

Hillsborough Recorder.

UNION, THE CONSTITUTION AND THE LAWS—THE GUARDIANS OF OUR LIBERTY.

Vol. XLII.

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THE HILLSBOROUGH RECORDER

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No paper will be sent to a new subscriber out of the State unless payment is made in advance, or some person in the State shall become responsible.

Advertising Rates for the Recorder.

Advertisements not exceeding fourteen lines, one dollar for the first, and twenty-five cents for each subsequent insertion; longer ones in proportion. Court advertisements twenty-five per cent. higher. A deduction of one-third will be made to advertisers by the year.

Select Boarding and Day School,

HILLSBOROUGH, N. C.

THE Misses NASH and Miss KOLLOCK will re-open their School on the 17th of January. No deduction made for less than five weeks at the commencement of the Session.

December 17. 23—4w

JOHN W. GRAHAM,
Attorney and Counsellor at Law,
Office one door north of Mr. Lynch's Jewelry Store
HILLSBOROUGH, N. C.

June 27. 48—1y

C. S. PARISE,
Attorney and Counselor at Law,
HILLSBOROUGH, N. C.

Will practice in Orange and the adjoining Counties.
Particular attention paid to the collection of claims.

March 6, 1860. 32—12m



March 12. 47—

To the Ladies of Orange County.

I AM requested by the Governor of your State, to call upon you to furnish for the soldiers in the army woolen socks and blankets for their comfort and protection during the approaching winter. Each donor will please accompany her gift by her name. Shall this call upon your patriotism be made without a proper response on your part? I cannot believe that it will; I therefore call upon you to come forward with your gifts, and lay them bountifully upon the altar of your country. Imitate the example of your mothers of the revolution, and allow not the soldiers who have taken up arms in defence of your liberties, your lives, and what is still dearer, your honor, to go unprotected; suffer not your defenders to be exposed unprotected to the winter's chilling blasts. Come, then, to their relief; furnish them with those necessary articles to relieve suffering humanity, and thereby merit the plaudits not only of the present, but of future generations.

I am your humble servant,

R. M. JONES, Sheriff.

The following gentlemen will please receive and forward to me articles for the soldiers:

W. W. Allison, N. P. Hall, Adison Mangum, M. A. Angier, John W. Carr, and Alvis Durham.

August 20. 06—

SEQUESTRATION NOTICE.

THE undersigned, appointed Receiver under the Sequestration Act, for the counties of Orange, Wake, Cumberland and Harnett, hereby gives notice to all persons having any lands, tenements or hereditaments, goods or chattels, rights or credits, or any interest therein, of or for any alien enemy of the Confederate States of America, speedily to inform me of the same, and to render an account thereof, and so far as practicable, to put the same in my possession, under the penalty of the law for non-compliance.

I also notify each and every citizen of the Confederate States speedily to give information to me of any and all lands, tenements and hereditaments, goods and chattels, rights and credits within the said counties. I will attend the different counties in a few days for the purpose of receiving, of which time due notice will be given.

G. H. WILDER, Receiver.

October 25. 16—6w

Patent Window Blinds.

A Great Improvement—Superior to Anything in its Class.

THIS BLIND when closed shuts perfectly tight, and keeps out all wet, dust, insects, &c., and entirely excludes the light, and makes a beautiful appearance on the outside. It has every advantage over the other kind and costs but a trifle more.

This Blind will recommend itself. Any one can judge of its superiority over the old style at first sight. No person that has seen this Blind will ever order any other kind.

The subscriber will be happy to show a model to any person wishing to obtain Blinds, and receive their orders, which will be promptly filled.

J. D. BURDICK,

Kinston, N. C.

May 9. 41—

STATE ARMS.

ALL persons in Orange county who have in their possession Arms belonging to the State, are requested to deliver them to me at this place, without delay. By order of the Adjutant General.

R. M. JONES, Sheriff.

June 11. 06—

BLAKS for Sale at this Office.



RURAL ECONOMY.

"May your richsoil,
Exuberant, nature's better blessings pour
O'er every land."

FIXED FACTS IN AGRICULTURE.

1. All lands on which clover, or the grasses are grown, must either have lime in them naturally, or that mineral must be artificially supplied. It matters but little whether it be supplied in the form of stone lime, oyster lime, or marl.

2. All permanent use of lands must look to lime as the basis.

3. Lands which have been long in culture will be benefitted by applications of phosphate of lime, and it is unimportant whether the deficiency be supplied in the form of bone dust, guano, native phosphate of lime, compost of fish, ashes, or in that of oyster shell, lime or marl.

4. No lands can be preserved in a high state of fertility, unless clover and the grasses are cultivated in the course of rotation.

5. Mould is indispensable in every soil—and a healthy supply can alone be preserved through the cultivation of clover, and the grass, the turning in the green crops, or by the application of composts rich in the elements of mould.

6. All highly concentrated animal manures are increased in value, and so their benefits prolonged, by admixture with plaster, salt, or pulverized charcoal.

7. Deep plowing greatly improves the productive powers of every variety of soil that is not wet.

8. Sub-soiling sound land, that is, land that is not wet, is eminently conducive to increased production.

9. All wet lands should be drained.

10. All grain crops should be harvested before the grain is thoroughly ripe.

11. Clover, as well as the grasses, intended for hay, should be mowed when in bloom.

12. Sandy lands can be most effectually improved by clay. When such lands require liming, or marling, the lime or marl is most beneficially applied when made into compost with clay. In slaking lime, salt brine is better than water.

13. The dropping, or grinding of grain, to be fed to stock, operates as a saving of at least twenty-five per cent.

14. Draining of wet lands and marshes adds to their value, by making them produce more, and better crops—by producing them earlier—and improving the health of neighborhoods.

15. To manure or lime wet lands, is to throw manure, lime and labor away.

16. Shallow plowing operates to impoverish the soil, while it decreases production.

17. By stabling and shedding stock through the winter, a saving of one-fourth of the food may be effected—that is, one-fourth less food will answer, than when such stock may be exposed to the inclemencies of the weather.

18. A bushel of plaster, per acre, sown broadcast over, will add one hundred per cent. to its produce.

19. Periodical applications of ashes tend to keep up the integrity of soils, by supplying most, if not all of the organic substance.

20. Thorough preparation of land is absolutely necessary to the successful and luxurious growth of crops.

21. Abundant crops cannot be grown for a succession of years, unless care be taken to provide and apply, an equivalent for the substance carried off the land in the produce grown thereon.

22. To preserve meadows in their productiveness, it is necessary to harrow them every second autumn, apply top-dressing and roll them up.

23. All stiff clays are benefitted by fall and winter plowing; but should never be plowed while they are wet. If at such plowing the furrow be materially deepened, lime, marl or ashes, should be applied.

24. Young stock should be moderately fed with grain in winter, and receive generous supplies of long provender, it being essential to keep them in fair condition, in order that the formation of muscle, bones, &c., may be encouraged and continuously carried on.

25. Milch cows in winter should be kept in dry, moderately warm, but well ventilated quarters, regularly fed and watered three times a day, twice or thrice a week have clean beds, be carried daily, and in addition to their long provender should receive succulent food, morning and evening.

26. Full complements of tools and implements of husbandry, are intimately connected with the success of the husbandman.

27. Capital is not only necessary to agricultural success, but can be as profitably used in farming as in any other occupation.

WEEVILS.—Branches of common Elder, and also of the China tree, plentifully mixed in the crib with the Corn, will, it is said, prevent or destroy weevils.

SPEECH OF THE HON. WILLIAM A. GRAHAM, OF ORANGE,

In the Convention of North Carolina, Dec. 7th, 1861, on the Ordinance concerning the Test Oath and Sedition.

[Concluded.]

Mr. President, to say of this measure that it is absurd and calculated to bring ridicule on our legislation, and that it is unnecessary, and will be wholly ineffectual, if necessary, inasmuch as a forced oath is well understood to be no oath in the sight of man or his Maker, is but to characterize its more obvious features. I am fully persuaded that abroad, if not at home, it will be regarded as the offspring of fear. It will be argued, and the hypothesis cannot be resisted, that a proceeding so universal, so unusual, so searching, so destructive of personal freedom and dangerous to public liberty, would not be resorted to except in a State where public sentiment was suppressed by the high hand of force, and a sense of danger had driven the government to despotism. In that aspect no measure could give greater encouragement to the enemy, and no libel could more deeply wound the sensibilities of the people of the State, or do them more gross injustice. They have looked upon the pending contest as a foreign war, of nation against nation, waged upon the frontiers by national armies. But you propose by this ordinance, to declare it a civil and social war, in which no man is to be trusted, in which the secrets of the right hand may be concealed from the left, until you have cleared out the conscience and made assurance doubly sure by a forced oath. It is not enough that 35,000 men, portions of them from every county in the State, are in the field, exposing their lives to the arms of the enemy, and to the pestilence of camp and garrison, and that almost every family has its representative there; that they have submitted cheerfully to the burdens of taxation, and the privations incident to a destruction of commerce, and have over and above this voluntarily and cheerfully contributed of their labor, their substance and the very comforts of their homes, to give aid to your soldiers and vigor to their efforts; that there is not a cloud of disloyalty to be seen in all the horizon as big as a man's hand; but that the whole people, it may be with trifling exceptions, are pressing forward with a noble unanimity to the establishment of our national independence. All this will not suffice. Every man must be purged as by fire. And all for what? The report of the committee informs us. It is "to rid the country of traitors at heart," who are supposed to be few in number, and will be discovered when tested by this oath. Such doctrine, Mr. President, is the very bigotry of despotism. Who constituted us the searchers of hearts? What government ever undertook to deal with any thing as crimes, except the overt acts of its people, but the most unmitigated tyrannies? There are doubtless republicans in principle residing under every monarchy in Europe, and there may be monarchists in the States of America, but so long as they demean themselves as peaceable citizens, do not levy war against the State or the Confederate States, nor adhere to our enemies giving them aid and comfort, they pass without molestation, and are under the protection of the Constitution and the laws. If there be, as the committee presumes, traitors among us, they are not of my acquaintance, nor, so far as I am aware, of my section. But wherever they are, treason is an offense well known to, and defined by law, and like other crimes, is to be dealt with according to law. And it is quite remarkable, that while the committee inveigh with vehemence against the despotism now practiced by the Lincoln government in Maryland, they should bring forward a measure equally abhorrent to freedom in North Carolina. Sir, if such a measure prevails and is acquiesced in, it is of little moment what may be the issue of the present great conflict in the battle-field. We shall in the end be in any event slaves, and present the sad spectacle of a State throwing away its liberties in a struggle to preserve them, in angry imitation of the contagious example of an enemy who threw away theirs, to give vigor to their efforts for our subjugation. I protest against it, as a gross abuse, amounting in effect to a usurpation of power—as a dangerous device by which a faction may at any time pervert the government and transmute it into an oligarchy. I protest against it in the name of religious freedom and domestic quiet—in the name of that civil liberty which is our birthright, and

has been the inheritance of our ancestors for eight hundred years. I protest against it as a weak and futile weapon of defence, calculated only to encourage the enemy, weaken ourselves, and to bring our legislation into ridicule and disrespect at home and abroad, and degrade our citizens in their own esteem—as an officious intermeddling with the province of the Congress of the Confederate States—as a libel upon the people we represent, whose noble alacrity, patience, perseverance, self-denial and bravery in this contest deserve all praise. Whereas, the passage of such a measure and its appearance on the statute book, in the present times, and much more in the future, in all historical interpretation must be construed to imply an imputation of widespread disaffection. I protest against it, finally, as an imitation of Northern despotism, outstripping its model—no other State of the South having conceived such an idea, though in several of them disaffection not only is rife, but treason stalks abroad in arms.

But the committee plants itself on a precedent in an act of the General Assembly of 1777, and says all the material parts of this ordinance are copied from that act. Precedents in the pleadings of the law are said to be dangerous things, if one does not know how to fill up the blanks; and statutory precedents are equally fallible and deceptive as guides to political action, if we shut our eyes to the circumstances and surroundings of historical facts which distinguish former times from our own. Let me inquire of the committee, whose chairman holds a high judicial station, whether this ordinance does not contravene the Bill of Rights and Constitution in the particulars I have enumerated, and if it does, whether a similar act passed in 1777, by the General Assembly, did not equally contravene it—and when an act of the General Assembly does come in conflict with the Constitution, which is to give way? He is obliged to answer, the act of Assembly, of course. But it was not so understood in 1777. The opinion seems to have prevailed then, and for years afterwards, that the General Assembly was as omnipotent as the British Parliament, and when, in 1786, the courts of justice decided an act of the Legislature to be unconstitutional, it produced a great shock in the minds of highly intelligent men. This act of 1777, which undertook to banish freemen who were inhabitants of the State at the adoption of the Constitution, or to deprive them of the right of suffrage if they refused to take an oath of allegiance, was clearly unconstitutional, not only in the points already specified, but in assuming to take away the right of suffrage in the face of the provision of the Constitution declaring that all freemen 21 years of age, who have been inhabitants a certain time, and paid public taxes, shall exercise it. But, waiving the Constitutional question, the situation of our ancestors in 1776-'7, differed essentially from ours at this time, in many particulars to their disadvantage; and in the poverty of their resources, and newness of their experiment, it should not surprise us that they laid hold of a test oath as a weapon with which bigotry and arbitrary power had sought to fortify themselves in Europe, hoping they could render it useful in the defence of freedom here. They may possibly have thought that as allegiance under monarchy is considered due to the person of the sovereign, it might still linger in the breasts of some, and that this violent remedy should be resorted to for its expulsion.* But before we are called on to follow this as a precedent, it should be shown from subsequent history that it was of some avail in the contest. It was provided in the act that the name of every person taking it should be subscribed in a book, to be deposited in the office of the Clerk of the County Court. Who has ever seen such a book? The honorable gentleman from Mecklenburg, Mr. Osborne, who has just taken his seat, has made considerable researches in the public papers of his county, which is one of historical renown; has he ever found such a book? Have you, Sir, or any other gentleman here? One of two conclusions is certain. Either that there was no general attempt to exact such an oath, which is the more probable; or, that if exacted, it had not the least effect. For when the British invaded the State in 1780-'81, the Tories rose in those sections where they were known to be in the outset of the war, and in no other. The act was, therefore, as characterized by the gentleman from Richmond, Mr. Leake, *brutum fulmen*, producing no efficacious result.

* On looking into 4th Blackstone's Com. p. 124, it will be seen that the whole of this statute of 1777, in relation to a test oath, and punishment or disfranchisement as a citizen, is literally copied from the statute of George 1st against Popish recusants. So that the ordinance of the committee is but a copy of an act of 1715, applying a religious test to Papists—except that in the former case two Justices of the Peace were invested with power "to tender the oath to any person whom they shall suspect to be disaffected," and in our case every person is treated as if suspected, and tendered the oath accordingly. Blackstone says the penalties are nothing short of a *præmunire*.

With the men of 1776-'7, there was a total change of government, and of the administration of government. With them "old things had passed away, and all things had become new." There was no general government on which to rely for general defence and welfare. The States were united only by certain articles of association. And in North Carolina a State government just formed, with no laws or officers to administer them, except what they enacted and appointed in the pressure of the emergency, was their sole reliance in general and domestic concerns. They had to provide for treason, sedition, and every crime in the calendar, and it is in a statute concerning treason that the committee has found the model of this ordinance. Now, Sir, if so much weight is due to a precedent, why not reenact the whole statute, that part which relates to treason as well as misprision of treason and test oaths? That is the only part of the statute that we have heard of being put into execution. The Tory Colonel, Bryan, was tried for treason, and convicted, I presume, under this statute. But he had a trial by due course of law. He was not called on to furnish evidence against himself by a test oath, and he was defended by Davie, who had slaughtered a large part of his regiment in battle, but who, after the example of John Adams, in defending the British soldiers who fired on the multitude in the streets of Boston, was equally firm in asserting all his rights of defence, as a criminal. But who ever heard of a trial for misprision of treason or sedition, or the general enforcement of a test oath upon any but suspected persons? The Revolution of the 20th of May last, was under wholly different circumstances. What our fathers did in weakness we have done in strength. In the State government, with the same Constitution, the same laws, the same officers in all its departments and ramifications, there has been no change that would cause a ripple on the surface of the waters. The ship of State has sailed on in her great career of justice, without reefing a sail or changing a spar. In our national affairs the difference is still more remarkable. Instead of no general government, and a independence on the discordant legislation of thirteen States, we find a Constitution of national government copied almost literally from the Constitution of the United States, in full and vigorous operation, with a President, Congress and Judiciary, defending our cause with an army, in effectiveness, if not in numbers, such as the populous North never poured on the Rhine or the Danube, or the sunny plains of Italy—with treason defined in the Constitution for the security of the citizen as well as safety to the government—with the possible power to pass sedition and test laws for its defence, like as the State governments, but like those governments abating from the use of them, as the cast-off paraphernalia of despotism. To think of bringing a State test oath into play as a means of defence in such a posture of our affairs, upon a precedent of an unconstitutional act of Assembly in 1777, is, to my mind, as if one should propose, in the midst of rifled cannon and all the advancements and improvements in modern warfare, to return to the bow and poisoned arrow of the savage, because the Aborigines had used them in the earliest wars of this continent. Let them both be consigned where they belong, to the curious investigations of the antiquarian; but let us have no more of them in the enlightened legislation of a free people.

Mr. President, there is one diversity in the two revolutions, which, when brought to notice, must convince all that there is the least analogy imaginable in the two cases; and that is in the persons called to fill office upon the change of government. Our ancestors would as soon have thought of electing Lord North to the office of Governor as of recalling Governor Martin or Governor Tryon, and of bringing over Lord Mansfield with his high tory principles to their chief justiceship, as to have re-appointed one of the late King's Judges. Whereas our State officers, as we have seen, have been unchanged in a single particular; and in appointments to offices under the Confederacy, it has been no objection that the appointee held a similar appointment with a regular commission and oath of office, and received its emoluments from the Federal Treasury to the last pay day, before the Proclamation of the 18th of April. Now, Sir, in the Revolution of 1776, this would not have been permitted. The first persons on whom the act of 1777, to which the committee refers in terms of such high approbation, laid its hands and required to be sworn, were all the late officers of the King of Great Britain. They were put before the "traders who had been making voyages to England within ten years then last past." There are many copies of Ireland's Revival, stowed away in the houses of the people of the country; and when they are informed that the precedent for this ordinance is to be found there, they will