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By GEORGE HOWARD, JR.

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POLITICAL.

From the Raleigh Standard.

INAUGURAL ADDRESS OF GOV. GRAHAM,

Delivered before the General Assembly, January 1, 1845.

Senators and Gentlemen of the House of Commons:

In presenting myself before you to take the oaths required for my qualification as Chief Magistrate of the State, I gladly embrace the occasion, to express to our common constituents, my deep and abiding sense of gratitude, for their confidence and approbation as manifested in the election which calls me hither. If by diligence, faithfulness, and impartiality in the high trust I am about to assume—if by a constant observance of those great maxims of Liberty and justice that are embodied in the Constitution which I shall swear to support—if by a consultation of our history, and a deference to those precedents and examples which are deemed most excellent in past time, I can gather that wisdom which my own deficient faculties are unable to supply, I may hope to render to my countrymen some, altho' it be an inadequate return for this mark of their favorable consideration.

A philosophic observer of our Institutions, has attributed as a defect to the State Governments, that they do not comprehend objects of sufficient interest to human ambition. Although the fact be otherwise, yet it is much to be apprehended, that there is a tendency in the affairs of the Federal Government, extending as it does over so vast a territory, and so many millions of inhabitants, identified in recollection with the proudest events of our history—with its power to make war and peace, and being constantly surrounded with the pomp and circumstances of warlike preparation, by land and sea—with its large revenue and expenditures—its numerous officers, and their superior compensations above those of the States—its power to regulate Commerce, to conduct our foreign intercourse, and to administer the code of Nations with the great and concentrated powers and patronage of its Executive—that there is a tendency in the affairs of that Government, with these attributes for admiration and attraction, to engross too much of the attention which is bestowed by our citizens on public affairs. That these important concerns of the Nation should be objects of constant observation and active vigilance is to be expected and desired. But that they should be so, to the exclusion of those more immediate interests which "come to our business and bosoms," our homes and firesides, and which are wisely retained under State jurisdiction, is a misfortune to be deprecated. If we glory in the name of American citizens, it should be with feelings akin to filial affection and gratitude, that we remember, we are North Carolinians! And that the preservation and prosperity of our system, and its ability to secure the permanent and habitual attachment of the people, depend quite as much, nay, much more upon an enlightened policy, and a correct administration in State Governments, than in that of the Union. In omitting, therefore, to occupy this occasion with more than a passing notice of matters which concern the action of the General Government, I am actuated by the belief that other topics are more appropriate, and moreover, that from recent opportunities, my opinions on National affairs are not unknown. Let it suffice, then, to say that the line of partition between State and Federal powers should be kept distinctly marked; and while those yielded by the States should be liberally exercised for the general good, those retained should be carefully watched over and preserved—that I regarded the liberty and Union of these United States as inseparable, and that it is the duty of those entrusted with authority, as well as of all good citizens, "indignantly to frown upon the first dawn of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which link together its various parts." But, for the cultivation of that harmony so essential to Union, we must bear in mind, that it is necessary not only that the course of the General Government shall be characterized by justice, wisdom and enlarged patriotism; but that the self-

eral States, shall keep the covenants of the Constitution as undertaken by them, not merely in letter, but in spirit and in good faith. Certain parts of that instrument require duties to be performed, or omitted, by the State Governments, or some department thereof, without, however, providing penal sanctions for the failure, relying only upon the comity, the sense of right, and the official oaths of public servants for their observance. Yet it is obvious that a non-compliance on the part of a State in these articles, is as injurious to the rest of the confederacy, as can be any usurpation by the Federal Government. The Constitution having stipulated that Congress shall have power "to establish a uniform rule of naturalization," and Congress having exerted the power, by prescribing a previous residence in our own country, of five years, and a declaration of an intention to become a citizen, in some Court of Record, at least two years, before any foreigner shall be naturalized, it is manifest that any State, which undertakes to confer the right of citizenship on aliens with a shorter residence and upon other terms than those declared in the Acts of Congress, commits an infraction on the Constitution injurious to the other States. And if they are enumerated in the census of her population, so as to give her a greater number in the apportionment of Representatives, and admitted to the right of suffrage in elections affecting the Union, she acquires importance and power beyond her due, and by means unauthorized by the Constitution. Yet, regulations for the naturalization of foreigners, after a residence of but six months or other period less than that required by the Acts of Congress, have been introduced in several of the States and are believed to have already had an important influence in great National results.

So also the Constitution in express terms provides that criminals fleeing from justice, in one State to another, and that persons held to labor escaping into other States, shall be delivered up on proper demand to be carried to the places whence they fled. Nevertheless, instances have occurred of refusal by State authorities to make such delivery, because the state of servitude alleged in the particular case, did not exist in the State where the demand was made; or because the crime charged, was not regarded as an offence there. No difference can be perceived, whether the crime be treason against a State, larceny of a slave or other property, or whether the person demanded be a slave, or apprentice, a ward or infant child, the obligation under the Constitution, to deliver up, in any and every of the cases, is imperative and unavoidable.

I have thus particularly pointed out these breaches of constitutional duty in other States, because the Judiciary of this State have uniformly held, that the right of naturalization could only be acquired under the laws of the United States. The Executive has never failed to deliver up on a proper demand and due proof of identity, any fugitive criminal or person held to service; and your predecessors in the General Assembly have aided the requirements of the Constitution, for the surrender of criminals by statutory enactment.

Another source of disturbance to the harmony of the Union, from failure in duty by the State Government, arises from the toleration within their limits, by particular States, of organized societies or combinations of individuals, having for their object the subversion of the Government or particular institutions of other States. If it be matter of boast in the Federal Government, that it has made similar combinations against foreign powers punishable as crimes in Courts of Justice, it would seem to be demanded by the duties of good neighborhood, to say nothing of closer ties, that such interference in the affairs of sister States should be prohibited by each member of the confederacy. And if particular frames of Government or organizations of society, existing in any of the States at the formation of the Constitution, and recognized and guaranteed by it, are to be warred upon by the inhabitants of other States, no matter from what motive of faction or fanaticism, or with whatever hope of driving them to a greater ideal perfection of liberty or humanity, the consequences cannot but be most disastrous to the general peace and happiness.

It is now near seventy years, since the organization of the Government of the State of North Carolina. Never in her colonial condition, enjoying the sunshine of royal favor, and participating in but a limited degree of the patronage and honors of the General Government, which has succeeded to the principal powers from which patronage flows, possessing a soil upon the average not above the medium grade of fertility, but yielding fruitful returns to patient toil in our generally salubrious climate—excluded by the nature of her sea coast from any enlarged share in the commerce of the world; her people have been induced to self-reliance, industry, economy, and for the most part, to competence, but

moderation in fortune. The natural fruits of this situation have been personal independence, unostentatious self respect, habits in the general of morality, obedience to the laws, fidelity to engagements, public and private, frugality in expenditures, and loyalty to the Government, which is at once the offspring of the will, and the type of the simple manners, and honest and manly character of the citizens. Our Constitution, both in its original and amended features, exhibits a Government affording every essential right of freedom, yet sufficiently conservative, to give to it permanence and energy in administration. No where can we find a better practical illustration of liberty secured by law. Our statutory enactments, embodied in a volume of but little more than six hundred octavo pages, in which are comprehended every act of legislation, affecting the citizens in general, from the earliest English Statutes until within a few years past, attest how well the simplicity and plainness of the fundamental law have been followed in general legislation. In fulfilment of the requirements of the Constitution, a Judiciary system was early put in operation, which being matured from time to time, as experience suggested improvement, will compare favorably with the best systems of other States. Under its administration by officers in the main of a high grade of ability, learning and purity of character, our standard of professional eminence has been uniformly elevated, justice has been executed, and truth maintained, in such a manner, that in no part of the world have life, liberty and property, been more secure, than within the borders of our venerated State.

More than half a century ago, our University was established, which has gradually increased and diffused its lights not only in our own but in others of the States, until it now justly ranks among the first of the seminaries for education in the Union. Other institutions on private foundation, furnish opportunities of literary, scientific, and religious instruction, in various parts of the State, and within a few years past, the long deferred duty enjoined by the Constitution, of providing a system of Common Schools, for the instruction of all our youth, has been undertaken with earnestness and vigor. May it prosper, until we shall realize the desire of the Roman Emperor, who "would have every citizen so learned, that a portion of the Republic might be committed to his charge."

While such is the happy situation of our Government, and such some of its more fortunate results, we cannot delude ourselves with the belief, that our advancement in prosperity and wealth, has equalled that of most of our sister States, or that the task of those honored with the confidence of the people of North Carolina, and entrusted with their delegated power, is one of ease or indolence. Such has been the flow of emigration, that our population has not yet doubled its number at the first Federal census in 1790. Its regular increase, however, during each decennial period until the last, was at the average rate of about 80,000 souls in each ten years.—But during the period from 1830 to 1840, owing to the temptations to removal, from the action of the General Government, both in relation to the currency, and the extinction of the Indian title to public land, the increase was only about 20,000 souls. Notwithstanding, however, the augmentation of population from 393,000 in 1780 to 755,000 in 1840, and the consequent increase of production and consumption of articles of commerce, the imports and exports of the seaports in our own limits, as shewn by the table of commerce of the Treasury of the United States, are no greater at the latter than at the former period. The Inlets on our coast have undergone no change for the better; but few of our rivers have improved in navigation, though all have obstructions, and that extended tract of country lying between this capitol and the Blue Ridge, and north-west of the river Cape Fear, comprehending more than one-third of our whole territory, population and taxable wealth, enjoys but little better facilities of transportation than when it was traversed by the baggage wagons of hostile armies, in the midst of the Revolution. Those beneficent establishments, the products of modern humanity and science, in which cures are administered to minds diseased, "the dumb are almost made to speak, and the blind to receive their sight," have as yet no foundations among us; and although a Common School system has been commenced, a surprisingly large part of our people are yet destitute of the first rudiments of education. Our earth abounding, it is believed, beyond any other region of no greater extent, in the precious and useful metals, in materials for manufacturing, for manuring, for building, and a thousand other desirable objects, is not half explored. Our agriculture, tho' attracting more intelligence than formerly, is yet greatly in need of improvement; and our capabilities for manufacturing are but

beginning to be understood.

It is most obvious, that to meliorate our condition in any, or all of the particulars alluded to, pecuniary means are indispensable. In common with the greater portion of our constituents, I have looked for years to a distribution of the proceeds of the sales of the public lands, as the source from which we were to derive the supplies necessary for objects so desirable. If in this hope, we shall be doomed to disappointment, those among us who prefer a different disposition of that fund, but who yet concur in the enlightened policy of diffusing education and improving our situation in every practicable method, will be expected to bring forward some other scheme of finance, to effect ends so important. Whatever system may be adopted, no time should be lost, in putting into energetic operation, such measures as may be calculated to add to public and private wealth. Our country must be made to hold out the hope and expectation of acquiring the means of comfortable livelihood, and of reasonable accumulation, or its population cannot be expected to remain, nor its resources to increase. While labor is the only true foundation of national wealth, it may be much aided in its efforts, by the kind and upholding hand of Government. No State is more diversified in its fields of labor, or its varieties of marketable production, than our own. The great majority of the people being engaged in Agriculture, there are far more than a superficial observer would imagine, who are, with perhaps greater profits employed in the forests and fisheries, mines, manufactories, and mechanic arts. Our agriculture again, such is the variety of soil and climate, comprehends every great staple cultivated in the Union, except Sugar and Hemp. And it is difficult to say in the present state of statistical information, which of our chief exports, of Cotton, Tobacco, Rice, Wheat and Flour, or Indian Corn, is of the greatest value. While that of Cotton would seem to be the greatest, we must remember that fully one-third of the domestic supply of that article is manufactured at our own mills, and finds a market chiefly at home, in their manufactured state. These varieties of occupation, and production, creating apparently diverse interest, may be made to contribute to mutual accommodation, and to multiply the bonds of fraternal feeling, if government will but open communications between different sections, and give to the producer a cheap and easy mode of transportation to market, or shall encourage new employments, by means of which, the production shall find a market nearer home. In view of the great deficiency of facilities for transportation, under which we labor in the larger portion of the State, an extended system of Internal Improvement, or a more general devotion of industry to mining and manufacturing, would seem to be indispensable. If we cannot, without too great a loss of profits, send our staples to existing markets, we must endeavor to bring a market nearer to them. This is most obviously our interest, especially since in raising the amount of revenue necessary for the Federal Government, the practice of laying discriminating duties for the protection of manufactures and other pursuits of domestic industry, seems to be a settled part of our national policy.

Unfamiliar with the details of our affairs, it will hardly be expected that I shall at present attempt any recommendation of specific measures to your consideration. This would indeed be presumptuous, after the lucid and interesting review of them in the message of my distinguished predecessor, at the opening of your present Session. I cannot however forbear to impress upon the Legislature, my deep conviction of the importance of his recommendation to undertake without delay, an Agricultural and Geological survey of the State, with particular reference to the discovery of means to improve our soil and cultivation. In whatever we produce, we have millions of competitors throughout the world. And unless we avail ourselves of all the natural resources we possess, in addition to lights of science, the skill of experience & application of industry, we shall be left behind in the great race, of increasing profits by cheapening production.

In contemplating the important interests which require the care of Government, it is a consolation to me to know, that by the wise distribution of powers, the Executive in the general discharge of its duties, but moves in the rear of the Legislature, endeavoring to carry out their wise determination, by such means as they have committed to its hands. Whatever in our respective spheres we may find demanding our attention, I trust that no pledge is necessary on my part, nor exhortation to you on yours, that the public engagements of the State shall be observed scrupulously and faithfully. In our past history we have gained a high character for the virtues of honesty and fidelity; thus far, our escutcheon is unstained—the public faith has been kept, the public honor inviolate. And whatever destiny may await us in the fu-

ture, let us fervently unite our invocations to that good Providence, who has so signally upheld and preserved us heretofore, that our beloved North Carolina may still be permitted to "walk in her integrity," the object of our loyalty and pride, as she is the home of our hearts and affections.

CAPTIONS

Of the Acts and Resolutions passed by the Legislature of North Carolina, Session of 1844-5.

PUBLIC ACTS.

1. An act concerning Jury Trials
2. An act to amend the 5th section of the 19th chapter of the Revised Statutes. [The bill provides that whenever any Clerk of the County Court within this State shall die, after the adjournment of the Court and before the sitting of the next Court succeeding, not leaving a lawful deputy; it shall be the duty of the Sheriff of such county to summon the Magistrates of the county to meet at the Court House within fifteen days after the demise of the deceased Clerk—a majority of whom shall elect a Clerk who shall hold the office until the next regular election by the people—giving the usual bonds and taking the usual oath.]
3. An act extending the jurisdiction of Justices of the Peace over judgments, amendatory of the 6th section of the Revised Statutes entitled Justices of the Peace, and the fortieth section of the Revised Statutes entitled Courts, County and Superior. — [Gives to Justices jurisdiction over all sums due by judgment, not exceeding one hundred dollars principal, though the principal and interest together may exceed that amount; and directs that if any suit be brought in the County or Superior Court on any judgment rendered as aforesaid, for any sum of less value than one hundred dollars, due by such judgment, the same shall be dismissed by the Court.]
4. An act in favor of poor debtors. [Exempts from execution certain articles of household furniture and farming utensils and provisions, to the value of fifty dollars]
5. An act more effectually to secure the debts due for Cherokee Lands, and to facilitate the collection of the same.
6. An act to secure to citizens of this State the right of fishing in the navigable waters of this State.
7. An act extending the time for perfecting the titles to lands heretofore entered.
8. An act concerning the admissibility of evidence against the sureties of officers and others.
9. An act to amend the Revised Statutes, entitled an act concerning Legacies, and portions, and distributive shares, and the Revised Statutes, Descents.
10. An act to amend the 8th section of the 50th chapter of the Revised Statutes, entitled an act concerning frauds and fraudulent conveyances.
11. An act assenting to the purchase by the United States of certain lands in the town of Wilmington, and ceding the jurisdiction of North Carolina over the same, under certain limitations and conditions therein contained.
12. An act to authorize the Wilmington and Raleigh Rail Road Company to issue bonds to the amount of one hundred thousand dollars, to redeem a like amount issued under the act entitled "An act for the relief of the Wilmington and Raleigh Rail Road Company." [Bonds to be in sums not less than one thousand dollars—bearing interest at the rate of six per cent. per annum, payable semi-annually, on first Monday in January and July—50,000 payable on the first day of January, 1845, and the remainder on the first day of January 1846 —to be endorsed by the Public Treasurer, and signed by the Treasurer and Comptroller—the faith of the State pledged for their redemption, and the Public Treasurer directed to pay the same out of any money in the Treasury at the time, on failure of the company to do so—bonds transferable. The President and Directors to make, execute, and deliver to the Governor of the State, a mortgage of all the estate real and personal of the said company, or in any manner pertaining to the same conditional for indemnifying the State harmless from the loss of the whole or any part of said bonds—also, a pledge of so much of the profits of the said road as shall be sufficient to pay the semi-annual interest accruing on said bonds—the mortgage and pledge to be approved by the Governor and Attorney General. In case of failure of the Company to discharge semi-annually the interest on said bonds, the Governor for the time being may apply to the Superior Court of Equity, for Wake county, for a sequestration of the receipts for transportation on said road, and for the appointment of a receiver of such receipts—said Court empowered to act accordingly—and in case of failure of said Company to pay the interest on said bonds and redeem the principal thereof,—the Governor to cause the mortgages to be foreclosed in the Superior Court of Wake; and on decree