

MINERS' & FARMERS' JOURNAL.

PRINTED AND PUBLISHED EVERY SATURDAY, BY THOMAS J. HOLTON...CHARLOTTE, MECKLENBURG COUNTY, NORTH-CAROLINA.

I WILL TEACH YOU TO PIERCE THE BOWELS OF THE EARTH AND BRING OUT FROM THE CAVERNS OF THE MOUNTAINS, METALS WHICH WILL GIVE STRENGTH TO OUR HANDS AND SUBJECT ALL NATURE TO OUR USE AND PLEASURE.—DR. JOHNSON.

VOL. IV.

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All communications to the Editor must come free of postage, or they may not be attended to.

ADDRESS To the People of N. Carolina, ON THE SUBJECT OF AMENDING THE STATE CONSTITUTION.

The general right of a Majority of the qualified voters in a State to alter their Constitution in any manner which may suit the pleasure of that majority, is, in our country, indisputable. But the practice of the American States has determined, that the most ordinary, and perhaps therefore, the most appropriate, method of remedying Constitutional evils, is through the medium of a State Convention, authorized, and in its incident steps, regulated by law. Accordingly, more than 30,000 freemen of this State petitioned the last General Assembly, to provide means for the cure of evils in their Constitution, against which they have been complaining for more than 30 years. This application was made under the additional sanction of your Bill of Rights, which reserves to the people a right "to petition the Legislature for a redress of their grievances, and to instruct their Representatives;" but it was rejected by the House of Commons, after having passed the Senate in the shape of the Bill which has been prefixed to this Address.

On the evening of the day when this Bill, for taking the sense of the people, was rejected, a meeting of the Representatives of a majority of the people took place, for the purpose of adopting such measures as were best calculated to meet the just expectations of the majority. The greater number of them believing that a fair and free discussion of the alterations to be proposed in your Constitution, and of the grounds upon which a change is demanded, would reconcile the minority to their adoption, were unwilling to recommend to their constituents an exercise of the right to proceed without the sanction of legislative authority; but hoping that a common interest, a sense of justice, a proper respect for the fundamental principles of popular government, and a disabuse of the public mind as to the motives of a majority, may co-operate to secure the assent of all sections to this necessary reform, determined to pursue the course indicated by their proceedings now laid before you. The question is thus presented before the highest human tribunal. An appeal has been taken from the servants of the people to the sovereign people themselves, and to us has been delegated the trust of presenting it to you for determination. Our duty will be best performed by omitting every appeal to your passions and prejudices, and we content ourselves by laying before you FACTS, which make this appeal irresistible, if it is to be determined by the rules of justice and candor.

1. UNEQUAL REPRESENTATION. The first and prominent defect in your State Constitution, which it is proposed to correct, is that part which allows to each county three members in our General Assembly, without regard to its size, population and taxes. This is the source of gross injustice, of loud complaint and of great political evil. Aware how easily you may be deceived into a distrust of general statements made in a political Address, and desirous to advance none that can delude, we have carefully prepared from the Official Reports of our Financial Officers and the last Census taken under the authority of the United States, a TABLE which exhibits, at one view, the annual public Taxes, Federal Population and White Population of each county in the State. It is here inserted and we beg you to examine it:

| COUNTY. | Public Taxes. | Federal Population. | White Population. |
|-----------|---------------|---------------------|-------------------|
| Ashe | 8,459 | 6,800 | 6,800 |
| Beaufort | 1,080 | 9,300 | 6,300 |
| Bladen | 760 | 6,800 | 4,500 |
| Branford | 500 | 5,300 | 3,900 |
| Catawba | 300 | 3,700 | 3,800 |
| Carrick | 400 | 6,700 | 5,200 |
| Camden | 650 | 5,200 | 4,500 |
| Chowan | 1,000 | 5,200 | 3,700 |
| Currituck | 450 | 6,000 | 4,800 |
| Durham | 900 | 9,600 | 6,700 |
| Franklin | 1,100 | 8,700 | 5,300 |
| Gates | 700 | 6,400 | 3,900 |
| Gaston | 650 | 5,800 | 3,600 |
| Hoke | 400 | 5,400 | 4,000 |
| Hertford | 1,000 | 7,000 | 3,800 |
| Haywood | 350 | 4,500 | 4,200 |

| County | Public Taxes | Federal Population | White Population |
|-------------|--------------|--------------------|------------------|
| Jones | 500 | 4,400 | 2,300 |
| Johnston | 1,050 | 9,500 | 7,000 |
| Lenoir | 700 | 6,100 | 3,700 |
| Macon | 400 | 5,200 | 4,900 |
| Moore | 470 | 7,100 | 6,000 |
| Martin | 970 | 7,200 | 5,000 |
| Nash | 970 | 7,000 | 4,500 |
| Onslow | 700 | 6,900 | 4,500 |
| Perquimans | 1,100 | 7,600 | 5,000 |
| Person | 800 | 6,300 | 4,300 |
| Richmond | 850 | 8,300 | 5,400 |
| Robeson | 650 | 7,900 | 5,600 |
| Sampson | 950 | 10,200 | 7,500 |
| Tyrrell | 430 | 4,200 | 3,300 |
| Washington | 600 | 3,900 | 2,700 |
| Wayne | 1,650 | 10,000 | 6,500 |
| Watauga | 1500 | 5,600 | 5,300 |
| Graves | 1800 | 11,500 | 7,500 |
| Edgewood | 2000 | 12,100 | 7,600 |
| Granville | 1900 | 15,700 | 9,400 |
| Halifax | 2100 | 19,500 | 10,500 |
| New-Hanover | 2300 | 25,000 | 13,000 |
| Northampton | 1800 | 10,300 | 5,100 |
| Pitt | 1300 | 10,000 | 6,800 |
| Warren | 1500 | 10,000 | 4,200 |
| Wake | 2500 | 17,200 | 11,400 |
| Anson | 1000 | 12,200 | 9,100 |
| Burke | 1000 | 15,500 | 11,500 |
| Chatham | 1400 | 16,200 | 14,000 |
| Cherokee | 1300 | 13,500 | 10,100 |
| Cumberland | 1200 | 12,800 | 9,600 |
| Caswell | 1300 | 12,800 | 8,400 |
| Cabarrus | 800 | 7,900 | 6,500 |
| Davidson | 940 | 12,700 | 11,300 |
| Guilford | 1400 | 17,700 | 15,700 |
| Iredell | 1100 | 13,800 | 11,500 |
| Lincoln | 2000 | 21,000 | 17,600 |
| Mecklenburg | 2000 | 17,200 | 12,800 |
| Montgomery | 800 | 10,000 | 8,500 |
| Orange | 2300 | 26,500 | 16,000 |
| Rockingham | 1100 | 11,200 | 8,400 |
| Randolph | 900 | 11,800 | 10,600 |
| Rowan | 1700 | 18,300 | 14,500 |
| Rutherford | 1500 | 16,200 | 14,000 |
| Stokes | 1300 | 15,100 | 13,000 |
| Surry | 1000 | 13,700 | 12,300 |
| Wilkes | 600 | 11,400 | 10,300 |

Are your laws founded upon the public will? Make choice of the basis which accords best with your opinions of equal right and justice, whether it be taxes alone, white population alone, or federal population alone; or population and taxes combined—still, you will perceive that in this State, a minority of one-third govern and tax a majority of two-thirds. The 33 counties first named in this table, elect a majority of both Houses of the General Assembly, and yet, they pay no more than one third of the public taxes. They contain but very few exceeding one-third of the Federal population, and not one-third of the White population of the State! Is this equal?

The necessary expenses of your State Government are about 80,000 dollars per year, and according to its organization, each county is a source of precisely the same cost to the public revenue, and there being 64 counties, the proportion of each is \$1250. But the same 33 counties which contribute less than one-third of this revenue, do cost more than half of the total amount. By recurring to the table, you will perceive that they pay \$22,790, while they cost \$41,350, which is an excess of 18,560 dollars cost, beyond their aggregate taxes. Is it just, that they should elect a majority of the Legislature?

Some of these counties cost you four times as much as they pay; others three times as much; many others, twice as much. Is it just, or wise, that their representation should be equal to the others?

There are 24 counties whose aggregate expense to your government is more than double their aggregate public tax; and 20 of these do not pay into the Treasury a sum equal to the wages of their own Members, added to a just proportion of the incidental charges of legislation alone; and 12 of them pay an aggregate tax of \$5,490 only, whose representatives alone, receive back \$8000! Is this right? Is it just towards a free people whose revolutionary struggle rested upon the basis "that taxation and representation should go together?"

There are 40 counties in the State which do not pay taxes to cover their cost to your government, and is it prudent to refuse your aid in correcting the rule which vests them with the power of electing two-thirds of your law-givers?

Do the counties, which are thus deficient in their contribution to your public revenues, and so onerous by their cost, contain a federal or white population which can make up their claims to the representation they have? Are they in a condition to give personal services, or to bear personal burdens, which justify this exemption from pecuniary burdens while they have equal representation with the largest counties? A reference to the table of their population will determine this question beyond all contradiction. Look at it, and then let reason and conscience answer these enquiries. Their population is as disproportionate to the power they exercise, as their taxes have been shown to be.

One man in one section of the State, has as much political weight as seen in another, or six, or another, or five in another, &c. Two-thirds of the community pay one third of the same community to be their masters. Disguise it as you may, this is the naked truth. We would not weary you by comparing the population and taxes of separate counties together, nor can it be necessary that we should.

* A new county was created at the last session, but so its statistics have not been ascertained, it is impossible to take it into account.

Yet we must not omit to state, that this subject has brought into existence and fosters a spirit of sectional hostility, which mars the peace of your Legislature and materially impedes the advancement of the common good. This is so plainly true, that none who have any regard for his character, will venture to deny it.

These, are some of the reasons which sustain the demand that has been made for Equal Rights: The largest vote ever taken in the State, at the Election for President of the United States, was 53,000. At the last August election, more than half that number voluntarily voted in favor of changing this feature of your Constitution; and if polls had been kept open in all the counties under the authority of law, there is no doubt that nearly two-thirds of the voters would have sanctioned it. A majority then, demand this reform of your Government, and will the minority refuse to provide for it by the established forms of law? Can they do so, and be consistent in their attachment to Republicanism? Is the privilege too trifling to create such zeal and perseverance among those who ask it? Then the sacrifice will be less to those who yield up a power to which they can lay no just claim. But the right of representation—a fair and equal representation of the people—is now another name for civil freedom; and the struggle for it can never cease while the spirit of Liberty exists in our land. Freemen who resist it, do injury to themselves—they cannot enter upon such a warfare, without selling their principles as slaves to the spirit of party. Policy, patriotism and self-interest, unite in requiring them to do justice and preserve equality in their Government.

II. THE LEGISLATURE. By your present Constitution, the General Assembly meet annually, and it is proposed to alter it, so as to have biennial sessions, except in cases of emergency; and at the same time, to diminish the number of members.

This is a proposition in which all are interested, and the alteration is demanded as well by your necessities as by your interest. One portion of your Representatives have been engaged in excited strife against another, and the people have been agitated by these sectional contentions, until both Representatives and people seem to have lost sight of the *Financial concerns of the State*. We propose to invite your attention to this subject—to point out, if we can, the main cause of evils which will be shown to exist, and disclose the remedy that is proposed.

In a time of profound peace, without any effort deserving the name of an attempt to carry on great public works, for developing the resources and improving the internal communication of the State; without any serious loss of public lands; nay, at the close of a most profitable speculation in the Stocks of Banking corporations, you will be surprised to hear that the Treasury is *scarcely* open, and that in all human probability, the next Assembly may not find unappropriated money in its treasury to pay their wages! We have no desire to mislead, and no motive to deceive you; but to anticipate the attempts of those who may think it is their interest to do so, (if there be any such,) we will present you the official evidence in our hands:

The Comptroller's Statement to the Legislature of 1833, puts down the balance of Cash in the Treasury, on November 1st, 1833, at \$57,377. A part of this, to-wit: \$1,270, was the unexpended balance of \$50,000 appropriated by the Legislature in 1832, for rebuilding the Capitol, and which has been expended since the Report, 17,970

Leaving in the Treasury, an unappropriated balance Nov. 1, 1833, of \$59,307

Now the expenses of the Legislature for 1833, paid at the Treasury on the 1st of January, 1834 were \$42,000

The sums paid, and to be paid, before the 1st day of November next, for the salaries of Executive, Judicial and other Officers of State, amount to 30,000

The incidental charges of Legislation and contingent charges of the Government, to be paid in like manner, will exceed 5,000

The appropriation made by the Legislature of 1833, for rebuilding the Capitol—for defraying suits—for compensating Commissioners to revise the Statute Laws, &c. &c. to be paid in like manner, will exceed 80,000

Making an aggregate of \$160,000

To cover these appropriations for necessary expenditures the following sums of money will be in, or receivable at the Treasury, on or before the 1st day of November, 1834, to-wit: Balance before stated, unappropriated on 1st Nov. 1833. 59,307

The ordinary revenue of the State not exceeding 65,000

The amount of 2d dividend of Capital stock in the Bank of Newbern, being 20 per cent. on 1818 shares, payable 1st of March, 1834. 36,360

The amount of bonds for sale, of Treasurer Haywood's property uncollected Nov. 1st, 1834. 2,500

Making together, the sum of 146,767 Or 13,233 less than the amount of indispensable demands upon the Public Treasury, during the current year.

Is this the result of accident? It has been foreseen and foretold. The Finance Committee of 1832 and 1833—The Treasurer in his Reports to the Assembly, and the Governor by message in 1833, have called upon the Legislature to anticipate these things. The Committee of Finance proposed to submit a plan for remedying this evil by "increasing the Revenue," or, in plainer words, by "increasing the public taxes." But the people, by a vote of 30,000 freemen, petitioned the same body to remove this grievance by diminishing their number and making their sessions biennial. The call of the people was disregarded and the proposal of the Committee was never acted upon. Where will you look for the cause of results like these? The answer is not difficult to be made.

The expenses of your government have increased with the multiplication of counties. When public convenience made the erection of a new county necessary and unavoidable, in one section of the State, another has been frequently erected elsewhere without necessity in order to preserve legislative power among the latter. The recollection of men who have outlived their party feelings will attest this statement, and if it did not, we are sustained by our Statute book, and the recorded proceedings of the General Assembly. Thus the

* See note on next column.

State which was in 1776, divided into 36 counties, (including the whole of what is now Tennessee) has ceded away the better half of her territory, and the remainder is cut up into 65 counties. The Assembly which was once composed of 115 members has gone on to increase to 202. Their sessions which were once held 3 and 4 and 5 weeks only, are now held 8 weeks. Their sessions which once cost \$15,000, now cost the people \$50,000; and a government which once cost less than \$40,000, annually, now costs \$80,000 and upwards. Have these increased demands on the Treasury in any way, been caused by the expense of the Judiciary? Let any one point out the addition of a hundred dollars for the expenses of the Judiciary since it was placed upon a respectable basis and suited to the absolute necessities of the State; and we will show him in return the addition of twice the amount to the Legislative department; although while the latter has been growing less suited to its purposes, the former has been improved. Have they arisen from the expenditure of money for public works? Let the humbled pride of our State answer. Not one monument of public spirit is within your borders, unless it may be your University, and for that, you are indebted to the patriotism and liberality of individual contributors. Are they the result of any unprofitable speculations or pecuniary loss? Far otherwise is the truth. The State by embarking credit in the three old Banks, has realized a clear profit of one million of dollars, and (as we will show presently) has thereby not hastened on, but delayed the day of her poverty, or, we might more correctly say, has postponed the day of its discovery; and yet the greater part of it has been already squandered, and the last dollar will soon be consumed unless some arbitrary Reform can be introduced into the Government.

When then does it happen—What is the real cause of this intolerable public evil?

1. The ordinary revenue is between 12,000 and 15,000 dollars less than the necessary annual expense of the government, and this has been the case for many years—so say your public officers of Finance, and so have your legislative Committees reported. The sources from which this deficiency has been supplied, (viz: the Bank Dividends and tax) are of late nearly exhausted. 2. The General Assembly costs yearly four or five per cent of the revenue in consequence of their increased numbers and long sessions. 3. These long sessions are brought about by several causes; one is, that "large bodies move slowly," and another, that sectional party strife has grown up from the demands for reform of the Constitution on one side, and a determined resistance to it on the other; another is that the Legislature is clothed with the power of electing Militia Officers, Justices of the Peace, and the Governor, and these elections create contests and delay; another is, that a system of local legislation for particular counties has become habitual, and is uncheckable.

If the causes are been truly assigned, (and that they are in a great degree none will doubt,) can you be at any loss for the remedy of your condition? The expenses of the Legislature may be diminished more than 25,000 dollars per annum, by reducing the number of members to 120 or 130, and by having biennial sessions. Thus, its annual cost may be reduced below one-third of the revenue. By this means, and by transferring to the people the right of electing their Governor, and by giving the appointment of Militia Officers and Justices of the Peace to some other tribunal, its sessions will be shortened. You will be relieved from the expense and expense which sectional controversies entail upon the State, by giving equal representation to every part of the community, according to a scale of population and taxation combined, and these together will furnish a salutary check upon local legislation.

Can you call this question a sectional one? What portion of the State—what county is not deeply interested in its accommodation? There is no complete redress except by reforming the Constitution. The censorious may set down the evil to a want of public spirit and patriotism among your servants, but it will not be just to do it. The Legislature might, it is true, increase your taxes, and thus alleviate the evil, by removing some of their causes; but the effect would be temporary only, and were it otherwise, they have given the clearest proof that this would be an unwelcome remedy, by declining for two years and more, to apply it. You can perceive how ineffectual it would certainly be as a relief to any, whilst it would be ungenerous to some sections and unjust to others. Those counties which pay revenues beyond their expenses might unite in proposing a like partial remedy by requiring each county to pay its own members out of the county Treasury; but it is vain to discuss a proposition of this kind where two-thirds have a direct interest to oppose it. These however, and all other legislative action unacted by the sovereign will, would be temporizing expedients. The evil is a great one; its cause is the constitutional organization of the Legislature; the People alone can correct it.

True, there are 117,000 dollars in the hands of the Treasurer which we have not reckoned in our preceding estimates because the sum has been set apart by law to accumulate as a School fund, and is subscribed to the new Bank by the President and Directors of that fund under the direction of our last General Assembly. True it is, likewise that the State owns Bank stock to a considerable amount diminished as it has been by a regular annual drain to supply these annual deficiencies. These stocks have been the means of creating false hopes, in many respects. They who used them for that purpose, had good reason to believe, that no prudent State would permit her necessary expenses to exceed the ordinary revenue, and therefore, may be entirely acquitted of blame. But, it has been said, with equal truth and force, that your affairs have "come to a crisis," when all your servants are bound to lay the truth as it is, before the people, and leave the result to their patriotism and intelligence. Permit us, therefore, to give you some account of these funds, to show (as we can without doubt,) that more than half the amount is already consumed by the thoughtless course of public proceedings, and to demonstrate how soon the other half will follow it, unless there is some efficient reform: The State owns 2768 shares of Stock in the State Bank, which this Bank is now dividing among the proprietors. The Stockholders valued it by authority of law, at 80 dollars per share; but the State received 50 dollars upon the share at the 1st division of Capital. It is expended—not re-invested. Hence, the residue of Stock will be 30 dollars per share, or 83,040

* Since this Address was prepared, the State Bank has declared a 2d Dividend of Capital, by which the State receives 20 dollars per share the present year; but this can make no difference in the general result of these calculations, however it may relieve the present necessity of our Treasury.

The State owns 1818 shares of Stock in the Bank of Newbern, in the same condition—valued by the Stockholders at \$65 per share, (worth \$70), but the State received last year, at 1st dividend of Capital, \$25 on the share, and receives this year, at a second dividend thereof, \$20 on the share. The former is expended, not re-invested—the latter is included in the preceding estimates. Hence, there is a residue of Stock in the Bank of Newbern, equal to 25 on the share, or 45,450

The aggregate of these two values of Stock, is 128,490

But there is a deficiency already shown of There are about \$70,000 Treasury notes redeemable at the Treasury, (including 10,000 which we have understood are redeemed and burned, but which come in to next year's Treasury Report,) which notes were issued to pay for the Bank Stocks, 70,000

The Legislature have directed the whole Statute Laws to be digested for publication, and, at a very moderate estimate it will cost 10,000 more to publish them, 10,000

These, added together, will make 93,233

And being deducted from the above balance of 128,490, the difference is the real amount of your State Bank and Newbern Bank Stocks, which will be on hand at their close, viz: 35,257

A sum barely sufficient to meet the deficiency in your ordinary revenue for two years; but which may not be received in time to answer that object for the present year.

We wish to put the whole case before you. The State owns also \$200,000 worth of Stock in the Bank of Cape-Fear, not taken into view by us, because the charter of that Institution is extended, and therefore the Stock cannot be used unless it is sold to meet the wants of the Government, and gradually consumed by the same operations that have wasted the other Stocks. This Stock is all that will be left in a few years, (with the addition of a few Bank shares belonging to the School Fund) of the Capital and profits derived by the State from Bank Dividends and taxes and bonus, for charters. The amount of these profits is thus stated in the official report of a Committee raised by the Legislature of 1832, viz:

Dividends of profits to 1832, from the three Banks. 860,000
Taxes paid by Bank of Newbern and Cape-Fear, 1832. 240,000
Bonus paid by ditto ditto 36,000

Together, equal to 1,136,000

But besides this, the State owned \$125,000 in Government Stocks, which the economy of earlier days had provided, and which were invested in these Banks, and it is sunk with the rest. Mark it! Here are one million and a quarter reduced to a fifth of that sum, and though the latter is diminishing every year, by the necessary expenses of the Government—by the expensiveness of legislation—you will be urged to withhold the instructions by which alone this can be effectually checked. Fellow-Citizens, will you listen to the counsels of mere sectional party-spirit under such circumstances? Or will you heed the calls of sacred justice, and enlightened patriotism, seconded as they are by the warnings of self interest? Let not passion nor prejudice answer the inquiry.

This subject presents a forcible appeal to such among you as desire to see the State embark upon a scheme of Internal Improvements suited to her necessities, and calculated to elevate her character. Were a loan taken by the State, sufficient to commence operations in such a work, the funds must be under the control of a Government whose necessary expenses exceed the ordinary revenue \$15,000 per year; and who does not know that the system would be a "scape goat" to the sin of all other expenditures, and become odious? Would the people at large be taught to discriminate, when it is notorious that few among you possess or have sought after any knowledge of our finances for many years? Depend upon it, you will never command money for the expenditure, or enterprise to pursue a system of great public works, if you are to rely upon an increase of taxes equal to the present deficiency of revenue for Governmental purposes, added to the enlarged demand on it for the interest of a State debt. Far be it from us to damp the ardor of patriotism in the pursuit of an object so worthy of the State, so necessary to her prosperity and her character. But these are not times for concealing facts. The occasion requires of us to state without fear what we believe to be true. If, however, the State expenses can be diminished by a judicious reform, and harmony restored to her counsels, then the proceeds of your Western Lands, when disposed of, and your remnant of stocks, will leave you the means to meet the interest of a loan for Improvements; and there cannot be a doubt of success, unless North-Carolina is destined to occupy in history the chapter of exceptions forever.

Tedious as we have been on this point, we feel constrained to add, that the expensiveness of your Legislature is not the only objection to its present organization. At an early period of our history as a State, the annual meeting of our Representatives was perhaps wise and necessary; but now