

The Lincoln Courier.

VOL. III.

LINCOLN, N. C., FRIDAY, AUG. 9, 1889.

NO. 14

KATE.

There's something in the name of Kate
Which many will condemn;
But listen now while I relate
The traits of some of them.
There's doll-Kate, a modest dame,
And worthy of your love;
She's beautiful in frame,
As gentle as a dove.
Cammie-Kate's intelligent,
As we may well suppose;
Her fruitful mind is ever bent
On telling what she knows.
There's intri-Kate, she's so obscure,
'Tis hard to find her out;
For she is often very sure
To put your wits to rout.
Frevari-Kate's a stubborn maid,
She's sure to have her way;
The evilling, contrary jade
Objects to all you say.
There's alter-Kate, a perfect pest,
Much given to dispute;
Her prattling tongue can never rest,
You cannot get her safe.
There's dislik-Kate, in quite a fret,
Who fails to gain her point;
Her case is quite unfortunate,
And sorely out of joint.
Equivoc-Kate no one will woo:
The thing would be absurd;
She is so faithless and untrue,
You cannot take her word.
There's vindic-Kate, she's good and true,
And strict with all her might;
Her duty faithfully to do,
And battle for the right.
Thee's rusti-Kate a country lass,
Quite fond of rural scenes;
She likes to ramble through the grass,
And through the evergreens.
Of all the maidens you can find,
There's none like edu-Kate;
Because she elevates the mind,
And aims at something great.

A SHORT SKETCH OF THE EARLY BOUNDARIES OF NORTH CAROLINA, AND AN ACCOUNT OF THE ADOPTION OF THE FEDERAL CONSTITUTION BY THE STATE.

DELIVERED BEFORE THE TEACHERS' INSTITUTE OF LINCOLN COUNTY, AT LINCOLN, ON JULY 24, 1889, BY WILLIAM A. GRAHAM, and furnished for publication by request of the Institute.

In 1663, Charles the Second, King of England, granted to Earl of Clarendon, Duke of Albemarle, Lord Craven, Lord John Berkeley, Lord Ashby, Sir George Carteret, Earl of Granville, Sir William Berkeley, Sir John C. Eaton, who were known as Lords' proprietors, the tract of land extending from the north end of the island called Lucke which lieth in the southern Virginia seas, thirty sixth degree "northern latitude" to the south, "to St. Mathias River, which bordereth on the coast of Florida", thirty one degrees northern latitude from the Atlantic ocean to the South seas as the Pacific was then called, to be known as the Province of Carolina. (Carolus being Latin for Charles.) This boundary on the north runs south of Edenton, Hillsboro, Greensboro, and so on west, and left out the Albemarle settlements, which it is supposed were intended to be granted.

On the 30th of June, 1665, the boundaries were extended north to Currituck River or Inlet, in 36°, 30 minutes, north latitude, and south to the 29th degree, northern latitude, and to include all the territory in these lines between the Atlantic and the Pacific oceans. A glance at the map will show the northern line to run north of Arkansas, Indian Territory, New Mexico, Arizona and to include one fourth of California. The southern boundary was below St. Augustine Florida, thence through the Gulf of Mexico, south of Galveston and San Antonio Texas, through Mexico at or near Chihuahua, to the "South Seas", at or near Cerros Island on coast of Lower California. As his Majesty owned little or none of the territory west of the Mississippi river: This grant, in part at least, resembled one which had been offered over sixteen hundred years before on "the top of an exceeding high mountain." This new territory to the north was known as North Carolina. The Governor was called

Governor of Albemarle, until 1689; then Governor of North Carolina, and the jurisdiction extended south, Edenton being the capital.

About 1719 or 20 the Lords cut of a new division of their territory in the south making the Savannah River the northern boundary. Their opinion being that this river flowed more in an east and west course, as the Roanoke does. This is now the State of Georgia. The jurisdiction of North Carolina had been extended until the Santee River was "supposed" to be its southern boundary, this would have left South Carolina confined to the limits of the Savannah and Santee Rivers.

South Carolina insisted that the Savannah River had been made her boundary that the Cape Fear, which had before been called Charles and afterwards Clarendon River, should be made the southern boundary of North Carolina. This line would have followed the Cape Fear to its source and then gone due west to the "South Seas" and left North Carolina in the condition of South Carolina with no back country. The line of division as now understood to be, (although it has never been definitely settled), was afterwards agreed upon.

Under the Proprietary Government the Governors were appointed by the Lords' Proprietors, who had veto power over acts of Council and Assembly. In 1723 the Lords surrendered their rights to the Crown which had virtually been the case for several years; the colonists finding the expenses of keeping down the Indians very heavy had appealed to the Crown. Carteret, Earl of Granville, was excepted in this; he transferred jurisdiction to the Crown but retained private ownership of the soil, and his part was surveyed off to him, the southern line being 35 degrees, and 34 minutes, in 1744, from the Atlantic Ocean to the Mississippi River. It runs through the old town of Bath, near Snow Hill, and is the southern boundary of Chatham, Randolph, Davidson, Rowan and Iredell counties. In this county one of the large poplars that stand near Sidney J. Forney's shop, about one mile from Denver, is a "marked tree" on this line. It runs through the county about two and a half or three miles north of Lincoln and is, I suppose, called for in some of the grants in the county. After 1723 the Governors were appointed by the Crown, the last of whom was Wm. Tryon, appointed in 1665. The county of which Lincoln and Rutherford were formed, in 1779, was named after him. The name of the Royal Governor being exchanged for two Revolutionary heroes.

In 1715, Bath, and each town of sixty families, was allowed a member of the House of Commons. By special Act Brunswick, afterwards Smithville, now Southport, although it had only twenty families was granted a member. This seems to have continued the case until the Convention of 1835, although I do not find the names of Bath and Brunswick after 1776. They were called borough members and the following towns enjoyed the privilege, viz: Edenton, Wilmington, New Berne, Halifax, Hillsborough, Salisbury, after 1789, Fayetteville.

In 1746, New Berne was made the Capitol, but the Crown "disallowed" the Act, and the Governor was authorized to "establish the seat of government" he (Governor Dobbs), chose Tower Hill, forty miles by land and fifty miles by water distant from New Berne, where he individually bought four hundred acres of land. It was never occupied. In 1762 the Legislature reestablished New Berne. Governor Dobbs approved of New Berne as a central point as preferable to either Wilmington or Edenton, as the attendance would be equal from both sections, and neither able to control legislation: This continued until 1776, when the Convention at Halifax formed the Constitution for the State of North Carolina, no place was established as the capitol, and each Legislature chose the place for its successor to meet. It met at Hillsboro, Fayetteville, Tarboro' New Berne, and once on "Hun-

ter's plantation" which is now Raleigh, and here the Convention which rejected the Federal Constitution, in 1788, established the Capitol of the State.

I have thus given you a hurried glance at our early Geography, with the hope it may interest you enough to cause you to examine the subject more thoroughly, and will now proceed to the adoption of the Federal Constitution of North Carolina.

The first Continental Congress, which was organized Sept. 1774, had no other powers than each State delegated to its delegates in credentials or by instruction. On November 15, 1778, the articles of confederation were adopted, although Maryland did not come in until 1781. It authorized Congress to "carry on war, make peace, borrow money, emit bills of credit and to exercise powers of sovereignty in relation to other nations. To determine the amount of money and number of men each State should furnish as its just proportion", Congress had a right to make requisitions on the States but no power to compel obedience. At the close of the Revolutionary war the impracticability of the confederation was soon manifest. It could make debts, borrow money, etc., but could not levy taxes to pay. Each State was assessed according to the value of its real estate. The State paid the requisitions or not as they pleased, nearly all of them frequently were delinquent, and North Carolina, I am sorry to say, was prominent in this respect. Jealousy and disagreement existed between the States. On suggestion of Virginia and Maryland a Convention was held at Annapolis, in September, 1786. It was attended by New York, Pennsylvania, Delaware, Virginia and Maryland. This Convention, (of which Alexander Hamilton was chief mover), determined that it would be best to have a Convention of all the colonies, and Mr. Hamilton prepared an address to Congress recommending a Convention of all the States "to amend the articles of confederation by giving it additional powers. By resolution on 21st February, 1787, Congress called the convention which assembled at Philadelphia, in May, 1787. North Carolina sent as members Wm. R. Davie, Alexander Martin, Hugh Williamson, Wm. Blount, and Richard Dobbs Speight.

When the Convention met, it deemed the articles of confederation, so defective, that instead of amending they proposed a Constitution for a different style of Government, being convinced, that however fascinating absolute States' rights might be in principle or theory, you could not have a respectable and efficient government under its operations. That the Federal Government must have power to reach the individual. This constitution was to be submitted to conventions of the respective States for ratification, but to go into effect when ratified by nine States, in the States ratifying.

On the 17th of September, 1787, the Convention adjourned and Geo. Washington, as its President, submitted the Constitution to Congress, with request to submit it to the States for ratification. New Hampshire ratified by a small majority, Massachusetts had strong opposition. In Connecticut, the opposition was one third of the delegates, as it also was in Pennsylvania. In Maryland the opposition was light. In South Carolina very large. In Virginia there was a bare majority in favor, only two States ratified, unanimously, they were Georgia and Delaware.

In North Carolina the election was ordered in April, 1788, every county being entitled to five delegates, and the representative or borough towns, to one each. Mr. Willie Jones, of Halifax, was the leader of the opposition to ratification, he being under the influence of Mr. Jefferson. He succeeded in electing a majority of one hundred in opposition to ratification. The convention met Monday, July 21st, 1788, in Hillsborough, in the old government church, which was

afterwards the Presbyterian church and stood where the present church now is. Gov. Sam'l. Johnston, although an ardent advocate for adoption, was chosen President. He was the most popular man of his time in the State, and any office he would accept, was at his command. Elihu B.otic, of Edgecombe, was chairman, when in committee of the whole for discussion. The leaders for adoption were Gov. Johnston, Judge Iredell, Gen W. R. Davie, Messrs. McClain and Steele. In opposition Messrs. Bloodworth, McDowell, and Judge Spencer. On the 3rd day of Session, Mr. Willie Jones moved to have question of adoption, "now put", this was debated and it was determined to "dis-oss the constitution, clause by clause." Rev. Mr. Caldwell, of Guilford, thought the convention should adopt a pattern of government they desired and compare the constitution, with the pattern adopted, and submitted the following principles:

1. A Government is a compact between the rulers and the people.
2. Such a compact ought to be lawful in itself.
3. It ought to be lawfully executed.
4. Unalienable rights ought not to be given up, if not necessary.
5. The compact ought to be mutual.
6. It ought to be plain, obvious, and easily understood.

The principles, after debate, were defeated by Ayes, 90; Noes, 163.

And the convention entered on the discussion of the constitution, "clause by clause." The opening expression, "we the people", was the first objection. It was contended that it was the delegates of the people and not the people. The answer was when the convention adopted it, it would be the work of the people, and it had no vitality until adopted, over those adopting. The vote of the Vice-President, "in case of tie", the veto and treaty making power of the President were complained of as Legislative acts, while these were only Executive officers.

Biennial Elections.—They were then annual.

Impeachment.—Would all the small officers in the revenue departments, be liable to impeachment, and not to indictment? If so, it put them above their neighbors, and hard to punish. This was explained by Judge Iredell.

Taxation.—Under the confederation, this had been an assessed value of real estate, now it could be on each State according to population, including all the white, and two fifths of the negroes.

No bill of rights.—Answer. It is not necessary for all rights not especially granted were reserved to the States.

Direct Taxation.—The confederation had no power over the citizen, could only call on the State. The weakness of the confederation from this cause was the answer.

Religion.—It was feared the Government might establish a National Religion, this was shown utterly impossible on account of the prevalence of different denominations, in different parts of the State.

It was contended that the convention had no power to make this constitution as it was only authorized to amend the confederation. All parties admitted the desirability of amendments. The opponents of adoption urged that staying out would compel amendments. Those favoring adoption said by adopting North Carolina, would make a majority of States demanding amendments, and thus certainly secure them. These were some of the principal objections to adoption, or the ambiguity of the constitution on these points.

July 30th Mr. Jones moved the previous question. Carried, ayes, 183; Noes 99.

Mr. Jones offered the following resolution:

Resolved, "That a declaration of rights asserting and securing from encroachment the great principles of civil and religious liberty and the unalienable rights of the people together with amendments to the most ambiguous and exceptionable parts of the said constitution of

government ought to be laid before Congress and the conventions of the States, that shall or may be called for the purpose of amending the constitution for their consideration, previous to the ratification of the constitution, on the part of the State of North Carolina."

He accompanied this with a Bill of Rights, of 20 sections, (twelve of which are in the Bill of Rights of the constitution of North Carolina), and by twenty six proposed amendments. The first and ninth of these with the first and twentieth sections of his Bill of Rights, have since been adopted, as amendments, to the constitution of the United States.

Judge Iredell offered the following resolution as a substitute:

Resolved, That this convention having fully deliberated, on the constitution proposed for the future government of the United States of America, by the Federal Convention lately held at Philadelphia, on the 17th day of September last, and having taken into their serious and solemn consideration, the present critical situation of America, which induces them to be of opinion that "though certain amendments to the said constitution may be wished for; yet, that those amendments should be proposed, subsequent to the ratification on the part of the State, and not previous to it. They do, therefore, on behalf of the State of North Carolina, and the 20 people thereof, and by virtue of the authority to them delegated, ratify the said constitution on the part of this State, and they do, at the same time, recommend that as early as possible the following amendments to the said constitution may be proposed for the consideration and adoption of the several States in the Union, in one of the modes prescribed by the fifth article thereof."

1. Retaining rights not specially granted.

2. Limits representation to one for 30,000 inhabitants, until number reaches two hundred, then Congress to determine.

3. State to organize its Militia if Congress fails. Militia not subject to martial law, except in actual service, in time of war.

4. Congress not to interfere in elections of Senators and Representatives unless States fail to act.

5. Laws, regulating pay of Congressmen, not to be "ex post facto."

6. Vessels trading between States not to pay duty to States entered between points of departure and destination.

Iredell's resolution was defeated, Ayes, 84; Noes, 184, and Jones was adopted by Ayes, 184; Noes, 84.

The convention then fixed the seat of government at Raleigh, and on Monday, August 4th, 1788, adjourned sine die.

The Legislature assembled on Nov. 3, 1788. On the 10th Mr. Willie Jones, who represented Halifax in Senate moved to send a message to the "House" proposing a joint session of the two Houses to "consider the question of a second convention to consider the U. S. Constitution." The message was accompanied by petitions from the following counties, Camden, Hertford, Randolph, Johnston, Tyrrell, Hyde, Rowan, Carteret, Doobs, Chowan, Lincoln, Rowan, Oalow, Surry, Mecklenburg, Martin, Chatham, Currituck and Edgecombe. Setting forth "the grievances under which the inhabitants of the State labor by the decision of the late convention on the proposed Government for the United States, and praying for another convention to consider it." On the 11th Nov. the House replied that they declined the joint conference, but would take the convention into consideration, on Saturday next, 15th. On the 15th the House passed the following resolution, "That it is not now expedient to call a new convention". Ayes, 55; Noes, 47. Majority 8.

On the same day the Senate passed a resolution for a new convention by a vote of 30 to 15.

The Senate then on the same day passed a resolution that "at the regular election, in the State, on "third Friday and Saturday in Aug. "1789, each county should elect "three delegates to the new convention, and the borough town having "a representation in the Legislature, "one each to meet on the last Mon-

[Continued to Second Page.]

HONEST WORTH.

or
for herself alone.

"I wish I knew if he loves me for myself alone," said Annabell Fielding looking at her pretty face in the glass. She was the heiress to half a million, and surrounded with admirers, but there was always a doubt in her mind whether they were sincere or cared only for her on account of her money. Annabell was more interested in one young man in particular. She had only met Frank Eaton a few times, but he had made a deeper impression on her than any one she had known, and she was anxious to discover if he was sincere in the devotion he displayed toward her.

Just now he was away on his vacation, so nothing could be done to help matters. Annabell therefore ran down into the country to consult her cousin Kate on the subject of testing the truth of her admirer. Kate was a school teacher and a poor relation, but was Miss Fielding's favorite cousin.

We will not stop to relate the private confab between the cousins. Suffice it to say that on the following morning Kate took her departure for Annabell's city home, the latter's last words to her being:

"Now, remember, Kate, that for the next six weeks you are the heiress, and I am simply and only a village schoolteacher. Sincerely re-ferred from affluence to comparative poverty. Write me how you find matters, and all about what I most wish to know, and I will keep you posted."

It was near the close of a hot, sultry day in June, the bloom and fragrance lying all around it, making her confinement to this little school house very irksome to Annabell Fielding. Her school hours had been unusually trying and stupid, and she began to heartily repent her self-imposed task, especially as she had learned through Kate that Frank Eaton had suddenly returned to town.

As she was mentally computing the days that must elapse, each one just as stupid and tiresome, before she could be released, a shadow fell across the threshold of the half open door; then a pleasant voice said:

"Will Miss Fielding admit a new scholar?"

As Annabell looked up into the face so often present in her sleeping and waking dreams, every vestige of weariness vanished from her face and heart.

"If you will promise to be very good," she smiled, filling in readily with his idea and conducting her new pupil to a seat upon the platform, in full view of the wondering, gaping children, of all ages and sizes, who were ranged on the benches in front of it.

With a rush and shout the eager, restless throng poured out of the school-house, leaving Frank and Annabell to follow at their leisure.

"I did not hear of your loss and consequent change in your prospect till last week," said Frank, as the two moved slowly down the steps toward the sandy winding road.

"I call it loss," he added after a moment's pause, "and yet these things are often very far from being such—in their result: calling forth capabilities in those who suffer them that they did not know they possessed. Which no one else knew they possessed either. To be quite frank, much as I admired and even loved you, I did not think it in you to conform so bravely to your altered circumstances."

Annabell colored as she met the look of honest admiration in the eyes that were fixed upon her partly with pleasure, and partly from the consciousness of how little she deserved his good opinion of her.

"I have sometimes thought," she faltered, "that I would give almost any loss that would show me which of all those who professed to love me really did."

Frank turned a swift, questioning look upon the face of the speaker.

"You surely did not doubt the sincerity of my love?"

"I think I doubted everybody,"

said Annabell penitently, giving her companion a shy glance, which afforded him a sudden and very pleasant insight in the heart: he was so anxious to win.

"This, then is the secret to all that so perplexed and disheartened me!" responded Frank, with much emotion. "Why darling my first thought when I heard of your changed surroundings was that you would now need me; that I would now stand some chance of winning your heart. If this be so and I so highly favored, then, indeed is your loss of fortune proved a great gain to me!"

What Annabell said in response to this, and all the interesting conversation that followed, were intended neither for your ears or mine to hear, though we may rest assured it was a very pleasant as well as satisfactory one to the parties concerned.

One evening, about a week later, Kate walked into Aunt Polly's cosy little sitting room, where the two lovers were sitting.

"I thought so!" she said looking quizzically from one to the other. "Got matters very nicely settled I should say."

"You see," she added, addressing Annabell, "I have gotten tired of playing the heiress—it was something I wasn't brought up to, and for which I seem to have no natural adaptation. To judge by present indications, our little masquerade has accomplished all that was intended: so if you please you resume your true character and position, and I will take mine."

"You needn't look so reproachfully at me," laughed the speaker, turning to Frank. "I told you that all Cousin Annabell's money was in the broken bank, and it was the truth. I forgot to add however, that Uncle John removed it only the week before. Now let me advise a speedy wedding. The truth is, I'm expecting somebody on to see me in a few weeks; and two pairs of lovers around at one time will be too much of a good thing."

Frank quite agreed with Kate, finding little difficulty in persuading Annabell to agree with him, as was proved by the happy bridal that followed.

Sinking of the Gatling Farm in Prince George County Va.

Mr. Edward B. Gatling, who is the traveling salesman for Mr. W. T. Hancock, of Richmond, received a telegram on Sunday, calling him home from his mother, who resides at their beautiful homestead, "Spring Hill", in Prince George county, near Petersburg, and immediately on the Appomattox river to witness the sinking of a large area of land, on which were giant oaks 100 feet high and numerous other trees of gigantic proportion which have sunk as they grew, leaving only tops of the branches peering above the walls and being just enough left to reach to the remaining surface.

The sinking of the earth carried with it about ten or twelve acres of land, leaving an ugly looking wall as solid as granite on either side, rising from ten to sixty feet perfectly perpendicular.

There has also formed a beautiful crystal lake of mineral water, eight to ten feet deep, covering about two acres, in which the growing corn protrudes leaving only the tassels visible. A most singular feature of this sinking of earth is that of the river which is 500 yards distant, the bottom of which is forced above the surface about 8 feet high, extending 200 yards in length resembling a fortification in the middle of the river or just to the edge of the channel. It will be remembered that a singular freak in the shape of a crater or blow out recently occurred on this farm, the sound of which resembled distant thunder and was distinctly heard twenty miles and is at the beginning of this wonderful caving in, and is the primal cause of this phenomenon. There are numerous fissures three feet wide and as yet have no bottom. A stone thrown down can be heard descending its downward course, apparently finding no bottom.—Richmond State.