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DEATH OF PRESIDENTS.

George Washington died at Mount Vernon on the 14th of December, 1799, in the 68th year of his age. Death came suddenly to him—so suddenly that the tidings of his sickness and his decease simultaneously reached the Halls of Congress.

John Adams came to "the end of all living" at his residence in Quincy, Mass., on the 4th of July, 1826, realizing what day it was, and rejoicing in it. He gradually and quietly expired at the patriarchal age of fourscore years and ten.

Thomas Jefferson, by an extraordinary coincidence, breathed his last at Monticello, on the same day that his venerable compatriot, Adams, died—the jubilee of American Independence. He had reached the advanced age of eighty-three.

James Madison, the "man of the Constitution," and one of the wisest statesmen our country ever produced, peacefully closed his earthly career at Montpelier, Va., on the 28th of June, 1836, in his eighty-sixth year.

James Monroe died in the city of New York, on the 4th day of July, 1831, in his eightieth year. He was a pure patriot, and the last of the Presidents who served in the eventful days of the Revolution—having been a Colonel in the Continental army. He particularly enjoyed the confidence of Washington, and the period of his wise and practical administration was characterized as "the era of good feeling."

John Quincy Adams expired in the capitol at Washington, on the 23d of February, 1848; literally dying in his country's service, at the age of eighty-one. To the last he was one of the class of life's busy men; and identified as he had been from boyhood with the public service, it was solemnly striking and appropriate that the halls of the national council should hear his dying words. He was struck by paralysis while in his seat in the House of Representatives.

Andrew Jackson died at the Hermitage, near Nashville, on the 8th of June, 1845, in his seventy-ninth year. He must have been a great man, indeed, who could cluster the affection of a whole people around him as this distinguished soldier and patriot did. His popularity had no parallel but that of Washington.

Martin Van Buren died at his birthplace, Kinderhook, Columbia county, N. Y., on the 24th of July, 1862, in his eightieth year. His administration, from 1837 to 1841, was a period marked by great financial distress throughout the country, which was charged by his political opponents upon the policy he pursued in managing the public finances through the agency of the independent treasury. He failed of renomination the second term, however, on account of his opposition to the annexation of Texas.

William Henry Harrison died on the 4th of April, 1841, exactly one month after his inauguration, aged sixty-eight. He was the first President who died in office, and at the Executive Mansion. He had gained a deep hold upon the people's heart, and no one living at that time can ever forget the profound and universal expression of sympathy and sorrow which his death occasioned.

John Tyler, elected Vice President, and who succeeded General Harrison for the remainder of his term, renounced his allegiance to the United States in 1861, and died the following year in Richmond, Va., in his seventy-second year; being in the Confederate Congress, then in session at Richmond.

James Knox Polk died at his home in Tennessee, on the 15th of June, 1849, only three months after the expiration of his term of office, and in his fifty-fourth year. He was a man of unquestionable ability and talent, and achieved the highest honor his country could bestow at a much earlier age than any of his predecessors.

Zachary Taylor's death, on the 9th day of July, 1850, when he had been but sixteen months in office, called forth the deepest expressions of a nation's grief; and everywhere the full heart of the people was

touched beyond what adequate words could utter. He died at the Presidential Mansion, in his sixty-sixth year.

The circumstances attending the death of Abraham Lincoln, are too fresh in the minds of the public to need repetition.

The present Chief Magistrate of the United States is the seventeenth in succession. Of the sixteen former ones, but three now survive—Millard Fillmore, Franklin Pierce and James Buchanan.

THE LAW OF PARDON.

The National Intelligencer informs us that a strong effort is being made in Congress to assault that portion of the President's message claiming the power of restoration on the ground of the law of pardon. The radical clique is disposed to deny to the President the kingly prerogative of pardon under the common law.

In article 2d, section 2d, the constitution of the United States says: "The President shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment." The curious in such matters are further referred to Chief Justice Marshall, in *United States vs. Wilson*, 7 Peters 160; 10 Cond. 438; also, the opinion of Mr. Justice Wells, 18 Howard, 310, 311.

That the word "pardon" has the same signification as in the English law, parties are directed to the ruling of the Supreme Court in *Cathart vs. Robinson*, 5 Peters, 264, 280, and in *Flavell's case*, 8 Watts & Sargent, 197, (attorney general's brief.)

Coke's interpretations of "pardon" is thus set forth: "A pardon is a writ of mercy, whereby the king, either before attainder, sentence, or conviction, or after, forgiveth any crime, offense or punishment, execution, right, title, debt, or duty, temporal or ecclesiastical."

To clinch the matter, we have only to cite a positive provision of Congress itself. In the confiscation act of July 17, 1862, the President is directed "by proclamation, to extend to persons who may have participated in the existing rebellion, in any state or port thereof, pardon and amnesty, with such exceptions, and at such time and on such conditions as he may deem expedient for the public welfare."

But we hope and believe President Johnson will remain steadfast in spite of all the demons of faction. He has purposed from the first to take no step which could be interpreted as in any light sanctioning rebellion or justifying secession. But while this is true, he has been wise and just enough to decide that, if the preservation of the Union was the leading object of the late war, it would best give real effect to the principle to create as few new reasons as possible for future alienation between the people of north, south, east and west. He is right. An application for pardon carries with it, if not confession of offence and political repentance, at least acquiescence in that hackneyed thing, "the logic of events." No benign government could venture to establish a code which would preclude an exercise of the pardoning power. To attempt to take the life of the nation is justly regarded as a monstrous action, but the danger is past—there appears to be in the south thorough acquiescence in the decision of the martial combat and the policy of the President—and we would be glad if the voice of contention, strife, sectional animosity and petty bickerings should never more be heard in this country. It cannot, will not be the case, however, so long as popinjays and mousetails are retained in or selected for responsible public position. We require our best minds and hearts in the halls of national legislation, instead of political gamblers and hypocrites, and the sooner the exchange be made, the better will it prove for the peace, prosperity, glory, renown and harmony of our re-united and indissoluble country.

Memphis is spreading her wings immensely. The Appeal states that upwards of nine hundred houses are in process of erection in that city.

MESSAGE OF GOVERNOR WORTH.

To the Honorable the General Assembly of North Carolina:

GENTLEMEN.—Being notified by a dispatch from the President of the United States, of the discontinuance of the Provisional Government, Gov. Holden turned over to me on the 28th December last; the Great Seal of the State and other State effects in the Capitol, and I entered upon the discharge of my duties as Civil Governor.

I entertained the opinion, in which I was sustained by legal gentlemen whom I consulted, that under a proper construction of the 6th Section of the Ordinance of the Convention ratified on the 18th day of October last, that the powers of Justices of the Peace and of all other officers appointed by the Provisional Governor, were determined by the discontinuance of the Provisional Government. This section of the ordinance is in the following words:

"All the acts and deeds of the Provisional Governor of the State appointed by the President of the United States, and likewise all the acts of any officer or agent by him appointed or under his authority, done, or which may be done in pursuance of the authority conferred on such officer or agent, are hereby ratified and declared to be valid to all intents and purposes: Provided nevertheless, that so far as it may be competent for this Convention to declare the same, all appointments made, and all offices and places created by or under the authority of the Provisional Governor shall cease at the close of the first session of the next General Assembly, or at such other time as that Assembly shall direct successors in such appointments or offices to be chosen or to be qualified, subject, however, to the provisions of the Revised Code, chapter seventy-seven, section three: Provided, however, that in all cases of appointments made by him of directors in any corporation they shall continue until the regular election of its officers."

Believing it absolutely necessary, that the General Assembly should be convened at an earlier day than that to which it had adjourned, I summoned the Executive Council to meet here on the third day of this month, when a quorum attended, and with their advice, I issued my proclamation in conformity with which you are now assembled.

It may be that a proper construction of the ordinance referred to, continued in office the sheriffs and clerks of the courts until the qualification of their successors; but it is clear that the powers of the Provisional Justices of the Peace, and of the municipal officers of corporate towns ceased with the Provisional government.

JUSTICES OF THE PEACE.

I hear that in some counties there are justices of the peace who were commissioned and qualified before the 20th May 1861, who have not resigned, or taken the oath to support the Constitution of the Confederate States; and I presume it will be held that the offices of such justices were not vacated by the ordinance ratified 19th October last, entitled "An ordinance declaring vacant all the offices of the State in existence on the 26th day of April, 1865."

The appointment of justices of the peace demands your earliest attention. It is a very important office, and great care should be taken that it be conferred only on intelligent and virtuous men. Our Constitution has entrusted this duty to the General Assembly, under the idea that the merits of the appointee would be duly weighed. A practice, however, has long prevailed, by which the selection of the justices of each county is in effect made by the representatives of such county. The nominations made by them, are usually confirmed without inquiry as to the fitness of the appointees, or the number needed in such county. Hence, many have been appointed to effect local or party objects, whereby many ignorant and bad men have been made justices of the peace, and the tenor of the office being during good behaviour, the mischief of a bad appointment is not

easily remedied. In most of the counties there were greatly too many of them. From these causes, the office has lost much of the dignity which ought to belong to it. An opportunity is now offered to profit by the errors of the past.

The evil, both as to the number and quality of these officers, is so universally felt, that the Convention has under consideration and will probably adopt, at its next session, an amendment limiting the numbers to be appointed in each county; possibly altering the mode of appointment. I therefore respectfully recommend that only a very small number be appointed at the present session. These should be properly distributed over the county.

If it be deemed doubtful whether the provisional Sheriffs and Clerks of the Courts retain their authority until the qualification of their successors, I recommend that they be continued in office by an act to be passed by you, to enable them to qualify the justices of the peace to be appointed by you, as well as all other duties pertaining to their offices.

In some of the counties it will be necessary, that special terms of the County Court be held, to qualify the newly elected Clerks and Sheriffs, to provide jurors for the next courts, and to transact any other county business which they may think requires immediate action.

I further recommend, that so soon as you shall have appointed Justices of the Peace and passed such acts as you may deem necessary to remedy the irregularities to which I have referred, that the Governor be forthwith required to issue commissions to the Justices of each county, and an order to the sheriffs of each county, commanding him to notify each of said Justices of his appointment, and requesting them to assemble at their respective Court Houses at an early day to be designated by the Sheriff, in order to be qualified; on which day, they may, if they choose, hold the special term of the County Court. A copy of such act or acts, as you may designate, should be printed and sent to each of said Justices by the Sheriff at the time of notifying them of their appointment, and the Governor should be empowered to employ such agency for the expeditious transmission of said commissions and order to the sheriffs, and copies of said acts as he may deem best, with power to draw on the Public Treasurer to pay the expenses.

CHARTER ELECTION.

As elections have probably been held in many of the incorporated towns, not in conformity with their charters, and many acts may have been done since the 28th December last, or may be done by the late officers and agents of the Provisional government, before their successors shall be qualified, I recommend that such elections be declared valid, and such acts declared as lawful as they would have been, if done before the discontinuance of the Provisional government.

WRITS OF ELECTION.

Having been notified by the Sheriff of Sampson, that Thomas I. Faison, Senator of this General Assembly from said county, and a member of the State Convention from said county, departed this life since your adjournment, I have issued writs of election to said county, appointing the 27th day of this month for the holding of an election to fill such vacancies. The 16th section of chapter 52, Rev. Code, requires the Governor to issue a writ of election to fill a vacancy occurring before the meeting of the General Assembly. I have had doubt as to my power to issue such writ to fill a vacancy occurring between the sessions of the same General Assembly, but I conceive the intent of the statute was that the Governor should exercise this power when the General Assembly, not being in session, could not order the filling of the vacancy. I construe "before" to have reference to the meeting of the Assembly at its next session.

I have also sent a writ of election to the Sheriff of Beaufort, to hold an election on the 30th instant, to fill the vacancy occasioned in the 12th Senatorial district, by