escape punishment, and set the law at defiance.

But in deference to the opinions of former Legislatures, the committee forbear a further train of reasoning, as to the fundamental question; but they have no hesitation in coming to the conclusion, that the two boards should be united.

From the examination of the subject, the committee are further of opinion, that the dividends, declared in favor of the two boards, and the monies received by them, should cease to be kept by the boards, for the purpose of loaning. They, therefore, recommend that the boards be united; and that the newly organized board, be directed to collect all the monies now due both boards, and to invest the same in permanent funds; and for that purpose, the committee herewith report a bill, the passage of which they recommend.

All of which is respectfully submitted. JAMES T. MOREHEAD, Chairman. January 2, 1841.

A BILL

To unite the Board of Internal Improvement and the Literary Board, and to amend the 60th, 61st, 66th and 67th chapters of the Revised Statutes.

1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the funds heretofore appropriated and set apart for the Internal Improvement of the State, by the 60th and 61st chapters of the Revised Statutes, entitled "Internal Improvement," and "an act to amend the Internal Improvement of the State," be, and the same are hereby transferred to the management and control of the President and Directors of the Literary Fund of North Carolina, to be held and converted to the same purposes as heretofore appropriated by the said recited acts.

II. Be it further enacted, That the President and Directors of the Literary Fund of North Carolina, shall hereafter consist of the Governor, the Public Treasurer, and four other members, to be appointed by the Governor, under and with the advice of the Council; which Board, shall be invested with all the rights heretofore given them by the 66th and 67th chapters of the Revised Statutes, entitled "Literary Fund," and "an act to drain the Swamp Land of this State, and to create a fund for Common Schools," and 60th and 61st chapters of the Revised Statutes, entitled "Internal Improvement," and "an act to amend the Internal Improvement of the State."

III. Be it further enacted, That any three members of the board shall constitute a quorum for the transaction of any business, of which, the Governor or Public Treasurer shall be one.

IV. Be it further enacted, That it shall be the duty of the said board, to collect all the monies belonging to the said board, which are now due, or which may hereafter become due from individuals or corporations, and invest the same as early as practicable, in the stocks of any of the banks of this State, provided the same can be obtained at a reasonable and fair value. If such investment cannot be made, then the same shall be loaned upon short credits, upon individual responsibility.

V. Be it further enacted, That said board shall reserve out of said monies, a sufficient sum to meet the appropriations made by the Legislature, to aid in Common Schools, and for draining the swamp lands.

VI. Be it further enacted, That it shall be the duty of the Public Treasurer, to receive all monies hereafter paid on account of the Literary Fund, or the Internal Improvement Fund, and the monies so received from each source, shall be kept distinct and separate from each other, and from all other funds of the State.

VII. Be it further enacted, That each and every act and part of an act, in relation to the Literary Fund and Internal Improvement, as herein recited, which are not consistent with the provisions of this act, are hereby declared to be, and remain in full force and effect.

State of North Carolina.—LINCOLN COUNTY.—Court of Pleas and Quarter Sessions, March Sessions 1842.

Thomas E. Soggs,

vs.

Jacob S. Harry.

Original Attachment levied on Land.

IT appearing to the satisfaction of the Court that the Defendant in this case, Jacob S. Harry, resides beyond the limits of this State; It is therefore ordered by Court, that publication be made for six weeks in the Lincoln Republican, that unless he be and appear at our next Court of Pleas and Quarter Sessions to be opened and held for the county of Lincoln, at the court House in Lincoln, on the 1st Monday in June next, and plead and reply, judgment final will be rendered against him, and the lands levied upon condemned to satisfy Plaintiff's demand.

Witness H. Canlier, Clerk of said court, at Office, the 2nd Monday after the 3rd Monday in February, A. D. 1842, and in the 66th year of A. American Independence.

H. CANSLER, c. c. 48—6w.

April 27, 1842. Price adv. \$5 62 1-2

WE are authorized and requested to announce JOHN R. STAMEY Esq., as a candidate for re-election to the office of Sheriff of Lincoln county, at the next election.

WE are authorized and requested to announce TURNER M. ABERNATHY as a candidate for the office of Sheriff of Lincoln county, at the next election.



THE REPUBLICAN.

LINCOLN, N. C.

WEDNESDAY, MAY 11, 1842

DEMOCRATIC REPUBLICAN NOMINATION.

For Governor,

LOUIS D. HENRY,

OF CUMBERLAND COUNTY.

The request of the Highland Messenger, complied with in our next.

The "Chapter on Bishops," unavoidably postponed.

We are obliged to our Representative, Hon. G. W. Caldwell, for several valuable documents lately received from him.

See the Report and bill of J. T. Morehead for uniting the Literary Fund, and Internal Improvement Boards, and the comments of the Standard thereupon, which we have prefixed to it. Read also the article from the same paper signed "Cumberland," which will be found on our first page. The facts brought to light by Mr. Benton, in relation to certain appointments in Missouri, are also worthy of a perusal, as they show very strikingly the difference between Whig practice and Whig professions. The length of these several articles precludes any particular comment upon each.

ONE TERM.

Notwithstanding former professions, J. M. Morehead is out for a second term.—If we recollect aright, he and his party were very loud in 1840 in favor of the "one term" principle. If he was sincere then, he ought now to show it, by voluntarily declining a re-election. But, perhaps, the Governor thinks, that it is like many other principles, very good—except when applied to himself. Be these things as they may, however, in his case the people of North Carolina are about to carry out the principle—he will certainly be a one-term Governor; for, the handwriting is upon the wall!

The Highland Messenger does not deny, that Mr. Henry was selected to reply to Mr. Henry at Burnsville, on account of his reckless manner of speaking; on the contrary, that paper defends the proceeding, on the ground, that it is right "to fight the devil with fire." What thinks Gen. Edney, and what think the people of this?

As to Mr. Henry's being really "the Devil" we are not prepared to admit it; but, he certainly is "a great terror to evil doers;" and hence, he spreads consternation and dismay in the Federal ranks, wherever he goes.

STOP THAT STORY!

A tale, started in the Highland Messenger, is going the round of the Whig papers in this State, to the effect, that soon after Mr. Henry commenced his speech at Asheville, several persons, among whom were some ladies, "left the house in disgust, at some low expressions, which, the Editor of the Messenger says, he cannot publish in his paper!" Now, those who have given circulation to this story, will be surprised to learn, that there were no ladies present on the occasion! At least, Mr. Henry saw none; and we have the authority of two other gentlemen, (as respectable as any who reside in the State, and who were present) for saying, that they saw none! If there were any present, they must have been concealed somewhere in the galleries, so as to have been invisible to the speaker, and the other gentlemen referred to.

We are not surprized at the avidity with which this story has been seized upon and circulated, by the Federal press generally of North Carolina; but, that the Editor of the Raleigh Register, who knows Mr. Henry, and knows that he would be one of the last persons in the world to offend female delicacy, should give it currency, does, we confess, somewhat astonish us.—But we suppose it is with the Register, as it is with the other Federal sheets in this State; "any thing for political capital, no matter whether true or untrue."

REPAIRS OF THE GOVERNOR'S HOUSE.

It will be recollected, that notwithstanding all the denunciations of the Whig organs generally, and John M. Morehead in

particular, in 1840, against the extravagance & royal splendor of the President's House in Washington,—notwithstanding all their professions of love for economy and "log-cabin simplicity," the Whig Legislature of North Carolina in the fall of that year, made an appropriation of \$3,000, for repairs of the Governor's palace &c. It is now alleged, that the Governor has expended only a small part of this sum; and much credit is claimed for him by his friends, for not laying out the whole. Let us examine this claim: The appropriation was necessary, or it was not necessary; if it was necessary, and the Governor has not applied it he has failed to do his duty, merely that he might make a boast of saving; if it was not necessary, then the Whig Legislature is guilty of the most reckless extravagance in thus appropriating the people's money to objects for which it was not wanted. So that in order to acquit the Governor, his friends are driven to the necessity of convicting the Whig Legislature! What say ye to this, ye Whig members from Rutherford, Buncombe, Burke, &c.? Are ye really guilty, as charged in the indictment or, has the Governor failed to do his duty? One of these things, must be true. Perhaps, however, the Governor intends to apply the money after the election. Who knows!

VIRGINIA ELECTION.

Victory! Victory! Victory!

"Old Virginia never tire."

Virginia, "the mother of States," the land of Washington, Jefferson, Madison, Monroe and other "great fathers of the Republican school," stands fast by her ancient principles. Still as in 1798-9, is she found in the foremost ranks, beckoning her sisters on, in the cause of freedom. [And will not North Carolina follow?] Her election took place a few days since, the glorious result of which, as far as ascertained, is thus announced in the Richmond Enquirer, of the 3rd of May:

The Mail is decisive, and closes the door of Hope to the elect whig Party! The victory is glorious, overwhelming! Let Federalism hang up her harp upon the willows! The Old Dominion is thoroughly disenthralled. We have never witnessed a more complete Revolution. H. Clay will not have an inch to stand upon in the State. We call upon North Carolina to imitate her example. Let her, too, cast off the incubus of Federalism, and prove herself worthy of Nathaniel Macon.

We have no time for the brilliant details by the mail, which we have just received. Contents hereafter. Republicans! sleep not in the arms of victory—Enjoy your success with moderation—but use it freely, wisely, energetically—We have to rescue the wronged rights (the two Houses of Congress) from the hands of Federalism—sleep not until the deed is done.

SUMMARY OF GAINS AND LOSSES.

House of Delegates.

Table with 4 columns: Name, Dem, Fed, Dem, Fed. Lists names of representatives from various counties like Allegharie, Amherst, Berkeley, Buckingham, etc., and their party affiliations.

The Senator from Lenoir Dist. 1

The Sen. from Hampshire Dist. 1

20 4

Our majority on joint ballot will be from 24 to 30 majority! This is decisive.