



The Tarborough Press,

BY GEORGE HOWARD,

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POLITICAL.



GOVERNOR'S MESSAGE.

(continued from last No.)

The Judicial Department of our Government has been administered with promptness, fidelity, and ability; but I cannot forbear to call your attention to the frequent acts of violence and force committed upon our Jails, whereby prisoners, charged with the highest crimes, are released, rescued, or escape. To such an extent has this offence been carried, that open force has been used, and that, too, I believe, in the presence of the Jailor, to break the Jail, seize the prisoners, and inflict on them summary punishment, for real or supposed offences. In other instances, the prisoners have been aided in their escape, by external force, clandestinely used. In others, by the use of instruments furnished them in prison. Whether these frequent and repeated offences against the due administration of Justice, arise from the cowardice, connivance, or negligence of Jailors, or from the delinquency of the Magistrates, in not building sufficient prisons, are questions submitted for your consideration, with the hope that you will apply the corrective, if the present Laws be insufficient.

There is another matter, connected with the due administration of the Criminal Law, that deserves attention. Criminals have been permitted to go at large, and finally to escape, after it has been notoriously known, that they have committed offences. If the present Law on that subject can be improved, I recommend that it be done. Nothing affords such ample protection to the *Innocent*, as the certain punishment of the *Guilty*.

The President and Directors of the Literary Fund, will lay before you, in due time, a detailed Report of their proceedings, and the state of the Fund, and of the extent of their operations in draining the Swamp Lands. It will be your duty, as it is the desire of the Literary Board, to institute the most rigid examination and scrutiny into the manner, in which the pecuniary affairs of the Board have been managed. It is due to the People to know how they have been managed; and it is due to the Board, if they have faithfully discharged their duties, that their Fellow-Citizens should know that also.

And in connection with this examination, I would recommend a scrutiny into the affairs and condition of the University of our State. It is the child of the Constitution, and should be watched over with parental care by your Body. It is believed that due attention is not paid to that important Institution by the Legislature. Such Reports and Examinations are not made, as will give the Public full information, in relation to its management and utility; and thus Demagogues sometimes make it the hobby, upon which they ride into public favor, by making the grossest misrepresentations.

The Report of the Board of Internal Improvements, will be laid before you during the present Session, which does not promise to be very interesting, as the Board has but little under its charge at this time, beside the small Fund under its control, into the management of which they invite the strictest scrutiny.

By virtue of the Act authorizing me to appoint an agent in the County of Macon or Cherokee, for the purposes therein specified, I appointed JACOB SILER, Esq. who gave the Bond and Security required, and entered upon the discharge of his duties. His communications to the Treasury Department, will give you the information as to his progress. The general pecuniary pressure, the scarcity of a circulating medium in the Western part of the State, the want of sufficient Roads to carry Produce to market, and the outlays necessary to settle a new Country, all combine to make it extremely difficult to pay the debt due the State upon the Cherokee Bonds,

and it is believed if payments thereon be rigorously exacted, the result will be, in many instances, ruin to the debtors, and loss to the State; but if reasonable indulgence be given, it is probable, that most of the debts will be collected. The high price, for which these Lands sold, would seem to justify all reasonable indulgence.

A Resolution of last Session having authorized me to employ Counsel to defend the Titles of Purchasers of Lands, in Cherokee County, I engaged the services of THOMAS L. CLINGMAN, Esq. who, I presume, will make a Report, during the Session, upon the subject, which will be laid before you.

The progress of civilization, sustained by the dictates of humanity, would seem to appeal to public liberality, for the establishment of Asylums for the use and benefit of the Deaf, Dumb, and Blind, and for the protection of the unfortunate Lunatic. The helpless and suffering condition of many of these afflicted creatures, have long since and often appealed to the public charity of a Christian community. It is referred to you to say, how much edification has been that appeal. It is likewise referred to you to say, how much longer we shall manifest our gross ingratitude to Him, who shows upon us, with the hand of profusion, all the choice blessings of life, while we withhold a beggarly pittance from his afflicted Children.

The establishment of a Penitentiary, in this State, has long been a matter of discussion, and it is probable, by this time, that Public opinion has determined upon its expediency. I therefore direct your attention to the subject. Long experience in the practice of Criminal Courts, has satisfied me, that offenders are often permitted to escape from a laudable humanity in Jurors, who look upon the severity and ignominy of the punishment that awaits the culprit, upon a verdict of Guilty, until their kinder feelings conjure up doubts enough to justify a conscientious acquittal. It is believed, that a few years apprenticeship in a Penitentiary, substituted for the present mode of punishment, would cause many a verdict to more nearly approximate the truth.

Whether it be expedient to establish these institutions, and if expedient, whether this is a propitious time to do so—whether you will embark the Funds of the State, in any of the schemes of Internal Improvement heretofore suggested—are matters for your consideration.

To you, the consideration of these matters appropriately belongs—in you, the powers of Taxation and appropriation are constitutionally vested. You are fresh from your Constituents, and doubtless well advised as to their wishes and wants—to them, you are responsible for the manner in which you shall discharge the high trusts confided to you, and therefore to you, are these matters most respectfully referred.

I would recommend, that whatever schemes of expenditure you may embark in, that you keep within the means at the command of the State; otherwise, the People must be taxed more heavily, or the State must contract a Loan. The pressure of the times forbids the former—the tarnished honor of some of the States, should make us, for the present, decline the latter.

The mania for State Banking, and the mad career of Internal Improvement, which seized a number of the States, have involved them in an indebtedness, very oppressive, but not hopeless. American credit and character require that the stain of violated faith should be obliterated, by our honest acknowledgment of the debt, and a still more honest effort to pay it. I therefore recommend the passage of Resolutions, expressive of the strong interest, which this State feels in the full redemption of every pledge of Public faith, and, of its utter detestation of the abominable doctrine of REPUDIATION. That State, which honestly owes a debt, and has, or can, command the means of payment, and refuses to pay, because it cannot be compelled to do so, has already bartered Public Honor, and only awaits an increase of price, to barter Public Liberty. This recommendation will come, with peculiar force from you, North Carolina has been jeered for sluggishness and indolence, because she has chosen to guard her Treasury and protect her Honor, by avoiding debt, and promptly meeting her engagements. She has yielded to others the glory of their magnificent expenditure, and will yield to them all that glory which will arise from a repudiation of their contracts. In the language of one of her noblest sons, "it is better for her to sleep on in indolence and innocence, than to wake up to infamy and treason."

But when Public honor is at stake, or public Liberty endangered, she will shake the poppy from her brow; and then, for her high souled patriotism, for her unwavering devotion to the love of Liberty, for her loyalty to the Union, and for her stern integrity, the proudest sister of the Republic may well desire to be her rival.

The Civil commotion, which has lately

disturbed the patriotic State of Rhode Island, is deeply to be regretted, and its termination in a conflict might have been attended with serious consequences to the other States. Aside then from mere sympathy, we cannot be indifferent spectators. Inequality in the right of suffrage, is the ground upon which resistance to the constituted authorities, and overt acts of rebellion, are attempted to be justified. Without passing upon the merits of the issue between the parties, in that State, I am constrained to say, that there is a spirit too often manifested in our country, to enforce our supposed rights, or to redress our supposed grievances, by appeals to open resistance, rather than to Law, to reason, and to a returning sense of Justice. It is not every grievance, under which a people may labor, that justifies a resort to force for redress; nor is it to be believed, that in any portion of our country, in this enlightened age, will a course of policy be persisted in, that is grossly unjust and oppressive. The steady appeal to right and to reason, is sure in due time to procure the appropriate remedy. The example of our own State, in her steady efforts to reform her representations, by appeals to the justice of her claims, and the success which eventually crowned those efforts, is proof of the wisdom of that policy. I therefore deem it the duty of all friends of social order, to rebuke, on all occasions, that spirit which is ever ready to light the torch of civil discord, and revel in the blood of a brother.

Our Banks resumed specie payments during the past summer, and it is believed will be able to sustain themselves in future. But while they afford us a sound Currency, it is to be regretted, that they are not enabled to extend their accommodations, and increase their circulation, to that extent the necessities of the community require.

North Carolina, although an Atlantic State, is, to a great extent, in the condition of some of the interior States. She has no large commercial mart, from which is shipped the principal productions of her industry. These are shipped mostly from the Ports of Virginia and South Carolina. The balances against her at the North, contracted for the immense quantity of merchandise, purchased there, have to be paid in cash. Our Bank notes have to supply this cost, either by being presented at once for specie, and that taken to the North, or, by being taken to the North, and there shaved to the Brokers at a discount, (which a prompt redemption in specie cannot prevent,) who forthwith present them at Bank for payment in specie, or its equivalent. Thus, the perpetual flow of our Bank notes Northward, to pay balances against us, is met by a counter-current of the same notes Southward—not to pay balances in our favor—not to be thrown again into circulation by the purchase of our produce—but to stop them from circulation, by pushing them into the Banks, and drawing out the specie for them. The only means of protection, against these continued drains, which our Banks can resort to, is to curtail their circulation; the very thing that operates against the community, but the only thing which can prevent them from being driven again into another suspension. If we had a National Currency at par in every part of the Union, by which to pay these balances against us, that Currency would never touch the hands of the Broker. It would be thrown into circulation in every direction, instead of being thrown back upon the Bank that issued it. Our notes would remain among us—there would be but little demand for specie, as but few would return upon the Banks, and they would thus be enabled to throw a much larger amount into circulation, without the risk of their sudden return for specie, and without the risk of being driven again into another suspension. The hopes of having a National Currency has been twice thwarted by the President's Vetoes upon Charters for National Banks. Whether he will continue regardless of the will and of the sufferings of the people, time will disclose. Whether the examples of WASHINGTON and of MADISON are unworthy of his imitation he must decide. One thing we all know—from the time of the establishment of the first National Bank, to the present time, whenever we have been without that institution, our pecuniary affairs have been greatly deranged. In this State, the issue of a National Bank has been fairly submitted to the people, by the rival candidates, in the two last gubernatorial elections. The result, each time, proves the majority to be in favor of such an Institution. It is, therefore, respectfully submitted, whether you ought not to aid, by all the means at your command, to carry out this expressed will of your constituents.

The disease under which the National prosperity labors, is the want of facility in Exchanges, and a sound uniform National Currency. The remedy resorted to in some of the States, is the establishment of State Banks, which throw in circulation a supply of notes, which for a moment seems to give relief, but these notes have only to

take a turn or two Northward, and back again, to be redeemed with specie, and the vaults are emptied—the Bank suspends—the notes become valueless, and the remedy turns out to be a wretched quackery, that aggravates the disease. Banks owned by States, so located as to be subject to these continued drains of their specie, cannot withstand the operation, any more than those owned by individuals.

The passage of a new Tariff of duties, at the last Session of Congress, it is hoped, will relieve the nation from the temporary shifts of issuing Treasury notes, or of resorting to loans, to meet its current expenses, and to pay its debts. Already its effects are visible in the increased activity of American Industry, and in the growing tone of some of the European Journals, and in due time, it is believed, will be visible in the increase of our Revenue. But scarcely has the law gone into operation, before we hear its repeal threatened, because its object is something beside raising Revenue. It is high time, the principles, under which duties may be imposed, should be settled and adhered to. The principles being settled, the extent to which the power may be exercised, then becomes a matter of expediency. All agree that duties may be imposed to raise Revenue, but some contend that they can be imposed for no other object. If this latter doctrine be true, then are we shorn of some of the most important prerogatives of a sovereign People—then may we be subjected to the most abject commercial Slavery. If it be admitted that Europe can pour into our Country, the excessive productions from her Markets, or tax them so high as to be ruinous to us, and that we have no power, to protect ourselves against the influx of the one, or, to counteract the oppressive exclusion, or heavy exactions of the other—then, indeed, are we in a helpless condition. The avowal of this doctrine, is well calculated to invite Foreign Powers, who are so inclined to forget right, to impose all such tyrannical restrictions upon our commerce, as their cupidity may suggest. Indeed, for some time past, we have been approximating this condition. Europe has been flooding our country with the products of her labor, at a tax of some 20 per cent. while the productions of American labor have been either totally excluded from her markets, or taxed from 50 to 2500 per cent. Her writers upon the wealth of nations, descend to us upon the beauties of FREE TRADE. Her political Orators and Journals, shout to us, across the Atlantic—"FREE TRADE"—and the glorious privilege of buying from whom you please.

Some of us re-echo *Free Trade*, and the glorious privilege of buying of whom we please. But from none of these do we hear the shout of *Free Trade*, and the glorious privilege of selling where we please, and to whom we choose. It is as important to us, to have the privilege of selling, without exorbitant exactions, as it is to buy without them. If every facility and inducement to purchase the industry of others are opened to us—but every facility and inducement to sell the products of our industry are obstructed or closed, then must we become, most surely, a ruined people. This sentiment, uttered by one of our most distinguished Presidents, in 1824, in relation to a Tariff, and at a time when he was before the people as a candidate for that high office, is fully sustained by eighteen years of subsequent experience. He said—"In short, sir, we have been too long subject to the policy of *British Merchants*. It is time we should become a little more *Americanized*, and, instead of feeding the paupers and laborers of England, feed our own; or, else, in a short time, by continuing our present policy, we shall all be rendered paupers ourselves." The policy then recommended, by him, has not been pursued, and how truly he shadowed forth our present condition. Let us resist the policy of *British Merchants*, let us become a good deal more *Americanized*, let us feed our own paupers and laborers, instead of feeding those of England, let us abandon that policy which leads to Pauperism, and adopt that which will lead paupers and laborers to competency and independence. Let us declare our Commercial Independence and proclaim to the world, we have the power not only to raise Revenue by imposing duties, but that we have the power, by imposing them, to protect American Industry, against European industry, and to counteract by our Legislation, any foreign Legislation hostile to our interests. But, at the same time, let us invite all nations to a commercial intercourse with us, upon terms of the most extended liberality, but, they must be terms of equality and reciprocity.

That the General Government has power to impose duties for the protection of American Industry, against European Industry, and to counteract foreign legislation hostile to our interests, I think cannot admit of a doubt. When the States became independent, they had the power, unquestionably. All their powers to impose duties, they transferred to the General Gov-

ernment; by the adoption of the Constitution. They then ceased to have the power; and, if the General Government has it not, then the power is extinct. Is there an American willing to admit this?

I do not wish to be understood as advocating a high Tariff. I contend for the power to impose it, if we think our interests require it. I advocate the doctrine of Free Trade, as far as it is practicable; but when it ceases to be practicable, unless at a ruinous sacrifice to us, I abandon it, and say to the world—"We will do unto others, as they do unto us."

It has thought it proper, on this occasion to say thus much, on this important subject. The American people ought to know the general opinion of the Union upon it; that they may make some calculation what is likely to be the course of policy pursued for the future. Frequent legislation on the subject, from one extreme to another, defeats the best devised plans, baffles the wisest calculations, and often destroys hopes well founded. The suspense in which the People are kept, checks their energy, curbs their enterprise, and kills their prosperity.

I had long entertained the hope, that, upon the payment of our National Debt, the proceeds arising from the sales of the Public Lands, would be distributed among the States, to which they so justly belong. This Fund would aid the States greatly in the Education of their Youth, and in their schemes of Improvement. But if we wish to expend more than the means now at our command, we shall have to resort to an increase of Taxes upon our citizens. The President has thought proper to interpose himself, between us and our just rights, and deprive us, for the present, of the funds arising from that source. He had the power to do so, and we must submit, until the time shall arrive, for us to exercise the power vested in us, by removing the obstruction, and taking possession of what is so justly our own.

The President having called an extra Session of Congress in 1841, prior to the regular Congressional Elections in our State, it became my duty to order an Election for Members of the present Congress, by Proclamation.

In the death of the Hon. Lewis Williams, the late Representative in the thirteenth Congressional District, the House of Representatives was deprived of its oldest, and one of its most efficient Members, the State of one its ablest and most faithful Representatives, and the community, of one of its best, most esteemed citizens. A writ of Election was issued to supply the vacancy, which resulted in the election of the Hon. Anderson Mitchell, of Wilkes.

By the death of Alexander Troy, Esq. late Solicitor of the fifth Judicial Circuit, the State was deprived of an excellent Officer, and of a most estimable citizen. A temporary appointment, by the presiding Judge, of the Hon. Robert Strange, was made to fill the vacancy. It will be your duty to elect his successor. Solicitors for the second and fourth Judicial Circuits, are likewise to be elected.

The Report of the state and progress of Common Schools, is necessarily too long for this Communication, and will constitute a part of the Report of the Literary Board.

Having received the resignations, in file A, of William B. Shepard, Esq. the Senator elect from the first Senatorial District; of Elisha Bostick, a member elect of the House of Commons, from the County of Richmond; and of Robt. T. Paine, a member elect of the same House, for the County of Chowan; I issued writs of Election, to supply these vacancies.

The accompanying File B, contains the resignations of Justices of the Peace, made since the last Legislative session.

The accompanying File C, contains Resolutions, passed by the Legislatures of the following States, viz: Maine, Massachusetts, Vermont, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, South Carolina, Georgia, Alabama, Mississippi, Tennessee, Kentucky, and Indiana. These Resolutions refer to the following subjects:

The death of the President and the donation to his Widow;

The amendment of the Constitution as to the Veto Power, and the Presidential term of service, and the passage of a Law, requiring Electors for President and Vice President, to be elected on the same day throughout the Union;

The Revenue and Tariff, protective and discriminating;

The Public Lands, and the distribution of the proceeds of the sales thereof;

The demand of fugitives from justice, embracing the demand of persons, charged with Negro stealing and the correspondence on the subject;

The North East Boundary;
The admission of Texas into the Union;
The U. S. Bank or Fiscal Corporation;
The Bankrupt Law;
The Sub-Treasury;
The Repudiation of State debts;