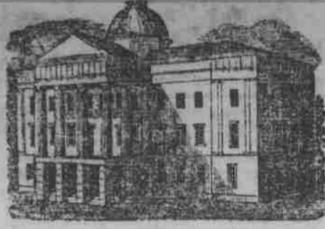


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TERMS.

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ADVERTISEMENTS.

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Letters on business, and all Communications intended for publication, must be addressed to the Editor, and post paid.

HONORS TO COL. PAINE.

We promised our readers, when the address of Mr. Cowan, on behalf of the Wilmington Delegation, and Col. Paine's reply, on the occasion of the presentation of Silver Pitchers, should be published, they should see them—and we now have the pleasure of spreading both before them.

REMARKS OF MR. COWAN.

GENTLEMEN: As the organ of a committee, appointed in behalf of the friends of Col. Robert T. Paine, in Wilmington, I am here, today, to perform a pleasing and a pious task—to discharge a debt of sincere and heartfelt gratitude, to offer an humble tribute to high moral worth.

Republics are said to be ungrateful. This reproach, however, though it justly arises from the source which was pursued by ancient Republics, is but the vilest of slanders, when applied to those of modern times. We esteem it a duty and a pleasure, ay; and a sacred duty, to render honor unto him to whom honor is due.

It is natural that it should be so, for man is created with an inherent love for all that is beautiful and virtuous.

It is right and proper that it should be so, for we are all animated and encouraged by the praise and approval of worthy men, and the glorious reward of merit is the strongest stimulus to exertion.

The good which men do should live after them; their errors, if they be errors of the head merely, should always be interred with their bones, for man is an imitative being; and, in his best estate, is apt to seek a model in the lives of those who have gone before him. He is the creature of circumstances. His character is formed, his mind is moulded by circumstances: the pen of Literature exercises a high moral influence over him; the work of Genius in any department, yields a power stronger even than the nature within him; the eloquence of the Orator—the reasoning of the Philosopher—the records of the Historian—the moral of the Essayist, and even the handiwork of Art, have a powerful effect in moulding the mind, in forming the character, in moving the souls of men. The chisel of the Sculptor moved the soul of him, who, without the slightest pang, had sacrificed millions of human victims upon the altar of his ambition; and Caesar wept as he gazed upon the statue of Alexander. The eloquence of Demosthenes fired the young Athenians to deeds of noble daring, and the beautiful moral treatise of Cicero, softened over the rude spirits of a Roman soldier. Who can read the tragic end of Leonidas without feelings of patriotic emotion? who, the touching death of the venerable Socrates, and be willing still to raise his arm against the majesty of his country's laws? The sublime moral spectacle of Brutus, sitting in judgment upon his sons, is not without its lesson; and, while the history of our own glorious revolution lives in the memory of man, who can dare, with dastard soul, to crouch beneath the tyrant's rod?

Such was the effect of these men, and these circumstances upon their own times; and such is the effect which is produced upon us, by the record even, of by-gone excellence and by-gone glory.— Indeed, the works of history are chiefly valuable, in so far as they point out examples of faults which are to be avoided, and virtues which are to be cultivated—in so far as they warn by the vices and errors, and guide and encourage by the wisdom and knowledge and moral excellence of those who have passed away from the scenes of life.— This being so, how much more may we not hope for, how much more may we not expect from the influence of those who live, and move, and have their being among us; the example of whose goodness and greatness is daily before our eyes—“their signal punishment to deter from vice, their glorious reward to stimulate in well doing.”

We cannot estimate too highly, the influence of these examples—whether of reward or punishment, upon the character and conduct of Statesmen and Rulers generally; and if the world at large would but realize the fact, the condition of mankind would be vastly improved. If patriots and statesmen were held up for love and veneration; if those whose high-toned character led them steadily on in the path of virtue and duty, were freely rewarded, while travelling souls, ambitious spirits, slaves of prejudices and parasites of power were exposed to the scorn and detestation of all mankind, how great would be the encouragement to the faithful servants of the public, how solemn the warning to him who would neglect or betray his trust, how salutary the lesson to the false general!

COL. PAINE.—Entertaining these views, and judging these feelings, your friends in Wilmington desire to express their admiration for, and beg your acceptance of this slight tribute to the high moral courage which distinguished your conduct in Mexico. High moral courage, I say; not the mere promptings of animal spirit, not the reckless hardihood which can rush into danger, not the wild excitement which can place its willing, and almost unconscious victim in the very front of the thundering artillery; but that cooler, and calmer courage which, in defiance of obstacles, and regardless of consequences, can dare to do its duty—that higher, holier, nobler impulse which belongs only to “man, the image of his maker.”

The fortune of war, sir, assigned you to a command, which was destined to remain inactive. In this position, however, bearing a soldier's hardships enduring a soldier's privations, exposed to disease, death, and the thousand uncertainties of a camp life in a foreign climate, you were subjected to other, and still greater trials. There was naught of terrible strife to be encountered; and there was naught of glittering glory to be gained. Your trials were of a different kind—tests of the moral strength of man, more difficult to meet than even the murderous shot of merciless warfare.—Your strength, and faith, and patience, and patriotism, all were found equal to the task; and though, for the time, you could have no hope of reward beyond the smiles of an approving conscience, yet did you gather, for yourself, laurels which will never fade, honors which time can never tarnish. Our State lost, perhaps, the brilliancy of renown which her Regiment would, unquestionably, have won for her on the line of active duty; but she has acquired a reputation more honorable because more substantial—a fame as lasting as the eternal hills upon which it was won.

The history of nations is but the history of men, and the glory of men is the richest treasure of a nation. The glory of the sons of North Carolina, from the day on which bold defiance was first cast into the teeth of Britain to the present moment, the citizens of Wilmington have ardently cherished; and the glory of our own noble sons, the hallowed memory of our own lamented dead is deeply engrained in our hearts—our Burgwin, our McKenzie, our Swift—gallant soldiers, accomplished gentlemen, scientific philosophers—all of deep devotion to their Country—interests—bright gems of the American Arm, whose loss falls, not upon us only, but upon all who feel any interest or pride in the honor of our Country, the literary accomplishment, the scientific ability of American Soldiers. We weep over their untimely end as a pious mother over the grave of much-loved children.

But while we mourn the dead, we are not unmindful of the living; and, to day, we come with our tribute to him, whose high tone of morals, strong integrity of purpose, honest independence of character elevated our volunteer Regiment above that of any other which marched to the fields of Mexico. Accept then, Col. Paine, this humble offering of our gratitude, and our pride—accept it as a pledge of our high respect, and cordial esteem—accept it as a testimony of the admiration with which we regard your conduct, and the pride with which we hail you as our own—accept it as a token, slight though it may be, sir, still a token, of our full appreciation of the honor which is so conjointly your due.

COL. PAINE'S REPLY.

MR. COWAN.—I cannot command words sufficient to express the gratification I feel on the present occasion. This token of friendship, esteem and honor from my friends in Wilmington—the eloquent and complimentary language used by you in delivering the gift, and this public presentation—all tend rather to embarrass than assist me in making a suitable acknowledgment.

I say with sincerity, that from citizens of no other community, could a testimonial of approbation be received by me with more heart-felt and lasting pleasure, than from my friends in Wilmington. It was my good fortune to be associated with some of these friends at an early period of my life. From that association sprang up a friendship, which time has strengthened and matured, and which has nourished in me a feeling of interest in the welfare of the community in which they lived. And more recently, sir, I have shared in private and in public, the honors of their hospitality. With pride and satisfaction, I have witnessed that community, of which these friends are worthy members, attain to a position of commercial importance and prosperity, that does honor to the State, and who are still striving, with a noble spirit of enterprise, and with a perseverance that deserves success, to elevate still more that position. Zeal and liberality have marked the character and conduct of the public men of that community; and I esteem it honor to have been associated with some of them within the walls of this Capitol, in efforts to advance the prosperity and honor of North Carolina.

You, sir, have spoken in exalted terms of me, as Commander of the State's Regiment of Volunteers. If I should tacitly admit, as due to me alone, that degree of merit which you have accorded me, I would feel humbled in my own esteem, and I should deserve to be lowered in the opinion of my fellow-citizens. Having entered into the ser-

vice of the State with a determination to do my whole duty, but not with the desire or expectation of gaining honors, in which my troops might not share as equals, I shall receive this token from my friends, as a tribute also to the honor of my Regiment. The credit due to a Commander, is to be looked for in the conduct of his troops; and the merit for patience and fortitude under the ills of service, he must share with the soldiers of his command. I am proud, sir, to receive this gift from my friends in Wilmington, as a token of their friendship and esteem. In such a position, I would desire to hold the first rank; but in all other honors pertaining to a gift so noble, I claim only a soldier's part.

GENTLEMEN OF THE COMMITTEE.—I return you sincere thanks, for the additional honor conferred on me by the manner in which you have discharged this special trust; and I beg, through you, to assure my friends in Wilmington, that I will treasure their gift with feelings of proud satisfaction to the latest period of my life. It is a further testimonial of that liberal public spirit which characterizes their community.

STATE LEGISLATURE.

SENATE.

FRIDAY, JAN. 12.

Mr. Kendall offered a resolution so to amend the Journal of the Senate, as to state that the member from Stanly and Calumet voted for the North Carolina Railroad bill with a distinct understanding that he did not consider it a test vote.

Mr. Joyner moved to lay the resolution on the table; which prevailed.

Mr. Woodfin, from the Judiciary Committee, reported the bill to amend the 136 ch. Rev. Stat. and recommended its passage.

Also, the bill to amend the Revised Statutes, in relation to bills of exchange, promissory notes, &c. without amendment, and recommended its passage.

Mr. Joyner, from the Select Committee to whom was referred so much of the Governor's Message as relates to the Raleigh and Gaston Railroad, made a detailed report, accompanied by resolutions providing for certain payments on account of said Road, which passed their first reading, and were ordered to be printed, with the Report.

Mr. Patterson, from the Joint Select Committee on Cherokee Lands, made a report, asking to be discharged. Contained in.

Mr. Gilmer introduced a bill concerning coats in certain cases in Equity.

Mr. Ashe, a bill to incorporate the North Carolina Railroad Company; which was laid upon the table, ordered to be printed, and made the special order for Tuesday.

Mr. Joyner, a resolution that the Senators from Edgecombe, Nash and Halifax, be appointed a committee on obstructive to fish on Fishing Creek.

Mr. Washington, a bill to amend the Rev. Stat. in relation to actions of debt.

A bill to lay off and establish eight Judicial Circuits, was read the second time.

Mr. Thomas, of Davidson, moved its indefinite postponement.

The motion was opposed by Mr. Patterson, and adopted by Mr. Conner. The subject was further debated, between Messrs. Shepard, Patterson, and Gilmer, after which the motion was carried, Ayes 34, Nays 12.

The bill to regulate the duties of Constables in certain counties was indefinitely postponed.

Mr. Gilmer called up a resolution to authorize a loan of \$7,000 to Greensboro' Female College from the Literary Fund, which passed its second and third reading.

The bill to amend the Rev. Stat. concerning Guardians and Wards; to give jurisdiction to Gaston County Court, over a certain public road; to extend the limits of the town of Lincolnton; to incorporate Antioch Academy in Robeson, passed 3d reading.

The bill to repeal the act of 1846-7, to lay off and establish the county of Polk was taken up, and Mr. Miller argued against the passage of this bill, and was followed by Mr. Patterson on the same side. Mr. P. argued against the passage of this bill, that it would have the effect to awaken all the excited and deep feelings which heretofore prevailed upon the subject of a Division of Raleigh County. The friends of a central division would commence a movement in its favor, and all those same scenes be enacted, which had heretofore led to the formation of the County now sought to be repealed. It was a matter of doubt, whether, after we had formed a new County, we had the constitutional right to disannul it. Mr. Halsey also spoke against the passage of the bill, and gave his reasons at some length. The bill passed its 3d reading, Ayes 30, Nays 16.

And the Senate took a recess.

EVENING SESSION.

The bills to provide for the opening and clearing out of Big Rockfish Creek, in Cumberland; to produce conformity in the Charter of the Charlotte and South Carolina Railroad Company; to incorporate the town of Goldsboro'; for the relief of James Stuart, of Cherokee County; the resolution in favor of Hall and Kinney; the bill to amend an act entitled an act concerning Weights and Measures; to incorporate the Newbern Manufacturing Company; to amend the Revised Statutes with respect to a Road in Brunswick and Yancy Counties; to consolidate and amend the acts heretofore passed for the better regulation of the town of Concord—passed their second and third readings.

Mr. Washington called up the Pilot bill, which being amended, a motion was made by Mr. Swan, that the bill be referred to a Select Committee, composed of members from the Counties interested; which did not prevail. The bill then passed its third reading.

And then the Senate adjourned.

HOUSE OF COMMONS.

MR. McCLENNAN introduced a bill supplementary to an act to improve Cape Fear and Deep Rivers. Referred to the committee on Internal Improvements.

Mr. Shuford, by consent of the House, introduced a bill to alter the time of holding two of the Courts of Pleas and Quarter Sessions for Lincoln and Catawba. Referred to committee on Propositions and Grievances.

Mr. H. C. Jones introduced a resolution in favor of H. L. Roberts.

Mr. Frazier introduced a resolution in favor of Jas. Livingston.

Mr. Cherry introduced a resolution in relation to Swamp Lands.

The resolutions, submitted by the select committee in place of Mr. Steele's, were then taken up.

Mr. Staley moved to strike out all of 4th Resolution and insert the following:

Resolved, that the enactment of any law by Congress, which shall directly or indirectly deprive the citizens of any of the States, of the right of emigrating with their slave property into any of the United States, and of exercising ownership over the same while in said Territories, will be an act of gross injustice and wrong.

A division of the question was called for, and the House refused to strike out. After which there was a short but animated discussion between Messrs. Courts and Staley: the former contending that the Resolutions were not of a party character, and the latter insisting that they had been made so by the action of the majority, and charging Mr. C. with having continued to make the Resolutions a party matter.

Mr. Cherry offered, as a substitute for the 4th Resolution, the following:

Resolved, that the enactment of any law by Congress, which shall directly or indirectly deprive the citizens of any of the States of the right of emigrating with their slave property into any of the Territories of the United States, will be the exercise of power contrary to the true meaning and spirit of the Constitution, and never contemplated by the framers thereof; and will be an act of gross injustice and wrong.

Before the question was taken on this amendment, the Speaker announced the arrival of the hour for taking up the special order, the bill to establish a Turpentine from Salisbury to the Georgia line.

Mr. Stevenson moved to postpone the order.—Lost.

The bill was then put upon its second reading and passed.

The House then took up, as the next thing in the order of business, the bill providing for amendment of the Constitution; the question being on the amendment offered by Mr. Caldwell of Burke—which was rejected by a vote of 69 in negative to 39 affirmative.

Mr. Lenoir of Davidson offered an amendment to 13th section—to appropriate the Commissioners according to White population, and the Senators according to the Federal basis.

Mr. Kelly moved to postpone indefinitely the bill and amendments—lost by a vote of 89 to 19.

The House then took recess.

EVENING SESSION.

Mr. Staley moved to reconsider the bill entitled “a bill to repeal in part the 6th Section, Chapter XXI Revised Statutes,” and moved its reference to the committee on the Judiciary, with instructions that this committee report an amendment.—Carried.

Mr. Eberlee moved to reconsider a Bill passed yesterday, entitled “A Bill to amend an act passed at the last Session of the General Assembly, entitled ‘an act to provide for the apprehension of runaway slaves in the great Dismal Swamp and for other purposes,’ and to extend the provisions thereof.” The motion prevailed.

Mr. Eberlee then moved to strike out so much of the fourth section of said Bill as makes it “the duty of the owner, hirer, manager, or other persons, employing slaves or free persons of color, in the said Dismal Swamp, or in the Swamps in the Counties of Tyrrell, Washington, Beaufort and Hyde, to produce or cause to be produced, every such slave and free persons of color, so employed, before the Clerks of the County Courts of the Counties in which they are employed, annually.”

Mr. Eberlee remarked that the feature of the Bill which he proposed to have stricken out, was, he thought, altogether unnecessary, as it did not add any additional safeguard to owners who had runaway slaves in those Swamps. Nor did he see how any good would result to the community at large from it. Then would it subvert the end proposed? The only effect of that sec. of the Bill, would be, to impose on the owner or employer, the expense of carrying his slave annually to the Court House, paying the Clerk fifty cents for a new certificate—the exact copy of the one he carries in his pocket—under the penalty of twenty-five dollars for each failure. This would be an additional annual tax on all persons engaged in the Shingle business in those Swamps—a tax not contemplated in, as he thought, or justified by, the Constitution. To persons who work many hundreds there, this would be a matter worthy of consideration. The original Bill, which it is the object of this to extend, makes it the duty of the master or employer, under a heavy penalty to have each servant, so employed, registered by the Clerk of the County Court, and a certificate of the same containing an accurate description of his person furnished to the servant, and by him to be kept. If the servant loses that certificate, the master is bound under a penalty of twenty-five dollars to procure another. And this loss may, by the carelessness of the servant, occur many times during each year. Why then, when the certificate has been properly obtained and preserved, subject the master to the trouble and expense of carrying the servant to the Court House—perhaps many miles distant, for a certificate, which, when obtained, would be no better than the one in his pocket? Mr. E. said, since the passage of this Bill yesterday, he had consulted with the members from the Counties in which it is to have effect, and they now agree with him, that the portion of the Bill referred to, ought to be stricken out.

The motion to strike out was then put and carried. The Bill then passed its 3d and last reading.

Mr. Revner moved to postpone bills on 3d reading and take up the bill providing for amendment to the Constitution. Carried.

Mr. Halsey advocated his amendment lately, stating his reasons why this Institution should be located near Raleigh.

Mr. Gilmer said, the purpose was to obtain a direct expression of opinion, whether the Hospital should be located at Raleigh. He therefore withdrew his amendment.

Mr. Thompson, of Bertie, argued against the location at Raleigh, on account of the high price of labor here—and every one knew that the expenses of living would be cheaper any where else.—There was hardly any State that had their Asylums at the Capital. He was clearly of opinion that in any town west of Raleigh, the buildings would not only be cheaper, but every other expense would be lighter.

Mr. Thompson of Wake, argued to show that labor was as cheap and materials as abundant here as elsewhere and as convenient. For these reasons, and others, he was in favor of the location near Raleigh, and he thought they were entitled to some consideration.

Mr. Eason thought it did not follow, because the Institution was located at Raleigh, that we were compelled to obtain workmen here. He was of the impression they might be obtained from other sections. There was no reason why workmen should not come from Guilford or elsewhere.

Mr. Thompson, of Bertie, thought the most material thing would be the annual appropriation to keep up this Institution; and he did not contend that the appropriation would be less in any of the western towns than in Raleigh.

Mr. Kendall thought a saving of from 20 to 50 per cent, might be made by locating the Hospital west of Raleigh.

The question was then taken on Mr. Halsey's amendment, which was rejected.

Mr. Woodfin moved to insert “within three miles of the town of Greensboro, in Guilford.”

Mr. Thomas, of Davidson, gave notice, if this amendment were rejected, he should move to insert Lexington in Davidson.

Mr. Woodfin advocated his amendment, briefly, and Mr. Thomas of Davidson opposed it, and went into considerations of the cheapness of provisions, eligibility of situation, and conveniences for the comfort of the unfortunate beings intended to be accommodated and relieved. Lexington was about central between the extremes of East and West, and North and South. The soil in its neighborhood was surpassed by none in North Carolina. There were advantages at that point which could not be grouped together at any other. It had been said that Lexington was not healthy—but that was not true. On the Court green at Lexington, would be found as many old men as at any other—it would suffer in comparison with so town west of the mountains. There was one item, he wished to notice; wood could be bought cheaper than at any place west of Raleigh.

Mr. Gilmer briefly advocated the location at Greensboro, pointing out its advantages in a favorable point of view.

The question was then taken upon Mr. Woodfin's amendment, and decided in the negative, Yeas 14, Nays 38.

Mr. Thomas, of Davidson, moved to fill the blank with Lexington, in Davidson, which motion was adopted.

The bill then passed its second reading, and the Senate adjourned to Monday.

HOUSE OF COMMONS.

Mr. Lenoir, introduced a bill supplemental to an act to unite the Roanoke Railroad and the Roanoke and Sea-board Railroad—which by consent of the House, was put upon 2d and 3d readings, and passed.

Mr. Caldwell, of Burke, offered a resolution, to send a message to the Senate, proposing that the two Houses of the General Assembly meet together in the 1st Monday in June, for the purpose of devising ways and means for the improvement of the condition of the State, and for other purposes—laid on the table.

Bills, &c. introduced: By Mr. Taylor, of Nash, for the better organization of the Courts of Nash. Passed its 1st reading. By Mr. Love, to establish a new County by the name of Jackson. Referred to the Committee on Propositions and Grievances. By Mr. Mehane, a Resolution authorizing the Public Treasurer to borrow money from Literary fund.

On this resolution, there was a brief discussion between Messrs. Caldwell, of Guilford, Mehane, Rayner, Stevenson and Staley, after which, on motion of Mr. Staley, the Resolution was laid on the table.

Mr. Keene, a resolution restricting the speeches of members to fifteen minutes. Laid over.

Mr. Brogden a bill concerning the Wardens of the Poor.

Mr. Mehane, a bill to incorporate the North Carolina Railroad Company and for other purposes.

Mr. Staley moved to make the bill the order of the day for Monday 12 o'clock—pending this motion, the Speaker announced the arrival of the hour for taking up the order of the day, the unfinished business, of yesterday, the Resolutions submitted by the Select Committee in place of Mr. Steele's.

Mr. Satterthwaite moved to postpone the consideration of the Resolutions, in order to let the Committee report. Lost.

Mr. Satterthwaite then moved to suspend the order, and take up the message from the Senate, proposing to adjourn on the 12th. Lost.

Mr. Satterthwaite then offered their speech in favor of the postponement of the consideration of the Resolutions, when

Mr. Hayman said, that for one, he was tired of hearing the House lectured time after time, about the consumption of the time and money of the “dear people,” and that too, by certain individuals, who had consumed more of their time than was necessary for the public good, and far more than they were justifiable in doing. This complaint, gentlemen, reminded him of an anecdote that he had somewhere read, of a certain blacksmith, who was employed in making horse-shoes, and being made a very sorry one, he said, “well, I am the man that attempts to drive you.” The Boss of the shop happening to be by, asked the smith, why he cursed the man who should drive that nail, and he might be, for ought to know, a very good one—when he replied, that he knew “that the man who tried to drive it, would curse the man that made it, and for his part, he was determined to be a damn shoddy fellow.” So it was, said Mr. H., of certain gentlemen on this floor—knowing that they are so much to blame themselves they are first to blame those upon others.

The Resolutions were then read the third time, when Mr. Satterthwaite moved the House to adjourn, and as the House adjourned, Mr. Satterthwaite, in making this motion, Mr. Satterthwaite, I earnestly believe that the people of North Carolina, and the State of Virginia, are highly indebted to the people of North Carolina.

Mr. Thomas called for the reading of a memorial of citizens of Lexington.

Mr. Thomas then withdrew his motion, and the Senate took a recess.

EVENING SESSION.

The engrossed bill more effectually to suppress the traffic with slaves, passed its second and third reading.

The Senate resumed the consideration of the unfinished business, being Mr. Gilmer's amendment to the supplementary Inmate Hospital bill.

Mr. Patterson moved to postpone the bill and amendment, and make it the special order for Monday, at 11 o'clock; negatived.

Mr. Halsey offered an amendment to the amendment so as to read “within three miles of Raleigh.”

Mr. Halsey advocated his amendment lately, stating his reasons why this Institution should be located near Raleigh.