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BY AUTHORITY.



LAW OF THE UNITED STATES. Passed at the First Session of the Twenty-First Congress.

An Act to alter the time of holding the Circuit Court of the United States for the District of Maryland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the Circuit Court of the United States for the District of Maryland, which are now directed by law to be held on the eighth day of May, and the eighth day of December, in each year, shall hereafter be held on the eighth day of April, and the first day of November, in each year, except such days shall occur on Sunday, when the terms of the said Court shall commence and be held on the next succeeding day.

Approved, February 11, 1830. ANDREW JACKSON, President of the Senate.

ANDREW STEVENSON, Speaker of the House of Representatives. JOHN C. CALHOUN, President of the Senate.

Approved, February 11, 1830. ANDREW JACKSON.

An Act authorizing the Accounting Officers of the Treasury Department to pay to the State of Pennsylvania, a debt due that State by the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to cause to be paid to the proper officers of the Commonwealth of Pennsylvania, the sum of thirteen thousand seven hundred and ninety-five dollars and fifty-four cents, which amount now stands on the books of the Treasury Department to the credit of the Agent of Pennsylvania, for paying the militia of that State, in the year one thousand seven hundred and ninety-four, to be paid out of any money in the Treasury not otherwise appropriated.

Approved, February 11, 1830.

An Act to amend "An act to continue a copyright of John Rowlett."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding anything contained in the last proviso of the "Act to continue a copyright to John Rowlett," approved the 24th day of May, one thousand eight hundred and twenty-eight, only such of the printed books, entitled Rowlett's Tables of Discount or Interest, as were in the possession of the said John Rowlett, at the time of the passage of the said act, are, or shall be, required to continue on the back of the title page of each, a copy of the record of the title of the book in the office of the Clerk of the District Court for the Eastern District of Pennsylvania.

Approved, February 11, 1830.

An Act to authorize the Surveyors, under the direction of the Secretary of the Treasury to enrol and license ships or vessels to be employed in the coasting trade and fisheries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, after the passage of this act, the Secretary of the Treasury be, and he is hereby, invested with powers to authorize the Surveyors of any part of the United States, to enrol and license ships or vessels to be employed in the coasting trade and fisheries, in like manner as Collectors of ports of entry are now authorized to do, under existing laws.

Sec. 2. And be it further enacted, That any Surveyor who shall perform the duties directed to be performed by the first section of this act, shall be entitled to receive the same commissions and fees, as are now allowed by law to Collectors for performing the same duties, and no more.

Approved, February 11, 1830.

Speech of Mr. Long, of Halifax, on the bill to erect a new county from a part of Burke and Buncombe, to be called YACR, delivered in the House of Commons at the last session of our State Legislature.

Mr. Chairman, I am opposed to the bill on your table, and my opposition has not been weakened from reflection, nor my opinion staggered by what has been said. If justice to the citizens of Burke and Buncombe, and the policy of the State required it, I would be among the first to support the bill, the passage of which might in a degree obviate some of the little inconveniences and grievances complained of. But, Sir, I owe a paramount duty to my State, and I shall studiously pursue whatever I conceive to be her best policy, independent of this or any other bill that may be brought before the Legislature; though the animated appeal and nervous effort of the gentleman from Buncombe has warmed the heart and delighted the fancy, it has not had the wished-for impression on the mind; would, that such a display could have been made in a nobler or better cause! The question, in my humble opinion, should be, whether North-Carolina would be benefited by taking a part of Burke and Buncombe and erecting a new county? Whether the grievances and inconveniences complained of are sufficient to justify it, and

if we ought not to fear something, much from an increased number of members in this hall. In the first place, will the State be benefited by the passage of this bill? The gentleman from Buncombe has been plausible and ingenious in his remarks; but he did not touch upon this part of his subject, not a word did he utter; he passed over it in breathless silence; to have mentioned it would have been an injury to their cause, leaving his mind in confused uncertainty, and if doubt rested over this body, dissipating it as does the sun-beams the dew of the morning. How is the interest of the State to be promoted by that she does not require, that cannot nor will not make the operation of her government any better? Will the Cape-Fear and the Roanoke be improved? Will political economy be strictly attended to by the success of this question? These are the great leading subjects of our State, and should have preference to all others. This bill is singular in its provisions. Give us a new county, say the friends of this measure, and we will pay our Representatives. I cannot think they are serious; but if the bill should pass, I would be among the first to have that section erased from it; nor do I believe there is one present that would not feel a generous pride in destroying such a mean and unwisdom provision.—Take then that sum of money that is wasted in the discussion of this question, and the three dollars per day which would be given to the useless Representatives of a new county, and appropriate it to the all-important subject of Internal Improvement, benefiting every part of North-Carolina, and when the time arrives that we shall closely watch her best interest, the period will be near at hand, when she will proudly have that weight in the political scale of the Union that her physical resources and mental research so well entitle her to.—Much, Sir, has been said relative to the grievances and inconveniences experienced by the citizens of Burke and Buncombe.—Upon this ground, we are willing to meet the question fairly without fear. Are the inconveniences and grievances complained of, sufficient to justify the interference of the Legislature? We are told, that they have to travel through a rough, broken and mountainous country. Are we called on to do away this difficulty? If we are, it is beyond your control, for the mountains are permanent and fixed; but here we may be told, give them a new county, and they will not have to go so far to Court; that now they have to ride the monstrous distance of from forty to seventy miles, an unheard-of distance for a robust hale set of men, who, in the pursuit of deer, or in search of game, would probably go from twenty to forty miles during the day, without a murmur; but when pressed in the service of the State, their county and their court, they are entirely too delicate, too feeble, to traverse such a distance. This, Sir, is their made up case,—this the bill they pin their faith to, and with much confidence build their hopes of success upon. Are these all the grievances and inconveniences complained of? If they are, I envy them, they are indeed the most blest of any other people under the sun. So far, fortune has bestowed all her smiles upon them, and they enjoy all that the heart ought to wish for. Are they industrious and energetic? If they are, under the present state of things, they can attend the business of the Court, and still not be injured in their domestic concerns, finding a sufficient time to cultivate their farms and make good crops, if the seasons are propitious. I appeal to the farmers of this house, to those men who have long pursued a regular system of agriculture, and who know how often the Courts meet during the year, and how much time one must necessarily lose, in attending them, and then ask the question, if the loss of this time will bring about a loss of their crops. The language of experience will give an answer to the question, in the negative.—But if they are wanting in industry and trifle away hour after hour, in dull inaction, though it were possible for this Legislature to take their very farm-yards and locate them before the open doors of the Courthouse, still it would add nothing to the comforts and happiness of life.—For it is not that country that has least territory, that is nearest to the Courthouse, that possesses all those conveniences the destination of which is complained of in this bill, that are most happy; but, Sir, it is that county (I care not

what is the extent of its territory, and no one will seriously contend for it; but for argument sake, let us for a moment suppose that it was, it is to be recollected that then the powers of the Assembly were much circumscribed by a supreme power, the authority of the Crown. That at the present time, the whole power resides in the people, and is equally divided among the counties of the State, and if you erect new counties with small population, it is very obvious you give them an undue portion of power, much greater than was acquired in those days, making clearly representation not dependent either upon wealth or population, but upon Counties, as it is already in our State, and though this is acknowledged as a defect in our system of representation, yet gentlemen are for increasing the evil by erecting another County, the inhabitants of which will only consist of 6000 souls. Still they will be entitled to as many Representatives as the County of Orange, that has 23,000 inhabitants, the County of Wake, that has 20,000 inhabitants, and the County of Granville, that has 18,000 inhabitants, each one of these counties possessing three times its wealth and population, and no doubt paying three times as much taxation. I then appeal to you of the West, to you of the East, I call on the candid and dispassionate, I ask the supporters of this measure, if this is fair, if there is not something too unequal in this kind of representation here? Justice stares us so sternly in the face, that we are forced to give an affirmative response. This bill, Sir, has assumed a different shape from any that has yet entered our imagination. Do they expect to gull, to delude us in this way, by an appearance of entirely disinterested feeling? Give us a new county, say they, & we will pay our own Representatives. Notwithstanding their attempt to baffle us, their true object springs forth, in spite of their efforts to conceal it. A bill, from which this is somewhat varied, was a few days since in the Senate. The strength of that body was found to be against it, some of the Senators, in order to test the virtue of the grievance complained of, threw out the suggestion, that if they would apply for a Courthouse, it might meet with the approbation of the Senate, and this all most acknowledge is at last the only possible remedy for the hardships felt, but it did not suit their convenience,—it was not what they were aiming at. Does not this fact then show as conclusive, as proof from holy writ, that the inconvenience complained of, is a mere excuse for the existence of the bill, and that they will not thank you for a Courthouse, unless you give them with it representation? Is there a man present, however favourable he may be to the principles of this bill, that will vote for it in its present shape? I am one of those who stand here opposed to the bill any how, and under any circumstances—who believe that its passage would be a direct violation of policy, without any known or acknowledged benefit flowing therefrom to the State. But if it be pregnant with good, I wish gentlemen would point it out, and not say we are disposed to measure out Justice by Dollars and Cents, for we are honest in the belief that it would be a violation of Justice at the expense of Dollars and Cents. It has been said, we are opposed to it from sectional feelings. How easily could we here retort upon them, by saying that this bill has its origin in interested motives, and its advocates are stimulated by the all-exciting influence of Western power. I for one disclaim every thing of the kind, with a firm belief that when such alone becomes the object of Legislation, party spirit will implant her factious banners in the centre of this room and the splendid edifice that now encircles us, tottering, will be buried in a mass of ruins, and the enlightened and patriotic heart, will too soon have cause deeply to deplore its early fate. When we cast our eyes around us and find all these seats occupied, can we then say we are for enlarging this room in order to make way for an increased number of members? Where is the honest man that can place his hand upon his heart and give his conscience fair play, and boldly assert that the policy of the State requires an increased number of members? Will any contend, the greater the number, the easier the operations of government, I fear mischievous and unhappy consequences will arise from a more numerous body. We require a certain number in the Legislature, and every step beyond that, is inexpedient. All deliberative bodies are

made up of different materials, the larger the body, the greater the combustible matter; and when the factious torch is once kindled, there is no telling where its blaze will expire. The sudden overflow of violent and powerful passions, the well known voice of a popular leader, will make partisans rally to the watch-word, and plunge us in ruin and inconsistency never dreamed of. In answer to this it may be said, that the Senate will be a sufficient check upon the sudden overflow of passion boiling at its height; but unfortunately that body, like ours, will be increased by the passage of this bill, and both will become the unhappy victims of their own mistaken policy.—If, Sir, six thousand souls is to be the general basis of representation in our State, let us for a moment see how far it will carry us. At the last census Buncombe had 10,542 inhabitants; Burke 13,406; Bertie 10,304; Caswell 13,252; Edgecomb 13,276; Chatham 12,661; Craven 13,394; Guilford 14,500; Cumberland 14,446; Iredell 13,074; Rutherford 15,357; Stokes 14,017; Surry 10,399; Halifax 17,323; Lincoln 18,147; Granville 18,220; Mecklenburg 18,147; Wake 20,102; Orange 23,490. From this statement there are no two counties mentioned but what would be entitled to another county, which would give us in the clear, an additional number of 57 members in the two houses. The population of Orange and Granville, added together, will make 41,714 souls; 6,000 being the basis of representation, these two counties would be entitled to four new counties, giving Granville and Orange, including the Borough representation, 19 more members. As it now stands, they only have seven. So, Sir, from a fixed and permanent policy, as regards a division of the counties, there is nothing to be feared; but from a wavering course, now going against, now dividing as inclination or allurement may induce, there is much to be feared, and if every petition like this rest its hope of success upon six thousand inhabitants & a few barren peaks, no man can tell where it will end, making it the policy of succeeding Legislatures to pass all similar bills. In the year 1820, there were 638,000 inhabitants. It is fair to conclude, that since that time the State has increased 2,000, making now 640,000 souls. Divide this by 64, the number of counties in North-Carolina, it will give 10,000. So, Sir, instead of 6,000 being the average amount of population throughout the different counties in the State, as you have been told, it is 10,000. We have been referred by the gentleman from Buncombe to the Colonial Legislature. He has ransacked old documents, collected together fact after fact, spoken of the principles upon which they acted, how far they looked ahead, and then endeavored to make the policy by which they were governed, operate upon this particular case. Has he been able to succeed? Did he point to any record of that Legislature, showing that they thought that when Burke and Buncombe had been laid off as any formed into counties, that they should again be divided? If he did, it was lost upon my ear; if he did not, I defy him to do so. He endeavored to impress upon our minds, the strange belief, that they stood alone in North-Carolina as a district of people unrepresented. But need I attempt by any process of reasoning, to show, that they are represented and as well represented upon this floor as any part of the State, while his able effort is still fresh in our memory and will be written on their hearts, placing them under deep felt obligations to him in whose ability, worth and integrity, they may ever safely repose. Again, Sir, it has been said, with much warmth, that the State was originally laid off in counties, and Courthouses built at the public expense, for the benefit of the settlers. It was then asked, why has this policy been changed? I ask if it has, as regards Burke and Buncombe? In the year 1777, Burke was taken from a part of Rowan and formed into a county. In the year 1791, Buncombe was taken from a part of Burke and Rutherford and formed into a county. Burke is a county with a Courthouse built at the public expense. Buncombe is a county with her Courthouse built at the public expense; then so far from the policy being changed as regards the two counties, it has, in truth and in fact, strictly been pursued. Could we boast of a safeguard against local prejudices, against those jealousies that too often lead us into error, North-Carolina would prosper in spite of her iron bound coast, liberty

would flourish without reproach, and the convention question would gradually be forgotten in generous union.

The remarks of Mr. RANNEY, of Cabarrus, on the same subject, were as follows:— Mr. Chairman, I ask the kind indulgence of the committee for a few minutes. I am deeply sensible of the disadvantage, under which any one attempts to address the committee upon a question in regard to which the opinions of the majority are, in all probability, already settled. To persuade men against their will—to remove impressions long established and cherished, and to direct understandings not open to conviction, are the most difficult, as well as the most fruitless labours of argument. I fear, Sir, this is not now an open question; and that the final vote will discover the truth of this prediction. I have very fearful apprehensions. I feel a confidence approaching conviction, that the determinations of gentlemen, in regard to the matter now before the committee, have been fixed, before they passed the threshold of this Hall. The question itself presents a wide field for the exercise of prejudices. But, Sir, I beseech gentlemen to lay aside their prejudices, to rest this question on its naked, substantial merits, to unmask it of the hideous forms and unseemly shapes it has been made to assume, to legislate upon it without any reference to Western or Eastern interests, which have been so unhappily alluded to in the discussion, and to pass upon it with that calmness, that disinterestedness and that intelligent investigation, so very essential in every legislative assembly. Sir, strip this question of all its useless appendages, and it lies within a very narrow compass. It is a simple matter of redress. It is nothing to frighten or beguile. It is a plain proposition bottomed upon a respectful memorial. And I humbly conceive, Sir, that the only considerations, the only inquiries necessary to decide with propriety, are, do the grievances complained of really exist, and is the remedy proposed a wise and proper one? If the committee be satisfied of the affirmative of these two plain facts, I ask, Sir, where is the man that can appeal to his conscience, and say, I will vote against the erection of this new county? If any one is found so hardy and incorrigible, it is to be hoped that he will advance for his vote, a better reason than the gentleman from Granville, a thread-bare motto of a witty poet. I ask this committee, Sir, if its members were impanelled here, as jurors, to try and inquire into the existence of the grievances proposed by this bill to be remedied, from the evidence already before the committee, what would be its verdict?—Sir, would any man doubt how to find? What kind and degree of testimony would you require? Shall it be different from all other received by similar bodies? Shall we now establish new rules? Can we distrust our senses, our ears and our eyes? That the grievances are sorely felt, we have the positive assertions contained in the memorial, the assurances of honorable gentlemen residing in that section of our State, of others who have travelled through it and are intimately acquainted with its condition in every respect, and in addition to all this, we have the information which the inspection upon any map of the State, can give us. It would be tedious and useless, to proceed farther into the proofs on this point. I, Sir, for one, am thoroughly convinced that the inhabitants reap little advantage from the administration of justice, that they labour under inconveniences, amounting to exclusion, in attending its tribunals, that the roads are bad, the distances long, the territory extensive, the seasons inclement, the country mountainous, the streams often impassable, and that the people, as a matter of course, are prevented the enjoyment of many of the darling privileges of freedom, the proud boast and life-blood of our happy country. Sir, we had as well not be, as live to be without it, and we deserve it, Sir, in name only, but in fruitless—there is substance in it. Around it the patriot may cling as the ivy does the Oak. Sir, these people do not enjoy it without much inconvenience. It is true, Sir, there is no ruler among them at whose nod they bow, and with whose smiles they live. Colonial oppression did not go this far.—Liberty consists as well in the enjoyment of its blessings, as in freedom from actual tyranny. Sir, no tyrant stained his dagger with the blood of our ancestors before they