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THE PRIZE PIANO. A HOUSEHOLD SKETCH.

Along the pavement flies a shadow thrown by the moonlight; it follows a man whose eager steps have led him far in advance of a throng that has just emerged from a public hall. Swifter becomes his pace, and louder sound his heel strokes on the hard pavement. Light suddenly he turns and springs up a flight of steps. He applies his key to a lock. It will not work. He becomes impatient, nervously jerks the bell wire, and that moment a servant opens the door. He speeds to the sitting-room, where his wife awaits him, and without stopping to take breath, exclaims:

"Oh, Anna, if you had been at the concert, we've got it—oh, but it's a handsome one—new wood-carved, splendid tone—it will be here in the morning."

Then the poor fellow was obliged to take a breathing spell, and his wife had an opportunity to express her joy at his good fortune.

Her husband's ticket had drawn a very handsome piano at a prize concert. Before ten o'clock the following morning the instrument was deposited at the door of their neat little parlor.

Henry Heber was a very trustworthy young man, who had a situation at a salary of one thousand dollars per annum in a wholesale store on Pearl street. He lived in a small but comfortable house in the western part of the city, which he had built with money his wife had brought him. This wife was a prudent woman for one who had not a little fashionable ambition; and with but one child, a promising blue-eyed boy, who had just begun to prattle, they were getting on swimmingly with the world. Anna was delighted beyond telling with the prize piano; it really was a splendid instrument, in style not at all in keeping with the furniture of their parlor.

After she had thumbed on the keys a few minutes she looked up archly, and said to her husband:

"You know I am an indifferent player, Harry; if I am to discourse music for you, I must have some few music books and a teacher."

"Certainly you must have a teacher, and I'll look out for one to-day. Who would you recommend, Mrs. Brown?" asked the indulgent husband, turning to a lady who had called to see the prize she had hoped to get.

"Well, I hardly know," returned the lady; "there are a number of excellent teachers in the city, but I think the gentleman recently from Paris, Mr. —, the best. His terms are very high, but my girls go to him, and they make great proficiency."

"He played on this piano at the concert, and I liked him. I must go to the store now, but before I come home to tea, I'll see him." And with these words Henry hastened to his business.

Mrs. Heber had many visitors during the day, and all were delighted with the piano; but a number thought it would show to better advantage if the parlor was furnished in the latest style. When the husband came home in the evening he brought to his wife the glad tidings that Mr. P. — had been engaged, and would give her the first lesson on the following Monday.

In the evening, while a young lady who was visiting them sat at the piano, Anna was thinking of the remarks her guest had made about new furniture, and it did not seem to her that their carpet was just such a figure as so splendid a piano should set upon. Henry, perhaps, was having a similar train of thought, for glancing around the parlor, he remarked:

"The piano puts rather a blush on the other furniture."

"So it does," returned Anna; "and I've been thinking that we ought at least to have a new carpet, and I would like to have it before I commence my lessons."

"We'll think about it," answered the husband, rather indifferently.

But on the morning Anna was invited to walk up town; a handsome costly carpet was purchased. Mrs. Brown over the way, saw the upholsterer leave it, and when he took his leave she hurried across to Mrs. Heber's. She admired it very much. "It was so handsome it made the old fashioned centre table look wretched."

Anna immediately saw the force of this remark, and was not long in finding it out. A new centre table was forthwith selected to grace the parlor, and several splendidly bound volumes were purchased to lay upon it; and next evening a solar lamp of the newest pattern threw from the table a mellow light over the new carpet.

Mrs. Smith called the next day to see Anna. Her circle of acquaintances was large, and of course there were Smiths as well as Browns within it. The lady was seated on one of the rather old-fashioned chairs, and she soon became fidgety.

"You have got a beautiful piano, Mrs. Heber, a beautiful centre table, but you will excuse me if I say these chairs are horrible."

Mrs. Smith was a plain spoken woman, and as the Smiths generally are—and Anna

excused her. When the lady had bowed herself out of the door Anna took a "calm survey" of her little parlor, and was obliged to acknowledge that Mrs. Smith had judged correctly; the style of the chairs was too heavy for that of the piano and table. They were promptly removed, and a set of costly workmanship took their place; a rich plush sofa followed the chairs, then mantle ornaments, then new window curtains, and so on till the parlor was finished throughout in the latest fashion.

One evening when Mr. and Mrs. Heber were at tea, Anna remarked that Mrs. Brown thought they ought to give their young friends a party. They had been out a good deal, and they had never given one. Their parlor was now furnished in the fashion, and they could give a party as well as not.

Of course, in due time, the party was given, and it was gotten up in excellent taste. Every body admired the parlor, every body was delighted with the party, and Mr. and Mrs. Heber made many new and fashionable friends.

When the guests had retired, Anna and Henry sat together on the sofa. They seemed well pleased with the conduct of their guests. Anna looked up to her husband with affectionate pride, saying—

"Every one admired our furniture, and all were pleased with our party. This is a nice place, Harry. We have not been extravagant but we have a comfortable home."

"True, and a pleasant one," returned the husband, perhaps a little soberly. "We have expended \$200 in furniture, and we have made some debts, but our home is so much more inviting, and we have so many more friends, I am not sorry."

"Besides, Harry, we've got along so well folks expect something of us, and it is well to make a little display. When you get into business, as you hope, you'll do the better for it."

"I agree with you, Anna; and by the way, I may as well tell you now, Mr. T., my employer, told me to-day that Mr. S., the husband of the woman who did not like our chairs, would be obliged to give up his store, on account of not being able to meet notes that T. holds, and he said that if I could make arrangements with Mr. S., I might take the business, and have time to pay the notes. The business is profitable, and I should do well."

In less than two weeks Henry Heber was installed proprietor of a store. The establishment was forthwith handsomely fitted up, and he commenced business with a glowing prospect. Before he got fairly started, he felt sorely the need of his two hundred dollars which he had buried in his parlor, but his credit was good, and he extended it.

He had a fair run of custom, and his profits were considerable. His fashionable friends thought him to be doing well, and he mingled in their company like a lord. Concerts, soirées, and balls, besides private parties, social and musical, were frequent. Anna's position required her to attend all of the best class, and heavy expenses were incurred; but Henry was enjoying himself like a prince, till within a few weeks of the time when his notes became due, business grew slack, and clouds began to gather in the future. The pressure continued. His business did not afford him the means to meet his payments. He was ruined if they were not met, and he had but one alternative—let his friends know how matters stood or sell his furniture at auction.

The sale was made, at a sacrifice to be sure; but his credit was saved. Their house was leased, and Anna and Henry took rooms at a first class hotel; thus, their position required. Their fashionable friends understood that these changes had been made because Mrs. Heber contemplated the spending the summer at a fashionable watering place. Six months passed, Henry and his wife learned what "fashionable" life was, and without an entire revolution of their habits they would not economize. They kept up appearance, but every day his business embarrassments pressed harder, till at length he must get help from his fashionable friends, or make an assignment.

He applied to numerous acquaintances, but found them, though they admired his style of living, and relished the dinners he had given, thought him a good fellow at concerts and soirées—if they were to be believed, their embarrassments were equal to his, and none could help him to a dollar. He realized the "popular end."

"If a man is down give him a thrust, Trample the beggar into the dust, Presumptuous poverty's quite appalling, Knock him down, and kick him for falling."

The assignment came, and Henry Heber fell in mercantile phrase, from a merchant to a clerk. In this last he lost many acquaintances, but no friends.

Their house did not go in the wreck, because it was Anna's property, and they could now occupy it. It is furnished in plain style, with one exception—the prize piano. It is a treasure for many reasons. The lessons its history teaches, are profitable, and its music is profitable, for Anna gives instruction upon it to a num-

ber of pupils for the purpose of assisting her husband to make another start in the world.

Not long since Henry met a friend who accused him with—

"Going to the prize concert?"

"No, I."

"You might draw the piano."

"I have been fortunate that way once, and that will answer. Come to my house to-morrow evening, if you draw the prize, and I will give you the history of my piano. It might be a good lesson."

The friend was not the lucky ticket holder, but his co-rigidity being awakened, he called on Henry, and learned the story which you have read, dear reader. Consider whether it is not a practical lesson.

SPEECH OF EDMUND KENNETH RAYNER, (OF HERTFORD.)

On the proposition to change the Constitution by Legislative enactment so as to extend to voters for members of the House of Commons the right to vote for members of the Senate. In the House of Commons, December 19th and 20th, 1850.

[The majority of the Committee to whom the subject had been referred, having reported a bill to change the constitution by legislative enactment, so as to extend to all voters for members of the House of Commons, the right to vote for members of the Senate, and Mr. Rayner having offered, as a substitute, a bill to provide for first taking the sense of the people of the State on the proposed change of the constitution, and for calling a convention limited to that one object, and no other, in case a majority of the people of the State should vote in favor of it—the question coming up on substituting Mr. Rayner's bill for the bill of the committee, Mr. R. spoke as follows:—]

MR. RAYNER said he heartily concurred with what had been declared by other gentlemen who had addressed the House, in regard to the solemnity and importance of the work on which the House was engaged. We are (said Mr. R.) employed in no ordinary work of legislation. The usual work of legislative duty here can be as easily undone as done. The people have but to pass on our acts, and if they do not approve, our successors can, at the end of two short years, reverse our action. But in the serious business of changing one of the provisions of our fundamental law under which our fathers lived, and under which we have lived so securely and happily, the case is entirely different. Our present action is intended for a long distant future—it is to affect the very frame-work of our social organization—it is to operate for good or evil, upon our posterity after we shall all have left this busy theatre, and our very names be forgotten. Serious and imposing then, and fraught with the most momentous consequences, is the work in which we are now engaged; and heavy indeed is the responsibility which rests upon us all.

I am decidedly opposed to amending the constitution by legislative enactment. I admit the amended constitution of 1835 provides for further amendments by the Legislature; but I think that a proper interpretation of that provision, and one most in accordance with the theory of our institutions, should confine such amendments to the exceptions just alluded to. Those exceptions are such as involve mere convenience, when there is a general concurrence of opinion in regard to the necessity of some slight change, in the mere machinery of the government—and when there is no great vital principle of the organic law involved. For instance, if it should be found by experience, that in order to avoid the inconveniences of a tie in the Senate, and for the prompt organization of that body, the office of Lieutenant Governor should be established in this State, then it would not only be more convenient, but eminently proper that the change should be effected by legislative enactment. So, in regard to allowing any one member to have the eyes and noses recorded in the Journal—if this should be found to work an inconvenience and a useless waste of time, and it should, by something like a general concurrence be considered best to limit this to the call of one-fifth, as in most other legislative bodies, the change could and ought to be made by legislative provision. In both of the cases put, no great principle of popular rights or of free government would be invaded—there would be nothing involved in the change conflicting with the settled habits of the people, nothing violative of the great principles which constitute the basis of the political fabric. No so, however, in regard to those cardinal elements of our civil polity, which ever have been a part and parcel of our social system—not so, in regard to questions which affect the rights of the citizen, which strike at the source and fountain of power. This view of the subject seems to be in accordance with the history of the convention of 1835. An examination of the debates of that body will show that the distinguished men who composed it looked upon the compromises therein agreed upon, as a final settlement of the dis-

tracting questions and sectional jealousies which had for years disturbed the councils of the State. All the grievances then complained of were considered to have been settled. No new element of disquiet, either of sectional interest or of popular privilege, seemed to be contemplated for the next half century. Read the debates of the convention, and you will see that it was with these cheering hopes that the members of that body terminated their labors. How, then, are we to understand that provision of the constitution providing for amendments by the Legislature? Why, that it was intended to provide for those immaterial changes of the mere machinery of the government, without interfering with any great principle on which it was based. It was after this provision had been agreed on (in committee of the whole, if I recollect aright) that the able and lamented Meares moved the additional provision which was also adopted, providing that no convention should be called, except by a vote of two-thirds of all the members of both Houses. What are we to understand by this—but that he who moved it, and the convention that adopted it, foresaw that at some future time an attempt might be made, not merely to improve the machinery of the government, but to change its organic principles, which could only be done properly by the people in convention, through a vote of a bare majority of the two Houses? Little did that convention suppose that in fifteen years their foresight and wisdom would be brought to the test of trial.

Am I not, therefore, warranted in saying that this attempt to change one of the great fundamental principles of the constitution by legislative action, is not only contrary to the spirit and purpose of the provision of the convention of '35, in regard to amending the constitution—but that it is also repugnant to the very theory of the government itself? The very first great cardinal maxim of free and representative government laid down in the "declaration of rights," which is declared to be a part of the constitution, is this, "that all political power is vested in and derived from the people only." Here is a great question of political power affecting for all time those from whom we derive our brief tenure of authority, with which we cannot rightfully interfere, except by making provision to consult those whose servants we are, with which we were not sent here to interfere, and with which we dare not interfere, unless we assume to ourselves a prerogative which the people have reserved to themselves. This assuming to know what are the people's rights better than they do themselves, although resting on an affection of great love for the people, is anti-republican and contrary to the doctrine of constitutional freedom. This doling out favors to the people by piece-meal, is constituting ourselves their masters instead of their servants. The gentleman from Burke (Mr. Avery) said that it was evident the convention of '35 intended that all specific amendments, not involving an entire overthrow of the organic law, should be by legislative enactment. The proposed change does involve a radical alteration of the organic law in one particular. What is more important, what more safely guarded, what more intimately interwoven with the frame-work of civil liberty than the question of suffrage? And the change contemplated proposes an entire abandonment of a system that has been commensurate with our history as a people, under which the glorious deeds of our revolutionary history were achieved, under which the people have lived contented and happy, which was never heard of in the catalogue of complaints to redress which the convention of '35 was called. Or did the gentleman from Burke mean that the provision in the constitution for calling a convention was not designed for an amendment of the constitution, but for the framing of an entire new one to suit a new system of government upon an entire overthrow of the present republican form? If so, a moment's reflection will teach the gentleman the absurdity of his position. Such an overthrow as he speaks of could be nothing but revolutionary, which disregards constitutions as well as ordinary laws. An amendment of a constitution presupposes that the great principles which constitute its organic existence are to remain unchanged. "An entire overthrow of the organic law," for which the gentleman from Burke thinks the provision for calling a convention was designed, would involve an overthrow of that very provision as well as all others, and would throw us back upon the original elements of social organization; and being revolutionary in its nature, would not be likely to regard the barriers against the popular will, by requiring a vote of two thirds.

Another objection to changing the constitution by legislative enactment, is its great convenience, which will render it habitual and thus destroy the confidence of the people in the stability of their institutions. This is the trying ordeal through which the people of the several States of this Union are now passing, and from the destructive evils of which nothing but the conservative, cohesive character of Anglo Saxon institutions can preserve them. Constitutions, or rather the elementary principles of constitutions, should be permanent. I am one of those who have no faith in the adaptability of certain defined fundamental principles of what is commonly termed liberty, to the wants and conditions of any and every people. France for the last sixty years has given us the best practical illustration of the utopianism of constitutional tinkers. The best constitution for any people is that which secures most happiness to the citizen consistently with the power of the government to make itself respected and to preserve its stability. When the great Athenian law-giver was asked if he had given his countrymen the best possible system of laws—he answered that they were the best the Athenian people were then capable of enjoying the blessings of Solon showed his wisdom, as much by adapting his laws to the peculiar wants and conditions of his countrymen, as in the intrinsic excellence of the laws themselves. Where any people are sufficiently enlightened, or where its enjoyment has accustomed them to its blessings, civil liberty will of course enter more largely into their happiness than any other element of government, and when a constitution secures this, the only change to which the people should accustom themselves to look, is a mere adaptation of its machinery to the wants and developments of the age. In this lies the strength and power and harmonious working of the English constitution. From 1688 to the present time, its great cardinal landmarks and elementary principles have in the main, continued the same. It has from time to time, been merely modified to adapt it to the exigencies of the spirit of the age, and only then with the most extreme caution and deliberation. Nothing is better proven by experience than that permanence and stability are necessary in order to secure the affection of the people for the government, and to insure peace and quiet and contentment in the community. Industry and enterprise have no stimulus to exertion without it. All the impulses of a patriotic ambition, all the high and noble incentives to professional fame, to scientific and literary renown, all the social ties of kindred and home, best flourish and prosper under the consciousness of stability and firmness in the institutions under which we live. Consequently, the public mind, instead of being accustomed to look to constant changes in their fundamental law, as the panacea for every temporary ill, should rather view with jealousy every attempt to unsettle its long established principles; and if, as in our case, it be the work of an illustrious ancestry, instead of being derided for its antiquity, it should be venerated on account of the associations which marked its formation. I fear if we now set the precedent of changing the constitution by legislative provision, that the character which North Carolina has so long enjoyed for conservatism and stability—will be gone forever. Fault-finding is one of the commonest ingredients in man's nature. Every moral, social and political evil will be traced to some defect in the organic law—the General Assembly, instead of attending to the duties for which they were chosen, and of striving to promote the honor and character of the State, will be session after session, engaged in solving constitutional problems, and endeavoring to show how much wiser they are than were our fathers—until that venerated instrument, which has so long been our boast and pride, will have finally disappeared forever.

I suppose I need scarcely insist on what will be admitted on all hands, that all changes or modifications of the fundamental law should be free from the baneful influences of party-spirit. In such a work of wisdom as that of making or revising a constitution under which posterity is to live, the minds of those engaged in it should be divested of not only partisan jealousy and bitterness, but of all those other distracting and unhealthy associations, which must necessarily attach to those selected for the business of ordinary legislation. The various questions of a local character, the agitating subjects of State policy, the conflicting interests of rival sections, together with all the other exciting elements that enter into the ordinary contests of the hustings, are calculated to disturb that spirit of harmony and compromise, and to prevent that calm and dispassionate consideration, so absolutely necessary in affixing the landmarks of the constitution. This is a matter better understood by the great body of our people, than some gentlemen seem to suppose. Call a convention to revise the Constitution, and Delegates will be selected with an especial view to that object alone. Men will be selected with reference to their wisdom, their experience,

their patriotism. Can this be expected of an ordinary legislature? Agitate any question of constitutional amendment as much as you may, and yet can you expect the elections to turn upon it alone? In these times of high party excitement, can you expect to elect a legislature that will readily sacrifice party allegiance to the public good? In most of the counties, the election of members of the General Assembly turns upon party politics—in some upon questions of State improvement. Can you expect a legislature thus elected, to reflect the popular voice upon an abstract question of constitutional reform? This method, then, of amending the constitution by legislative enactment, is not only anti-republican, inasmuch as it is calculated to prevent a fair expression of the popular will—but the very influences which usually prevail in the elections of members, are calculated to prevent that calm, unbiased, and patriotic action, requisite in so important a work.

I do not wish to allude to the circumstances under which this proposed amendment of the constitution first came to be agitated, or to the influences which have thus far marked its progress—lest I might be considered by some as violating that rule which I have laid down for myself, not to introduce party in this discussion. I indulge in no partisan censure, when I say, that the history of the agitation of this subject is calculated to alarm every conservative North Carolinian, more especially, if the project now on foot succeeds. Violent as have been our party contests heretofore, yet the constitution has escaped the contagion. With one accord we had all agreed to leave to popular opinion and the developments of time the regulation of the organic law. The provision complained of had existed, without complaint, ever since the first establishment of free government among us. The people were satisfied with it, no demand for change proceeded from them. But in a heated political canvass, one of our candidates for Governor in this State, nominated by a party convention as the organ and exponent of a paruzan creed, introduces this new weapon of political warfare. The people are told that their revolutionary fathers, in pretending to frame for them a system of free government, had cheated and deceived them. That jealousy, on account of power, no matter for what good reasons withheld, which is a striking characteristic of man, is appealed to, and the people or all sections and all parties are called on to rally around "the poor man's friend." And because he who was the hero of this movement has, owing to a peculiar train of circumstances, been finally elected, we are now called on in the common parlance of the time, to carry out the popular will. By the way, do not gentlemen of the dominant party here see the absurdity of their position? In one breath they tell us that the gubernatorial election in this State turned upon this question, and say that is a reason why we should make the change. And then again, we have it said, and echoed by the party press, that the election was the result of a change in the public mind in regard to party politics—and hence they claim it as a party triumph. But it is not an account of the party relations of this question, that I look on it with such misgiving. It is the precedent likely to be set by it. Our constitution is to become the mere football of party. Constitutions are limitations upon those exercising power. In republican governments, the people put restraints upon themselves. Every one knows how easy a matter it is, by appealing to the weak and the bad passions of man's nature, to make one generation dissatisfied with the limitations a preceding one may have put on their exercise of power. This has been the business of demagogues from the days of the Gracchi to the present time. If we countenance this attempt to make the constitution the mere stalking-horse of party, where is the matter to end? As soon as this question shall have answered its ends, some other Solomon will discover that the people have for 75 years, been sleeping over other grievous wrongs—and just as often as the ordinary appliances of party cannot avail for success, some other provision of the constitution will be held up as the relic of feudal tyranny, or some new amendment proposed as a cure for all social ills. Carry out this movement by legislative enactment and a horde of demagogues will govern the land: Yes, that pestiferous brood—whose calling ever is to delude the unwary, for their own selfish ends, even now keep in retirement many of the best and purest patriots in the land. But consummate this measure in the spirit in which it was commenced, and the reign of these harpies will, I fear, become interminable.

There is a palpable inconsistency in the purposes professed by those who favor this amendment of the Constitution by legislative enactment, and the means by which they propose to accomplish their purpose. This extension of the right to vote for Senator to all qualified to vote in the Commons advocated as a great principle of popular liberty. If this really be so—if this is a privilege which the people have a right to demand—and the withholding which is in conflict with re-