

# WATCHMAN & OLD NORTH STATE.

NEW SERIES.]

SALISBURY, N. C., NOVEMBER 27, 1868.

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Message of the Governor.

EXECUTIVE DEPARTMENT  
SALISBURY, November 19, 1868.  
To the Honorable the General Assembly  
of North Carolina:

Gentlemen:—It is proper that at your first regular session under the new Constitution, I should lay before you "information of the affairs of the State," and recommend to your consideration such measures as may be deemed expedient.

The people of the State have reconstructed their government on the basis of the equal rights of all. The State is quiet and tranquil. There is no ground for apprehending that aggression will again be attempted, or that the peace of the country will be disturbed.

The year now closing has been richly crowned with harvests. The seasons have been propitious. A plentiful supply of bread has been produced for our whole population, so that want in this respect will not be felt during the coming year by any who will labor for a living. Fruits of all kinds have been gathered in abundance. The staples of cotton and tobacco are affording fair profits to those who have produced them, while from timber and naval stores a considerable portion of our people are realizing good returns, as in former years. Our commerce is increasing. Our mineral resources are once more in process of development. Our Railroads are recovering from the depression under which they formerly labored, and promising better returns than heretofore to the State and to the Stockholders; while new lines of communication are being laid out, destined to penetrate and develop the great natural resources of portions of the State heretofore untouched by the hand of improvement. The State credit has been re-established on a solid basis, giving promise that at no distant day the bonds of the State will command as much in the market as those of the most favored and prosperous States.

We have great cause to be thankful to Almighty God for the manifold blessings which He is bestowing upon us; and we can confidently look forward, under His protection and guidance, for a condition of prosperity and happiness which we have not before enjoyed.

### State Debt and Finances.

The State debt and finances will please receive the thoughtful and careful consideration of the General Assembly.

The amount of the State debt on the 1st of October, 1868, was nine million two hundred and nine thousand nine hundred and forty five dollars. (\$9,209,945.) This includes the amount of past due interest funded under act of August 20, 1868, of two millions of dollars. (\$2,000,000.) The above amount (\$11,209,945.) is inclusive of bonds issued for internal improvement purposes since May 20, 1861, and prior to the year 1866. The amount of these bonds is one million one hundred and eighty eight thousand dollars. (\$1,188,000.) and the estimated interest thereon due and unpaid is one hundred and eighty thousand five hundred and ten dollars. (\$180,510.)

The amount of interest which has accrued October 1st, 1868, and been paid in cash, is one hundred and eleven thousand one hundred and one dollar. (\$111,101.) The interest maturing at subsequent dates during the present fiscal year is as follows: January 1st, 1869, three hundred and eighty thousand one hundred and ninety seven dollars. (\$380,197.) April 1st, 1869, three hundred and one thousand one hundred and one dollar. (\$304,101.) July 1st, 1869, two hundred and eighty thousand two hundred and ninety seven dollars. (\$280,297.) Total for the year ending September 30th, 1869, is one million one hundred and eighty eight thousand dollars. (\$1,188,000.) The amount of interest due and unpaid on the 1st of October, 1868, is one hundred and eighty thousand five hundred and ten dollars. (\$180,510.)

The people of the State are more fully committed, both by interest and inclination; and I have every confidence that it is in their hands that will press it to speedy completion.

counties remain unpaid, but we cannot expect more than seventy-five thousand dollars (\$75,000) from this source.

The estimated probable expense of the State government during the fiscal year will be, three hundred and seventy-five thousand two hundred and thirty dollars (\$375,230.) Add interest falling due during fiscal year, of one million thirty-two thousand five hundred and ninety-six dollars. (\$1,032,596.) will leave the amount to be provided for one million four hundred and seven thousand eight hundred and twenty-six dollars (\$1,478,826.) To meet this the Treasurer will have fifty thousand three hundred and eighty-four cents, (\$50,384.84.) after paying one hundred thousand dollars (\$100,000.) temporary loan; taxes received since October 1st, 1868, ninety-five thousand one hundred and ninety-six dollars and thirty-seven cents, (\$95,196.37.) estimated taxes due, seventy-five thousand dollars; (\$75,000.) proceeds of sale of North-Carolina Railroad bonds, one hundred and seven thousand six hundred dollars; (\$117,600.) making a total of three hundred and thirty-seven thousand eight hundred and thirty-one dollars and twenty-one cents; (\$337,831.21.) Leaving the amount of one million and sixty-nine thousand nine hundred and ninety-four dollars and seventy-nine cents, (\$1,069,997.92.) to be provided for by taxation during the present fiscal year.

### Immigration.

The Constitution provides that "there shall be established, in the office of the Secretary of State, a bureau of Statistics, Agriculture, and Immigration, under such regulations as the General Assembly may prescribe."

The attention of the General Assembly is especially invited to that portion of the report of the Secretary of State herewith transmitted, which refers to this subject. No State in the Union presents greater inducements than ours does to immigrants. I feel sure the General Assembly concurs with me as to the importance of encouraging immigration; and I trust that body will at once adopt such measures on the subject as it may deem practicable and effective in their operation. We have an salubrious climate, a varied and fertile soil, an abundance of the most valuable minerals, inexhaustible water-power, fine grazing lands, vast forests of timber of all kinds, a long sweep of sea-coast, and, in fine, every thing material and physical, which in a country in some respects almost new, can attract immigrants and fill the measure of their expectations. Our government is now settled on a solid basis. The laws are over all alike, and are faithfully and honestly administered. Society is peaceful and tranquil. Immigrants, therefore, will not only be welcomed by our people, but will be protected and respected, and a fair field will be opened to them, in common with those who are here, to improve their condition.

### Education.

The attention of the General Assembly is respectfully invited to the report of the Superintendent of Public Instruction, herewith transmitted. That officer is diligently engaged in his duties. I am satisfied, from my knowledge of his character and qualifications, that he will be able to put in operation, at an early period, under the sanction of the General Assembly, a system of "schools and means of education" in all respects better and more extensive than any heretofore in existence in the State.

The University of the State is inseparably connected with the free public schools. Both should be fostered. Education in agriculture, mechanics, mining, engineering, and in all the useful arts and sciences, should be encouraged. Normal instruction should be provided for at once, that we may have well-educated teachers of our own for our public schools.

Nearly all the State school fund; the proceeds for the most part of the funds deposited with this State by the general government in 1836, has been lost. It is unnecessary to show how it was lost, or to dilate upon the advantages thus snatched from us. Regrets are vain for what is past. Let us improve the present, and address ourselves to the future. We must have free public schools for all the children of the State, at whatever cost. This is a duty which can neither be postponed nor evaded. So thoroughly am I impressed with this duty, and so earnestly am I committed to every feasible measure to render its full performance certain, that but for the assurance that it will be thus performed I would despair of free popular government in North Carolina. "Education is the cheap defence of nations," not only from without but within. It is that light which distinguishes refined and civilized from barbarian races. It forms and compacts the only society among men which is worthy of the name. It touches the earth, and it blossoms with laurels; its soil yields its choicest fruits, its mines open and pour out their varied treasures, and its rivers and seas are whitened with commerce, which carries with it not only exchangeable wealth, but ideas to government, literature, science and art. It is the only sure basis of good morals, for without it, the Divine Word, the fountain of all truth, would be a sealed book. It is the strongest bulwark that can be erected to protect the rights of property. Property holders are, therefore, specially interested in promoting education. Taxes for such a purpose should be cheerfully and promptly paid. The affluent and the enlightened can afford to care in this respect for the poor and the ignorant, since it is not merely their duty, but their highest interests are thus best subverted. But little, if any of the money expended for education is sent out of the State. It remains with us, and while our people are thus enriched with knowledge, they are not rendered poorer even in money, as is the case with those who immediately disburse it by the other.

The people of the State are anxious that the poor and worthy immigrants should settle and settle among us. It is a question with all such immigrants whether in the communities or States in which they are invited to settle, there are facilities for educating their children. If we do not put in operation as good public schools as there are in other portions of the country, we cannot hope to attract to this State any considerable number of immigrants. They will continue to turn their steps towards other regions, not more inviting than ours, in climate, soil and material resources, but in which they can secure for their children, at the public charge, a system of schools to fit them to become intelligent and useful citizens.

The people of North Carolina have long been a unit in favor of education. From the days of Yancey, Murphy, Stanly, Cameron, Gaston, Caldwell, and others, to the present, their enlightened statesmen of all parties have enjoined this as the first

duty of the State. I am persuaded that the purpose to educate the rising generation is as firmly fixed now as at any former period. This is a subject on which all can agree. A rivalry can exist in this respect which will be generous in its nature, which will violate no sacred rule of charity, and which, honoring those who may engage in it, will confer immeasurable benefits and blessings on this and future generations.

I recommend, in the most earnest terms, that the General Assembly during its present session provide for a general and uniform system of public schools. The schools for the white and colored children should be separate, but in other respects there should be no difference in the character of the schools, or in the provision made to support them.

The Board of Education and the Trustees of the University will doubtless make reports to the General Assembly at an early day as to the condition of the educational interests confided to them. Both these Boards are fully organized, and have transacted some important business.

### Protection to Labor.

The Constitution provides that "the General Assembly shall provide, by proper legislation, for giving to mechanics and laborers an adequate lien on the subject matter of their labor."

In the conflict always going on between capital and labor, the latter is more likely to suffer than the former; first, because money or capital is power; and secondly, because capital is generally controlled by a greater degree of intelligence than that which characterizes labor. Labor can not afford to combine against capital to enforce its rights, for the reason that it can not, like capital, retire within itself and await results. Both should be protected in such manner as to prevent either from encroaching on the rights of the other. Contracts in writing should be encouraged, and should be strictly enforced. The mechanic or laborer should be required to perform his contract with scrupulous fidelity; and on the other hand, no opportunity should be afforded to the contractor or employer to evade payment when the contract has thus been performed. The life of labor is steady employment at compensating wages, with the certainty of payment. The life of capital is steady enterprise and investment, unembarrassed by idleness, inattention, non-performance, or slack performance of contracts by those employed. I can perceive no difference, in a legal or moral point of view, between a contract broken by a mechanic or laborer, and an obligation disregarded by a capitalist or employer. The mechanic and the laborer should be protected, but not to the detriment of the employer when the latter has fully complied with his obligation to the capitalist or employer. The mechanic and the laborer should be protected, but not to the detriment of the employer when the latter has fully complied with his obligation. The former should be assured, while laboring, that the reward of his labor will be realized; and, to effect this, there should be a lien in every case until he is paid. The remedy should be plain, speedy and cheap. As a general rule the mechanic and laborer can not afford to engage in suits at law and pay fees.

This is a subject which excites no small interest among the people. Those especially who live by their labor will continue to press the subject upon the attention of the General Assembly until suitable laws for their protection are enacted. A workman myself, I feel a deep interest in whatever concerns the workmen of the State. Our present and future prosperity must be based on labor. Labor should not only be honored, but it should be protected and promoted by every practicable means.

But while labor should be protected and honored, idleness should receive no countenance or favor. Every one should be required to pursue some honest calling for a living; and the presumption should be, as it fairly and justly is, that an habitual idler with no known or visible means of support, is in a condition to be tempted to the commission of crime. It is idlers and loungers who, for the most part, fill our jails and workhouses, as they will fill the penitentiary. There is work of some kind for all to do, and all should be employed.

### Stay Laws.

The law of creditor and debtor is of the first importance. The relations of these two classes should be plainly and carefully defined, and contracts should be promptly enforced. Our State government will not be in complete operation until every impediment to the collection of debts is removed. Stay laws which give indulgence beyond the usual dilatory plea, or beyond the ordinary stay of execution on sufficient security, are, under any circumstances, of doubtful utility. The "evil day" of payment, as it is termed, is postponed in most cases to be felt with added force by the debtor. A sound and judicious credit system should not be discouraged, but should rather be fostered and maintained; but such a system is impaired, if not destroyed, by general laws which may be said to place the creditor for years in the hands of the debtor, with the certainty in many cases of the loss of the debt. The debtor may plead for indulgence and lenity as long as it is reasonable to do so, or as long as there is a well grounded assurance that he will be able to pay; but complaint may justly proceed from the creditor, who has certainly wronged no one by first extending credit for his property or goods, and by subsequent indulgence and forbearance. Stay laws of various kinds have been in operation in this State for years. I say

nothing as to their constitutionality; but even when the unfortunate condition in which we have been placed during this period is considered, it cannot be assumed that the debtor will be harshly treated if now required to meet his obligations. The losses incurred by the rebellion are not confined to particular cases. They were general, affecting the whole people of the State in every walk of society. If a debtor cannot pay in the last resort, after reasonable indulgence has been extended to him, he is a bankrupt. What rendered him a bankrupt—whether the rebellion, or his own improvidence, or want of economy or foresight—is not material to the argument. We may lament his misfortunes and sympathize with him; but still the fact remains that he is still in possession of property which justly belongs to his creditors, some of whom may have been reduced to his condition by his failure to meet his obligations. The only refuge of such a person to compromise with his creditors, or to enter a court of bankruptcy, or to make such an exhibit and disposition of his property and effects as will satisfy his creditors that he is fixed in an honest purpose to do them justice. I do not by any means concur in the opinion that an honest bankrupt has incurred any serious loss of character as a business man, or that he should be distrusted or avoided. Such a man, on the contrary, has displayed honesty, moral courage and candor which entitle him to the respect and confidence of his neighbors; especially when we remember that we have just emerged from a condition in which nothing was solid, and in which nearly every one was involved in pecuniary disaster and distress. Failure in business or loss of property should but stimulate to renewed exertion. The honest, industrious and upright citizen, however reduced or depressed by misfortune, will always find friends to aid him in his efforts to improve his condition.

### The Militia.

Attention is invited to the report of the Adjutant General, herewith submitted. The views and suggestions of the Adjutant General have my entire approval. The opinion of Washington, uttered in 1790, that "free people ought not only to be armed, but disciplined," and that a self-organized militia "is certainly an object of primary importance, whether viewed in reference to the national security, to the satisfaction of the community, or to the preservation of the order," is not less important now than it was then.

The expenditure incurred thus far on account of the militia is quite small. I did not deem it expedient or necessary to avail myself of the power conferred upon me to purchase arms. A considerable quantity of arms, with necessary equipment and ammunition, has been procured without cost, save for transportation. It is important that the militia should be enrolled, but it is not deemed essential that the entire body should be disciplined or drilled. The recommendations of the Adjutant General on this subject seem to me to be such as should meet, as I trust they will, the approval of the General Assembly.

It is estimated that the expenses of the Adjutant General's office for the ensuing year, including his salary, will not exceed five thousand dollars, (\$5,000.) I recommend an appropriation sufficient to cover that amount.

### Economy in Public Expenditures.

I can not too earnestly commend to the attention of the General Assembly the importance of enforcing economy in the public expenditures. Public officers who disburse the public moneys should be required to be as careful and economical as they would be as individuals in their business transactions. The State is in debt, the people are for the most part poor, and it is, therefore, especially important that economy should be observed. I recommend that the duties of the State Auditor be clearly and fully defined, and that it be made his duty to examine rigidly every account or claim against the State, of whatsoever character, before the Governor is required by law to issue his warrant for the same.

### Duties of Public Officers and Their Salaries.

Attention is respectfully invited to the fact that the duties of Secretary of State, Auditor, Treasurer, Superintendent of Public Works, Superintendent of Public Instruction, and the Attorney General, have not yet been prescribed by law. It is important that the duties of these officers be at once prescribed.

It is also recommended that just and reasonable salaries be allowed these and other public officers. A public officer is expected to devote his whole time to his duties, and he should be well paid for his services. A government which pays extravagant salaries sets an injurious example of extravagance and waste to its citizens; but one that does not have living to an officer who conscientiously and selflessly devotes himself to his service, is not only unjust to the officer and to itself, but it loses respectability in the eyes of the world, and will not long command that efficiency and peculiar fitness in its officials which is so desirable in the administration of public affairs.

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### The Union Indissoluble and Perpetual.

The suppression of the rebellion by the government of the United States; the reconstruction of the Union on the basis of suffrage for all in the recently insurgent States, with the prospect that in due time suffrage will be conferred upon all, in all the States; and the election to the Presidency of Ulysses S. Grant, and to the Vice Presidency of Schuyler Colfax, have rendered the Union of the States indissoluble and perpetual. We now have, indeed, a free Republic, in which every man in nearly every State, is fully the equal of every other man in political and civil rights. We have no distinctions founded on color or race, save those which are social in their character, but every one is free under the law to make his own way in life, and to win a good name for himself and his children. The Union is over all, States as well as people. There can be no appeal from its authority. Its action in any event, and in matters however grave or vital, is irrevocable and final. This will ensure stability in the government and confidence in it by the people, without which no nation can be prosperous and powerful. This stability on the one hand and confidence on the other, will render certain the payment of the national debt, and the completion of every work of improvement which the government may project or foster. The Union extends with a vast breadth from the Atlantic to the Pacific sea. It is stretching itself out along the shores of both oceans, carrying with it the germs of free principles which will speedily spring into new States, to cluster in due time, as the old States are clustering around one common centre. It would be impossible to set bounds either to the progress or the duration of the Republic. We know only that it is a great, beneficent, constitutional government, stronger than it was when it was founded; that its benefits and blessings are innumerable to those who live under it; and that our children and our children's children will take a just pride in their fortitude, courage and wisdom of their ancestors, and partake in larger and fuller measure than we do of the elevating and refining influences of religion, liberty and law, which must spring from such a government.

### Penitentiary.

It will be seen by the Report of the Commissioners herewith transmitted, that they have located the Penitentiary near Lockville, on Deep River, in Chatham County. The situation is deemed an excellent one in all respects. Arrangements are in progress to erect a stockade on the site, and convicts will be employed in grading the foundations and quarrying stone for the building. I have addressed a letter to each of the Sheriffs of the State, inquiring the number of prisoners, the crimes for which they are imprisoned, and the time for which they have been sentenced, so that, after the necessary information is obtained, such of them as should be put to hard labor in the Penitentiary may be turned over to the Superintendent.

The report of Dr. Eugene Grissom, Superintendent of the Asylum, is herewith transmitted. I am gratified to state that a decided improvement has been made in the management of the Asylum, under Dr. Grissom, whose zeal and fidelity, with the some qualities on the part of his Assistant, Dr. F. T. Fuller, and his subordinates generally are deserving of commendation. The recommendations of the Superintendent in relation to the institution are commended to your attention. I do not doubt that the General Assembly will adopt every measure necessary to sustain this indispensable and noble charity.

### Institution for the Deaf and Dumb and the Blind.

Attention is invited to the report of Willie J. Palmer, Esq., Principal of this institution and to the report of W. M. Coleman, Esq., President of the Board of Directors.

This institution is in a flourishing condition under the excellent management of its Principal. The suggestions in his report in relation to further improvements and the extension of the advantages of the institution are worthy of consideration.

### NEW YORK MARKETS.

New York, Nov. 19.—Cotton firm, sales 3,800 bales at 94 1/2 cents. Flour more active, but prices favor buyers. Wheat unchanged, with some speculative demand. Corn closes dull. Pork unsettled at \$38.50. Lard—kettle 17 1/2. Whiskey steady at \$1.07. Spirits Turpentine and Rosin unchanged. Freights dull.

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## LEGISLATURE OF N. CAROLINA.

SENATE.  
FRIDAY, Nov. 20, 1868.

The Senate was called to order at 11 o'clock.

Prayer by the Rev. Mr. Long, Senator from Davidson.

Mr. Graham presented the credentials of Jas. G. Scott, Senator, elect from the 12th District.

On motion, his credentials were referred to the Committee on Privileges and Elections.

Mr. Long moved a reconsideration of the vote, by which the time was extended to consider Mr. Avery's (Senator elect from the 41st District,) eligibility to his seat, under the 10th of December.

Mr. Respass moved to lay that motion on the table; which did not prevail—yeas 12 nays 20.

Mr. Respass said that there had been repeated efforts to prevent this Senator from taking his seat on this floor, when there was no apparent reason for it. There is no one here who can say that he is banned by the Howard Amendment. Those who oppose him here, do so only on presumptive evidence. He did not take any oath. The opposition says the presumption is that he did, as the law required it; and, from the eagerness manifested here to deprive him of seat, it is clear that, if their object is not gained or the matter settled, to day, by political trickery, it will come up again very soon. He was tired of this wire-working and trickery and he had submitted to it silently as long as he intended to. He was as good a Republican as any man on the floor, but he would not do a wrong, knowingly, to promote party interest or to satisfy personal spleen.

Mr. Blythe said the law required a County Solicitor to take an oath to support the Constitution of the United States, and the officer or Court, who failed to administer that oath, violated the oath of office and perjured themselves. We, as Senators, are the Judges of the qualifications of our members, and we have sworn to observe the Constitution of the United States, thereby pledging ourselves not to admit any one whom we believe to be banned by the Howard amendment; and he, for one was not willing to perjure himself. Therefore, he was in favor of a reconsideration at once.

A. H. Galloway, (colored,) said he did not intend to say much, but was evident to his mind that if the Senator held the office of County Solicitor, and did not take the oath, that those who were prosecuted by him, while he was acting in that capacity, would come back on him. He had heard speeches the Senator had made during the campaign, that had reflected on his race. He was pledged to pursue the same course of legislation as in Georgia. He was a dangerous man and ought not to be turned loose.

Mr. Rich, Republican, said he thought it very singular that Mr. Avery should be singled out as a mark, when another Senator, whose case had been postponed to the same time, should be left alone. He did not know what influence was working against him, and was working against him, and he did not think it right to make fish of one and flesh of the other. The Senate, on yesterday, by a very handsome majority, had agreed to postpone this case until the 10th of December, and he hoped that the matter would remain as it was.

Mr. Robbins said that certain Senators had viewed this matter in a strange light, and thought Mr. Avery ought to be excluded, because, as they assert, he is a dangerous man. The question is not what kind of a man Mr. Avery is, but it is a question of law: Is he banned by the Howard amendment? He recognized the Howard amendment as a part of the Constitution, and if it could be shown to him that any member on this floor was banned by that instrument, let him be Democrat, Whig, Republican or Radical, he would vote to vacate his seat. He assured Senators that he did not defend Mr. Avery on partisan grounds, and he was glad to say that he had generally found the Senate disposed to act fairly in cases of this character. He did not use this language to flatter, but was sincere in what he said, and he felt proud that he could speak thus of a body, of which he was a member. He appealed to Senators to cast aside all questions irrelevant to the case in point—to forget that Mr. Avery was ever a secessionist and come up fairly and squarely to the point: Is he a banned man?

Some gentleman here advanced the idea that he is banned by the reconstruction acts. If that was the test, he would admit it, and, under that test, the Governor of the State, and a

I have the honor to be, gentlemen, very respectfully, your obedient servant,  
W. W. HOLDEN.

NEW YORK MARKETS.  
New York, Nov. 19.—Cotton firm, sales 3,800 bales at 94 1/2 cents. Flour more active, but prices favor buyers. Wheat unchanged, with some speculative demand. Corn closes dull. Pork unsettled at \$38.50. Lard—kettle 17 1/2. Whiskey steady at \$1.07. Spirits Turpentine and Rosin unchanged. Freights dull.

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