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BY GEORGE HOWARD.

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DOMESTIC.

GOVERNOR'S MESSAGE.

To the General Assembly of North Carolina:

The duty of addressing the representatives of the people, convened to consult for the common good of their constituents, has on no previous occasion been to me the source of so great anxiety and perplexity as the present. This embarrassment arises no less from the peculiar situation of our affairs, than from the measures in progress to amend the Constitution of the State.

It will be some days before it can be ascertained whether the new Constitution has been adopted or rejected. If it has been adopted; a material change in the basis of representation, constitutes one of its most prominent provisions. This expression of the public will, made in the most imposing form known to our institutions, will probably have a decided influence upon your proceedings. You will not, without hesitation, venture upon any radical change in the system of policy hitherto pursued, if it shall be ascertained that the people have transferred the legislative power of the State to a Department which will be constituted upon principles differing essentially from those which enter into the formation of your body. Whatever may be the conclusion at which you may arrive on this subject, there seems to be no reason which should restrain the Executive Department from the customary expression of opinion upon the most important topics which engage public attention.

To much the larger portion of this State, the past year has been a season of more than ordinary prosperity. The production of articles necessary to the sustenance of human life, has been abundant—and our great agricultural staple has commanded a higher price than has been known for many years. Our citizens, always distinguished for prudence and economy in the management of their domestic affairs, aided by the fortunate circumstances referred to, are at present probably less involved in pecuniary difficulties, than at any previous period of our history. Notwithstanding these clear evidences of the comparatively prosperous condition of the community, the tide of emigration continues to flow in a copious and steady current to the West, and we are thus constantly losing many of our most wealthy, enterprising and intelligent citizens. It is not surprising that the universal and laudable disposition strikingly characteristic of the American people to acquire a permanent interest in the soil, should prompt removals from an old and densely populated country, to sparsely settled regions where good lands may be acquired at low prices. That these causes have in many instances produced emigration from this State, is admitted; but we deceive ourselves, if we suppose that the evil is to be attributed to them alone. In general salubrity, variety of climate

and consequent variety of productions, average fertility of soil, and wide extent of sea coast, North Carolina is scarcely exceeded by any of her sister States. Other causes, therefore, than natural disadvantages, have in a greater or less degree affected the growth and prosperity of the State. A very slight acquaintance with the facts, will suffice to show that a large proportion of the citizens who removed from our borders within the last ten years, have contributed to augment the population and resources of States more densely peopled than our own. With regard then to the latter class, and to those who are liable to be influenced by similar considerations hereafter, it becomes important to inquire, what causes have produced the evil, in order that you may ascertain whether a remedy can be devised within the legitimate range of your powers.

When we consider that we have but a single collegiate institution in the State, but few respectable academies, and that no adequate provision has been made to diffuse even the elementary principles of education among the poor; that there is not a single work of Internal Improvement in progress, and no fund that deserves the name provided for the future development of our resources; it ceases to be matter of surprise that even our younger sisters munificently provided for in all these respects by the bounty of the General Government, should outstrip us in the generous contest for physical and intellectual improvement. It is but natural that under such circumstances the young, the ardent and the enterprising among our own citizens, should sever the ties that bind them to their native homes, and seek for affluence and distinction under better auspices. It affords me no pleasure to present this picture of our condition. It would indeed be the source of extreme mortification if I regarded it as proceeding exclusively from our own supineness and neglect. That we have done less than we might and ought to have done for the accomplishment of these great purposes, is, in my estimation, certain; but that our exertions have been constantly retarded by the system of Federal legislation adopted with regard to us, is not less manifest.

This entire subject was so fully discussed in my last annual message, that I shall content myself with a mere reference to that paper, rather than an extended consideration of it in this. It was then attempted to be shewn, that great injustice had been done to this State in the settlement of our claims for revolutionary service; that the revenue system adopted by the Federal Government had operated oppressively upon us, and that the low prices at which the government lands were disposed of in the new States and Territories, had affected most injuriously the value of our real estate. The injustice sustained in the settlement of our revolutionary claims, embarrassed our efforts towards improvement, at the period of all others the most important, the commencement of our political existence; and the tariff and land systems subsequently adopted, far from relieving, tended but to increase our difficulties. Thus stripped of resources, the history of our State legislation during the first half century of our political existence, will exhibit little more to posterity than the annual imposition of taxes amounting no less than a hundred thousand dollars, one half of which constituted the reward of the legislative bodies by which they were levied, while the remainder was applied to sustain the train of official

chinery of government. The establishment of schools for the convenient instruction of youth, and the development and improvement of our internal resources by means beyond the reach of individual enterprise, will seem scarcely to have been regarded as proper objects of legislative concern.

Still less cheering and consolatory is the history of our Federal relations. Immediately upon our entrance into the Federal compact, we conveyed to the General Government our entire claim to territory west of this State, out of a portion of which was formed the State of Tennessee, as a common fund for the use and benefit of the United States of America, North Carolina inclusive, to be applied to the payment of the national debt according to their respective and usual proportions in the general charge and expenditure, and to no other purpose whatever. We have, in the shape of internal duties, contributed more than a million of dollars annually to the national Treasury. In return for these immense concessions, we have enjoyed that protection which the American name extends to American citizens throughout the wide extent of this confederacy, and we may almost say that none other than this nominal protection has been afforded to us. During the late war, when our coast was blockaded by the greatest maritime power in the world, a special messenger was despatched by the General Assembly to represent to the General Government the defenceless condition of our maritime frontier: In reply, we were urged to prepare vigorously for the contest, and to rely exclusively upon our own resources, as it was not then convenient to aid us. The legislature immediately resorted to loans, provided munitions of war indispensable to the protection of the coast, and put them in the charge of the militia of the State. The claim for the expense thus incurred, has been for years, and is at present, before the War Department, and has been uniformly resisted, upon the ground that the General Government, having omitted to fortify the coast, could not properly be required to pay for munitions of war, suitable only for fortifications. Since the war, a Fort of the second class has been erected contiguous to Cape Fear, and another near Old Top-sail Inlet,—but these are the only evidences visible upon the face of the country, of the exertion towards us of the benevolent action of the Government, either for the purposes of improvement or defence.

If it were possible to procure precise data, by which to institute a comparison between the exactions and the disbursements of the Federal Government, from and on account of North Carolina, there can be no difficulty in pronouncing that a prominent cause of our evils would be rendered most apparent. If the comparison were extended so as to present a relative view of the receipts from, and disbursements on account of some of the more favored States, the contrast would exhibit a claim to redress which could scarcely be overlooked or disregarded. A more favorable opportunity than the present to urge attention to these claims, cannot arise—nor is the nation likely, at any future period, to be able to do us justice with such perfect convenience. That the revenue of the General Government exceeds its legitimate wants, and that the power and patronage incident to it, are dangerous to the liberty of the country, are positions which will scarcely be controverted. In my last annual Message, to which reference has already been made

in connection with this topic, I suggested as the most appropriate and least objectionable mode of satisfying the demands of North Carolina, and reducing in some degree, the patronage of the Government, a distribution of the proceeds of the public domain, upon the principles stipulated by our deed of cession. It is now submitted as a subject proper for your consideration, and as requiring, for reasons so obvious to be stated, early and efficient action. This State, it will be recollected, was charged with one tenth of the entire expenses incurred in sustaining the war of the revolution—and is therefore entitled to the same proportion of all that portion of the public lands ceded to the General Government, anterior to the acquisition of Louisiana.

A cession to the new States of such portions of the public domain as are situate within their limits, or a further reduction of the price at which it is at present disposed of, cannot be otherwise than deeply injurious to all the old States, and fraught with manifest injustice and the most ruinous consequences to us.

With a Treasury barely sufficient to meet the current expenses of the Government, without resorting to loans, it would be idle to recommend the adoption of any measures connected with the general improvement of either the physical or intellectual resources of the country. My opinions on these subjects, have been repeatedly communicated to the General Assembly, and are too well known to all classes of the community, to justify repetition. To attempt to accomplish any thing with regard to either, without first having provided a competent fund for the purpose, would have no other effect than to disappoint the excited hopes of the public, and postpone further efforts to an indefinite period. A just proportion of the revenue, accruing from the sales of public lands, would enable us to enter upon a system of measures which could not be otherwise than productive of the most auspicious results. Without it, judging from past experience, little expectation can be entertained that an adequate fund for this purpose will be provided by the Government in time to meet the growing exigencies of the country.

I have, on various occasions, expressed the opinion, that it was not to be expected, in the nature of things, that any system of Internal Improvements commensurate with our necessities and resources would, at any time, be effected by individual enterprise. The attention of the capitalist will naturally be directed to the sections of country which will best reward expenditure, rather than to those which most require improvement. Important local improvements may, nevertheless, be effected by incorporated companies; and if the Government neglects its appropriate duty of providing for the wants of the whole community, liberal encouragement should, at least, be extended to individuals who propose to combine their skill and capital in an attempt to improve any portion of the country. In the accompanying file of papers, will be found a printed pamphlet, containing the proceedings of a meeting of citizens held at Cincinnati, Ohio, on the 10th of August last, on the subject of a "Rail Road from the banks of the Ohio river, to the tide waters of the Carolinas and Georgia." The enterprise proposed by that meeting, is of the most gigantic character, and contemplates a large expenditure of capital,—but promises, if effected, immensely beneficial results to nearly half of the Union. It is at present exciting much interest in

South Carolina and Georgia, and confidence in its practicability and utility seems to be rapidly increasing. The effect that its accomplishment would have upon this State, depends, in a great degree, upon the course which may be pursued with respect to a general system of improvements. If the plan recommended by the Internal Improvement Convention two years since, should be adopted, the Cincinnati project would prove a magnificent extension of our system. If we determine to do nothing ourselves, and permit South Carolina and Georgia to compete alone for the trade of the valley of the Mississippi, the enterprise, nevertheless, promises the most important advantages to the State west of the Alleghany; and is, under all circumstances, entitled to the most favorable consideration. In connection with this subject, I submit a communication from the President of the Petersburg Rail Road Company,—exhibiting statements of the receipts and disbursements on that portion of the road within the limits of this State, and making important suggestions in relation to its further extension within our borders.

The spirit of fanaticism, which has recently been manifested in connection with one species of our population, in various sections of the Union, demands and will receive your serious consideration. It is no longer possible to conceal it, if we would, and it becomes us, in common with the people of every Southern State, to speak a language upon this subject which will not admit of misapprehension, and exhibit a spirit that shall, at least, command attention and respect. The extent of the operations and designs of these misguided people, will be best understood by an examination of the accompanying file of papers, published under the patronage of the Society of Immediate Abolitionists at New York; which has been transmitted to me by a citizen of this State for your use. The subject first attracted the attention of the Legislature in 1830, when the evil was comparatively in its infancy; and the publication or circulation within this State of these incendiary newspapers and pamphlets, was made a felony, punishable by fine, whipping, and the pillory in the first instance; and death for the second offence. It is apparent to all who have any accurate knowledge of our condition, that the public safety imperiously requires the suppression of these wicked and mischievous publications, injurious alike to the best interest of the master and the slave. This, I apprehend, cannot be effected without the co-operation of the Legislatures of the States from which these missiles proceed. Such an interference with our domestic concerns upon the part of the citizens of a foreign State, either encouraged or permitted by the government, would at once justify a resort to the modes ordinarily adopted for the adjustment of national differences. If we should exercise greater forbearance in the present instance, it is not because the wrongs we suffer are less injurious or mortifying, when inflicted by the hands of brethren. The obvious design and tendency of these proceedings, are to subvert the Constitution and laws of the country; and we have, therefore, an indubitable right to ask of our sister States the adoption of such measures as may be necessary and requisite to suppress them totally and promptly. Upon this question there is no diversity of interest, and can be no difference of opinion. The entire South will unite with you in the adoption of any measures which may seem best calculated to insure union of coun-

sels, and prompt and energetic action. Under the perfect conviction that there is no neutral ground which can be occupied either with safety or honor, and that to delay action is to increase danger, I cannot doubt or hesitate as to the course which it becomes us to pursue. It is therefore respectfully recommended as worthy of your consideration, whether Resolutions should not be adopted, inviting the States united with us by the ties of common interest and danger, to co-operate with us in the adoption of such measures as may be necessary to insure our safety; and calling upon the Legislatures of all the States, to enact such penal laws upon this subject, as may be necessary to perpetuate the blessings contemplated in the formation of the Federal Constitution and the Union.

The Report of the Public Treasurer exhibits the condition of our Finances, and suggests the measures proper for their improvement, with a clearness and force of reasoning, highly creditable to that officer. Most of the measures recommended to your consideration, have heretofore occupied the attention of the General Assembly, but have given rise to no efficient legislation. Whether the course pursued by your predecessors, upon this subject, was the one demanded by the public interest, it is scarcely necessary to inquire. If the proposed Constitution shall be rejected, it is certain that you have no alternative other than the diminution of the public expenditures, or the increase of the public revenue. If it shall be adopted, though the necessity for the consideration of this subject may be rendered less absolute, it will remain equally prudent and proper.

In the accompanying file of papers, will be found a communication from the Governor of Kentucky, soliciting an exchange of law reports between that State and this: A similar application upon the part of the State of Maryland, was communicated to the last General Assembly. Reports of the decisions of the Supreme Courts of Maryland, Kentucky, Indiana, Illinois and Missouri, have been received at various periods from the Executive Departments of these States; and have been preserved in the Library belonging to the Executive Office. As this Department has no authority over the subject, it becomes your duty to adopt the measures which seem to be demanded by the courtesy of the States referred to. An interchange of the Statute Laws of all the States, has existed perhaps from the foundation of the government, and seems indeed to be essential to enlightened legislation. The reported decisions of the Courts of the several States, would perhaps be equally important to the Judicial Department of the Government, and would certainly constitute a valuable addition to the public Library.

I have heretofore suggested to the General Assembly, the propriety of revising the laws regulating the duties of the Public Printer; and beg leave to commend the subject to your consideration. The compensation allowed him for any other than extra work, is altogether inadequate; and as a natural consequence, the laws are most inelegantly and inaccurately printed. It is made the duty of no one to prepare indexes and marginal notes, or revise the proof-sheets; and numerous, and in many instances, material errors have found their way into even the best editions of the laws. Some more certain and definite principle, by which to determine the amount of compensation to be allowed for extra work, should also be prescribed.

The death of the Honorable Henry Seawell, has created a