

Hillsborough Recorder

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

Vol. XLVI.

HILLSBOROUGH, N. C., WEDNESDAY, OCTOBER 31, 1866.

No. 2361.

THE PROPOSED CONSTITUTIONAL AMENDMENT.

LETTER FROM GOV. SHARKEY.

Washington, City Sept. 17th, 1866.

His Excellency B. G. Mumfres, Governor of Mississippi:

Dear Sir:—The public prints inform me that our Legislature is to be convened in extra session on the 15th of October. The proposed amendment to the Constitution of the United States as a 14th article, may possibly be submitted to the Legislature for its adoption or rejection, and as our State has had no opportunity of being heard through her representatives on this interesting subject, and as the people of the State have a right to know the opinion of their representatives on a question so vitally important, I adopt this method, the only one left me, of giving very briefly the outline of the opinions which I entertain in regard to this proposed amendment. No doubt the good sense of the Legislature will guide that body to a correct conclusion, but the interest I feel for the welfare and the dignity of the State demand that I should not remain silent when both are so deeply involved.

In the first place, I do not believe the amendment was recommended by two-thirds of the Congress of the United States. The constitutional House of Representatives consists of members chosen "by the people of the several States," and the Senate consists of "two Senators from each State." It is very clear that a body not so composed, or in other words, where a considerable number of the States are excluded from representation in both branches, is not the Congress of the United States. As well might any body of usurpers assemble and claim to be the Congress of the United States. Each State has a right to know that all claiming to be members, possess the constitutional requisites. Mississippi does not and cannot know that the members who recommend this amendment were constitutional members of Congress. Nearly one-third of the States were excluded from representation in both Houses by a majority of members who assumed to be the Congress. If a majority may thus exclude States from representation, it is easy to perceive that it may go on in the work of declaring States disloyal and in the exclusion of minorities, until Congress shall be made to consist only of members from a few of the larger States, with all others excluded. For instance, New York and Pennsylvania may so manage as to control a majority, and begin by excluding first one small State and then another and so on, until all the legislative power of the nation is usurped and controlled by those two States, and ultimately even by the largest of them.

When the Southern States adopted the amendment abolishing slavery, the state of things was very different; they had not elected or sent members to the Congress which recommended that amendment. But when *this* amendment was proposed, they had elected members who appeared at the proper time and demanded to be admitted, but were rejected. We are not, therefore, to be told that we have recognized this as a constitutional Congress.

But again: The President is a component part of the Legislative Department, and the Constitution declares that "Every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the President," &c. Nothing can take effect, or be complete until so presented. And the case is not altered because a two-thirds vote is required on amendments proposed; such resolution is not a complete legislative act until so presented. In no other way, except through the President, can such resolution be communicated to the States. As the proposed amendment was not submitted to the President, it does not amount to a recommendation. It is a nullity.

But let us look, for a moment, at the provisions of the amendment.

The first section declares that "All persons born or naturalized in the United States, and subject to the jurisdiction there-

of, are citizens of the United States and of the State wherein they reside." It then proceeds to prohibit the States from making or enforcing any law "which shall abridge the privileges or immunities of citizens." It does not say what are privileges and immunities; that is left for the next Congress to provide in virtue of the last section, which declares that "Congress shall have power to enforce, by appropriate legislation, the provisions of the article." We may find Congress conferring "privileges and immunities" on one class to the exclusion of another class; or we may find Congress assuming absolute control over all the people of a State and their domestic concerns, and this virtually abolishes the State. Perhaps any State that has so little self-respect as to adopt the amendment, deserves no better fate.

The second section, if my construction of it be right, would probably exclude one State from Representation in Congress, as I suppose the number of male negroes over twenty-one to nearly equal the number of white males. It is, therefore, a mere effort to force negro suffrage upon us, whether we are willing or not. Either do this or you shall have no representation. It is presumed that our intelligent people would not hesitate long in making their choice.

The third section provides that no person shall hold any office who may have heretofore taken an oath to support the Constitution of the United States, and who afterwards engaged in the rebellion, or who gave aid and comfort to those who did engage in it. This is a sweeping act of disfranchisement, which would embrace, perhaps, a majority of our citizens; for there are probably few who have not, in some way or other, taken an oath to support the Constitution.

Even those who opposed secession, and engaged in the war only under compulsion, would be embraced by this provision, as well as the man who had given to a hungry soldier a meal's victuals or a piece of bread; and also all those who, in charity, had given an article of clothing to a suffering friend or a relative in the army. Such a provision would be so contrary to the theory of our Government, and so oppressive towards a very large class of the population of the Southern States, that it cannot be supposed that those who proposed it could have entertained a hope that it would be accepted. They ought to have known, too, that such a provision was calculated to endanger the existence of the Government, as revolutions may always be expected, sooner or later, from acts which disfranchised the enfranchised class. If the people cannot exclude unworthy or undeserving men from office by the instrumentality of the ballot-box, then they are unfit for self-government, and the sooner they abandon the experiment the better.

I need say nothing of the fourth section, but the fifth is the Trojan horse abounding in mischief. It provides that "Congress shall have power to enforce, by appropriate legislation, the provision of this article," which may be construed to authorize Congress to do whatever it may desire to do. Under this same provision, attached to the emancipation amendment, you have Civil Rights bill and the Freedmen's Bureau bill. It was construed in the Senate, just as I admonished many members of the Legislature it would be, to authorize these odious measures. We should profit by the experience it has furnished us.

I might have greatly extended my argument in support of the many objections to this amendment, but have deemed it sufficient very briefly to express my own opinions, and to leave the subject for the reflection of all who may feel an interest in it. I will only add, that should this amendment become part of the Constitution, we shall have a very different Government from that which we inherited from our ancestors.

Very respectfully,
your obedient servant,
W. L. SHARKEY.

A shark, of the man-eating kind, weighing 1,000 pounds, was caught in Boston harbor Monday.

RALEIGH MANUFACTURING COMPANY.

At the meeting of the stockholders of the Raleigh Manufacturing Company, held on Saturday evening, at the banking house of the Raleigh national bank, Gen. D. M. Barringer was appointed chairman and Maj. W. B. Gulick secretary. The charter was presented for the consideration of the meeting and unanimously adopted, after a slight alteration in its phraseology.

The stockholders then proceeded to organize under the charter. The following gentlemen were elected as directors, viz: W. H. Willard, Gen. D. M. Barringer, Hon. Dan. G. Fowle, Hon. Kemp P. Battle, Geo. W. Mordecai, Esq., Gen. Robt. W. Haywood, Capt. W. E. Peirce, Col. Geo. Little and R. W. Pulliam.

After the election of the Board, W. H. Willard, Esq., was elected president, and appointed to go at once to the north and purchase such machinery as is required to put the establishment into immediate operation. It was resolved to combine the office of superintendent, secretary and treasurer, and R. N. Taylor, Esq., was appointed to this position. The property, 26 miles west of this city, known as the Orange factory, in Orange county, has become the property of this company, and that known as the Gorgas manufactory is selected for its operations in this city.

There will be at Orange factory 2100 spindles, in perfect order, in motion by the first day of January, and very soon thereafter, from 40 to 60 looms will be put in operation in this city, to be added to as the company may be enabled to command the means.

We predict in advance, that the gentlemen who have led in this enterprise will never have occasion to lament their course. Timid men might hesitate, but wise ones know that even under present embarrassments, judiciously managed manufactories will yield the best possible revenues. The future prosperity and greatness of North Carolina is as well assured as any event can be, and with even tolerable decent legislation for their encouragement, the hills and valleys of the state will soon bristle with foundries, mills and factories.

Ral. Progress.

THREE RULES FOR READERS.

In the Englishman's Magazine, the Dean of Ely lays down the three following rules to those who would become proficient in reading:

"First—*Finish* each word. I use the phrase in the sense of a watchmaker or jeweller. The difference between two articles, which at a little distance look much the same, all lies in the finish. Each wheel in a watch must be thoroughly finished; and so each word in the sentence must be pronounced. This will make reading both pleasant and audible. Careful pronunciation is more important than noise. Some time ago I heard a person make a speech in a large hall; he spoke distinctly, and I heard every word; unfortunately he became warm in his subject and spoke loudly and energetically and immediately his speech became an inarticulate noise.

Secondly—Do not drop the voice at the end of the sentence. Simple as this rule may seem, it is one of the most necessary to enforce. If the whole of a sentence be audible except the conclusion, the passage read becomes discontinuous, a series of intelligible portions interspersed with blanks. Confusion of necessity attaches to the whole.

Thirdly—Always read from a full chest. The reading voice should always be a complete *voce de pectore*; and the chest, which is truly the wind chest of the human organ, should never be exhausted. This is as important for the speaker as for the hearers, and for the hearers as for the speaker. The voice is delivered with ease, and becomes agreeable. Singers know well the importance, indeed the necessity, of taking breath at proper places. The same thing is important for reading; in a large building, attention to this matter is indispensable.

Correspondence of the London Daily News. SCHAMYL.

THE CIRCASSIAN CHIEF TAKES THE OATH OF ALLEGIANCE TO THE CZAR.

St. Petersburg, September 21, 1866.

Schamyl, the captive Circassian chieftain, has taken the oath of allegiance to his imperial majesty. The circumstances under which such a change was brought about in the haughty prisoner are described as follows in the Russian Invalid: It will be remembered that after fighting against the Russians for 20 years, Schamyl was taken prisoner in 1859, at the capture of Gunib, and sent thence, with his family and a few retainers, to reside at Klauka, a town in the central part of Russia. The consideration which was shown him from the first by his victors made a deep impression on the uncivilized mountaineer, who had expected nothing short of decapitation. His reception by the inhabitants of the town to which he was banished still further softened his heart, and one by one his Asiatic semi-barbarous fears and prejudices were removed. At last even he was honorably received by the emperor at Chugnieff, at a cavalry review. Struck with the magnanimity and condescension of the Czar, so different in his bearing from Asiatic potentates, Schamyl there and then confessed that his heart was fairly won, and that he only waited an opportunity to give proof of his sincerity and gratitude. At last, only a month ago, a great sorrow came to disturb the serenity of his advanced years—his favorite daughter, Nafisato, died. The emperor having been informed of the sad event by telegraph, at once dispatched an officer, who was charged with the conveyance of the body of Nafisato to her native Caucasus. Thereupon Schamyl addressed the following autograph letter in Arabic to the emperor:

"Thou, great sovereign, hast vanquished me and the people subject to me, by force of arms; thou, great sovereign, hast spared my life; thou, great sovereign, has subdued my heart by thy beneficence. It is my sacred duty, as a decrepit old man, loaded with thy favors and vanquished by thy magnanimity, to instil into my children a sense of their obligations toward Russia and his lawful rulers. I have enjoined them to cherish feelings of everlasting gratitude toward thee, O sovereign, for all the favors which thou continually heapest upon me. I have enjoined them to be true subjects of the Czar of Russia, and useful servants of our new country. Render, O sovereign, my old age tranquil by ordering that I should take an oath of allegiance to thee, together with my children. I am ready to take that oath publicly. I call upon Almighty God and his great prophet Mahomet to witness my sincerity and the purity of my thoughts, and I record my oath on the most holy Koran, before the not long chilled body of my best loved daughter Nafisato. Vouchsafe, O sovereign, to grant this my most earnest prayer."

The emperor had, of course, no objection to receive the Imam's oath of allegiance, which must infallibly have an important effect on the Mussulman population of Circassia. Accordingly, on the 26th of August (7th of September) last, Schamyl and his sons, Kasi-Mahoma and Mahomet-Shafi, swore fealty to the emperor and his successors in the great hall of the assembly of nobles at Kaloga.

ROCK ISLAND MANUFACTURING COMPANY, CHARLOTTE, N. C.—An enterprising merchant of this city, who desires to see southern manufactures encouraged, has called our attention to a notice in the Raleigh Sentinel of the woolen factory at Charlotte, N. C. saying that for years he has handled the goods turned out by this factory, and that they are the "most reliable, honest goods" he ever saw or wore.

Richmond Dispatch.

At Charleston, on Thursday, during a flag presentation to a zouave volunteer company of negroes, General Scott arrested all who wore shoulder straps and side arms in violation of the order of the department prohibiting military organizations of any kind in South Carolina.