ASHEVILLE MESSENGER.

A FAMILY NEWSPAPER DEVOTED TO POLITICS, RELIGION, EDUCATION, INTERNAL IMPROVEMENTS, AGRICULTURE, SCIENCE, FOREIGN AND DOMESTIC NEWS, AND GENERAL INTELLIGENCE.

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JAMES M. EDNEY,
EDITOR AND PROPRIETOR.

TERMS.

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Cases,	Prosecution "
Witness Tickets,	Equity Summons "
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Depositions,	Orders of Sale,
Revenue Bonds,	Bonds,
Constables "	Witness Tickets,
Case "	Jurors Tickets,
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Bother for subpœna ad fac.	Equity Docket,
" Ex Officio,	Writs, &c. &c.
" Admin'r,	Tax do
" Bastard,	Sheriff's Tax do
" Attach't,	Tax Certificates,
" Ejectment,	Ejectment,
Orders,	Scire Facias,
Justice's Appearance,	Ca. Sa.

To Who? To Who?

The following, from a southern exchange paper, is the most appalling newspaper case that has ever fallen under our notice:

"Twas on a cool autumnal night,
When cloud rode on cloud
The clouds rode on
And not a star appeared in sight,
As the clock here although
Moggins was [illegible]
Went home wh[illegible]
When all at once he "thought up" right
Against an old dead post,
At which he paused to "[illegible]"
And "squaring off" as is right
Said, with an oath, I should like
[illegible]
Light—and I'll lick you black or white!
Just then above him flew
An owl, which on a branch did light
A few feet over the boozy wight,
And then commenced, To-whoo—
To-whoo—To-whoo!"
Quoth Moggins, "don't you think to fright
A fellow of my weight and height
With your To-Whooter Whoo,
You cursed thing you!
An' if you're Belzebub, its comin'
On me to carry you should fight—
For Moggins ain't your "chick,"
For many matters are all right,
The Printer's paid up—he's bright!
Therest the owl whistled
And Moggins thumped him
But there are other chaps who might
Be caught on late nom—don't it right,
Who haven't paid their dues—
They know—to the [illegible]

FOR THE ASHEVILLE MESSENGER.

For a Lady's Album.

BY MRS. C. BUTLER.

The beauty and bloom of a sweet fragrant flower,
May wither and fade, and be lost in an hour;
The beauty of youth and its bloom must decay—
Like a tale that is told—all must pass away!

But the fragrance of Virtue and Truth never dies
They are daughters of Heaven let it come from the skies,
To improve Adam's race and prepare us for bliss,
In the lodge upon high, ere relinquishing this
[illegible]
[illegible]
But a name will not answer, we see in your eye
Let Profession and Practice be ever combined
Religion sans virtue sans, truth and pure love
Is not that religion 'twill waft us above!
We must mean what we say, and perform
we praise,
Or in vain our prayers to high Heaven we
"Feed the starv'd, clothe the naked, [illegible]
defend,
To the friendless be kind, to the [illegible]
The sorrowing cheer—dry the orphan's [illegible]
That, that's the religion, acknowledged on High

Barnsville, Oct, 1850.

Croton Water on Blackwell's Island.—On Saturday last a line of 1,000 feet of Gutta Percha pipe was laid from the foot of 79th street, to Blackwell's Island, on the bed of the river, for the purpose of conveying the Croton water to the Institutions. The pipe was secured by 110 anchors, each weighing 32 pounds, each being 10 feet apart, and lowered at each point to suit the irregularities in the bed of the river, as ascertained by previous survey. This was all accomplished in seven and one half minutes, without accident, by A. W. Craven, Esq., Chief Engineer of the Croton Aqueduct works.—*N. Y. Express.*

Political.

Mr. Woodfin's

Remarks in the Senate, Dec., 4th, 1850, on the Bill for calling a Convention to amend the Constitution.

Mr. Speaker:—It is apparent from what we see and hear, from different sections of the State, that amendments to the constitution of the State are demanded by the people. This I believe is generally admitted. It is equally clear that different amendments are desired in different sections of the State; and some adversity of opinion as to the extent of the amendments, exists amongst the citizens of the same section of the State.

A very large portion of our fellow citizens are deprived of the right of suffrage, and have no voice in constituting this branch of the Legislature. This is an evil much complained of, and totally inconsistent with the the theory of our government.

The basis of representation in this House being taxation, without regard to population, gives a majority of the people of the State the controlling power in the Senate, over a large majority of the free citizens of the State. This is all out of war with every principle of equality and justice.

The basis of representation in the House of Commons is justly complained of as operating unequally, allowing to each county, however small, one member, and apportioning the remaining forty one members amongst the counties according to the Federal population; by which three-fifths of the slaves and free negroes are counted, and represented as people.

It is also desired, by many of our citizens, to so amend the constitution that Judges and Justices of the Peace may be elected by the people, and [illegible] limited.

There are other amendments spoken of, and perhaps demanded by a majority of the people.

Yet we hear gentlemen here express a willingness to hear a majority of the people's desire any changes to be amongst those who agree that a large majority do want a change, that is much other diversity of opinion as to the particular amendments demanded, and as to the mode to make these amendments. Is it then certain that we can never agree as to the amendments to be made by the Legislature, and quite as clear that we now agree upon any one or more amendments, the next Assembly will either add to or diminish what we propose, and thereby defeat our action. If it they abandon me, it is no probable that the public mind would be quieted.

It is therefore proposed that the bill now under consideration obviate all these difficulties; the people calling a Convention determine for themselves whether any amendments, and if any, what amendment, or amendments; and thus settle, what is now exciting and delicate at once the [illegible] question.

Mr. Speaker, proposes this bill to call Convention to amend an unrestricted Constitution—A right that has never been granted to the people of the State; or rather a right which has never been withheld from them. On reference to the records of the first organization of our State government, it will be found that the body of the people had no voice in it. All power was assumed by the freeholders and householders.—In the year 1775, a Committee of Safety, consisting of thirteen freeholders, was elected by the freeholders and householders of the Province; and a Committee of twenty-one freeholders was elected by the freeholders and householders of each county.

On the 9th of August, 1775, the Committee of Safety ordered Delegates to be elected from the freeholders of each county, not exceeding five from each, by the freeholders and householders of the respective counties to meet at Halifax, on the 12th of November, 1776, to form a Constitution for the State. They met, and from the constitution under which the State was governed until 1835, with, I believe, a single amendment allowing the town of Fayetteville a member in the House of Commons.

It will be remembered that there were eight counties West of the county of Wake, besides the Watauga and Washington settlements, since forming a part of the State of Tennessee. Now, instead of eight counties west of this place, there are forty one. This Congress was called and held during the war of the Revolution, and having no enumeration of the inhabitants, provided that each county, whether large or small, should have one Senator and two members in the House of Commons. Freeholders only were entitled to be representatives in either branch of the General Assembly; and none but freeholders, who owned at least 50 acres of land, were permitted to vote for Senators.

These provisions were according to the course pursued in the Provincial Congress held under the authority of the British Crown. In that body, the Governor and Council appointed by the Crown composed the Senate, and the freeholders elected the members of the Commons.—Never until that day had any citizen been allowed to vote for any officer or for representatives, for in the best evidence that I can find on the subject.

It was not then to be expected that those pure and patriotic delegates would depart at once from all precedent in the Government under which they had lived, and at once strike down all distinction in regard to property. But they did grant to every citizen who had resided for one year in a county and paid a tax, the privilege of voting for members of the House of Commons. Yet many members of the Continental Congress were required to be appointed by the General Assembly.

This constitution was but an experiment, and as nearly perfect as could have been expected at the time and under the circumstances. And especially when it is considered that its framers had not been accustomed to popular government.

But, Mr. Speaker, the circumstances of the country were soon changed. The [illegible] was rapidly settled: the larger counties became populous; were unwilling to the citizens, who add to travel fully, and in some instances one hundred miles, to court. [illegible] of new counties applied for the establishment of new counties. But this would materially reduce them, lest it [illegible] their numbers political weight [illegible] down to. The would have created [illegible] small counties with the large [illegible] in the [illegible] Orange, Rowan, Lincoln, [illegible] Duplin, Cumberland and others, having [illegible] times their population. These grievances were complained of from year to year, and fruitless petitions and applications for a Convention to amend the constitution.—Our people saw nearly all the old States amending and improving their constitutions, as experience pointed out the necessity and propriety of doing so. The many new States coming into the Union taking advantage of the experience of the older State governments, and keeping pace with the progress of popular rights, had avoided the handicaps under which our people labored, and invariably allowed every free white citizen to vote for members of both branches of the Legislature and other State officers, and apportioned the Representatives in each House, according to the free white inhabitants, or according to the number of voters thereof. All this was witnessed by our people, and was seen to work well, and their citizens were orderly, contented and prosperous, and the laws as wise and as well administered as in our State. Yet these changes, the necessity of which was so clearly shown, were refused to our people, by the small minority who had the power under the constitution. But I shall be told, that in the year 1835, a compromise had been made. Let us examine what for a few moments, and see what sort of a compromise it was, and how it was obtained. The State House had been burned down, and propositions were made for the removal of the seat of Government to Fayetteville, and to Salisbury; and it was suggested that those who desired the convention might favor the views of Fayetteville in relation to the location, if they would vote for a Convention. But ultimately resolutions were brought forward to locate, or rather continue the seat of Government at this place, and to grant a Convention to make certain specific amendments to the Constitution; still retaining the power in the East, and requiring the delegates of the people to take an oath that they would not transcend the limits set them by their masters, before they were allowed to take their seats.—These propositions were carried out by bills for that purpose, and the people got a partial redress for grievances. They were plainly told that they must take that or nothing.

Mr. Speaker, under this patched up and amended constitution, how stands the equality of our people?—No one is allowed to vote for a Senator unless he has a freehold of fifty acres of land; and another provision, growing out of this, that the number of Senators shall be based on the taxes paid into the Treasury, without any regard to the population. Sir, as an example. The District I have the honor to represent had, by the census of 1850, 19,101 white inhabitants, while the District they represent had 4,810, or less than one-fourth of the number; while my District paid into the Treasury, according to the report of the Comptroller for 1849, $8210 more taxes. The difference in the white population is now doubtless much greater, at least five to one. If you take the District represented by the Senator from Burke, the difference is still greater; the white population in that District being then 23,205, and now probably 30,000; yet these large Districts have no more weight in this house than yours. We regard this as unequal and unjust, and at war with every principle of popular government.—Yes, these two provisions are a downright contradiction to the declaration of Rights which is made part of the constitution. It is in these words:—"That all political power is vested in and derived from the people only."—Yes, vested in and derived from the people. Not from the Crown, as was formerly held, nor vested in and derived from property only, as by this clause of this Compromise constitution; but in this Legislature, who talk of mocking out rights to them [illegible] Mr. Speaker, this wrong should be [illegible] that part of the declaration of rights should be stricken out or altered, to conform to the other provisions of the constitution.

It is to be said that there is no use for the citizen but to pay taxes.—Have they not been found necessary in other respects? Who have heretofore stood forth in defence of the country? And in case of war, at home or abroad in future, who are to be looked to for the defence of the country and her rights? Those, pre, the white people; not called out according to taxation, or federal population, but according to the number of able-bodied white men. And in portion of the State can be more prompt to meet the call of the country than the Western portion of it.—Yes, sir; the citizen is not only to be valued as he pays more or less taxes; but he forms part of the body politic, and in him is vested the sovereign power. Sir, those that are [illegible] ready and willing to expose themselves to the privations, to the cramp, and perils of the battle-field for their country, may be trusted to vote for those who make her laws."

If the Government is to be regarded as a mere corporation, measuring each county's influence by the tax that she pays, then for the same reason, each citizen should be allowed to vote to represent his stock, and have votes according to the amount he pays, as in a joint stock company.—There are about 250 freehold voters in your District. There are probably 1700 citizens. Then the poorest freeholder in your county pays less than one dollar into the Treasury, has more weight in this Hall than [illegible] of the most wealthy of my constituents worth one hundred thousand dollars each, and paying taxes accordingly. Why is this? Not because he pays more taxes—that is against him one hundred fold. Why is it then allowed? Does he vote because others in his county pay taxes? Suppose it be granted that the taxable property should be regarded in the formation of the Districts, does it follow that population shall be entirely overlooked and disregarded?

It is said that an offer will be made at this session to allow all to vote for Senators, and Free Suffrage shall be graciously granted. This we desire, but we desire not only Free, but Equal Suffrage. Grant that the former is right, and I ask, does the other not follow for the same reason? The people cannot be sported with in that way. They want the substance, not the shadow. They desire to vote, and that their votes be counted as freemen's votes, and on terms of equality. Free suffrage was taken up two years ago; but now it is called Equal suffrage. Why change its name and call it equal, unless the number of votes is to constitute the basis of representation? I suppose it is to be construed to mean, that Western voters are made equal with each other; certainly not equal with Eastern voters. The inequality is rendered still greater as you increase the number of voters.

Mr. Speaker, why not trust the people to make these amendments for themselves? Why not allow them to have one free and unrestricted Convention of the people? This privilege they have never enjoyed in North Carolina. Is it denied them because they are not to be trusted? Who has the right to withhold, or to prescribe limitations? We are but their servants. We are told, that this is a sacred instrument, and in this compromise amendment it is so hedged in that it is difficult to obtain an amendment. This is said to be necessary. Why necessary? No such difficulty is presented to the amendment of any of the sister States or of the federal constitution. Is it thought that the people would not select delegates who might be trusted with their own constitution? Have our people learned nothing from experience in seventy five years? Are they less capable of self-government than they were in the infancy of the republic? If so it might be said true, that the experiment has failed.—Yes, the objection amounts to an allegation that they are incapable of self-government.

It has been objected, in some quarters, that if you call a convention, the federal basis in the Commons may be changed, and that involves the question of the compromise between the States. This I suppose cannot be earnestly contended. That was a part of the compromise made between several States when forming a Union, for certain specific purposes, [illegible] to do with the internal regulation of the several States. Is that principle incorporated in the constitutions of the other Southern States? There have been eighteen new States admitted into the Union since 1790, of which nine are slave states, and nine free states—and this principle has been incorporated into but one of them. Florida adopted it, while the seventeen adopted the white basis in each branch of the Legislature, except Louisiana, and she counts the entire population.

It seems then, sir, that this danger has not been seen in any of these States, and no mischief has grown out of it. While all of these States secure to their citizens the utmost freedom of suffrage, and equality of Representation, and in nearly the whole of them do not require the Representative to be a freeholder, and in a large majority of them allow the people to elect the Judges and other public officers—the governments are as well administered, and laws as wholesome, and life, liberty and property as secure, as in our State, and the people more contented and prosperous. The experiment has proved that the people are capable of self government. In N. Carolina we have never denied in theory the truth of the first declaration, in our old bill of Rights, nor have we acknowledged it in practice in a single instance. The popular voice in North Carolina is never heard, except in the election of Governor.

Mr. Speaker, we cannot always deny to the people these reforms that are made all around us in other States. Sir, I assure Senators that they are never to hear the last of this reasonable demand until a Convention is called. If then the majority shall decide to make any or all the amendments spoken of, or shall determine to make none I shall be content, and the public mind will probably be quiet for many years to come. Gentlemen need not be alarmed; they need not distrust the people. There is too much good sense and patriotism in North Carolina to justify any fear that they will deal lightly or rashly with the Constitution.

Death of John Finn, Esq., P. G. W. P.—A great man has fallen in our ranks! A much loved brother has gone the way of all the earth!—He who had labored long and faithfully in the temperance reformation, has gone to his reward!

Brother John Finn, P. G. W. P., departed this life Dec. the 4th at Louisville, Ky.—*Penn Organ*

Communications.

FOR THE ASHEVILLE MESSENGER.

Campbellism.

Reply to Rusticus.

Mr. Edney:—Though I am a Deaf Mute, I ask you to publish my brief communication without personally consulting my experienced brethren. I trust you will overlook my mistakes if any. As the Editors of the Asheville News have been so courteous as to let Mr. Rusticus publish his communication, I expect you, as a friend to religion, will extend to me the same courtesy to let me publish mine in your paper.

I see that Mr. Rusticus has published such offensive and ugly words, unknown to the Bible, as Campbellism, Campbellites by way of ridicule, which he indulges towards us. For such words I have no taste. He seeks to prejudice the intelligent respectable people against us, as disciples of Christ. It seems he [illegible] on the ignorance of the [illegible] under the hidden [illegible] intelligence. But I say the Bible and judge enough to [illegible] Yes. I am sorry to thank for [illegible] unfaithfully, not by being his real name.

I do not know that I have any preaching brother in this county, who should expose him and defend the truth as it is in Jesus. The harvest is abundant, but the reapers are few.

Does Mr. Rusticus understand the Bible correctly. I have no unkind thoughts and feelings towards him. Instead of engaging myself with him in a controversy for which I do not feel quite competent, I will ask him to answer my several questions with all the frankness of a truth-loving man, through the medium of your paper.

Does Mr. Rusticus, for whoever it may be) agree with me according to the Bible that God is a spirit and lives eternally, in reference to John iv, Deut. xxxii, 40, Isaiah, lvii, 15, Jere. x, 10, &c.?

Does he agree with me that the Word was made flesh, or God was manifested in the flesh, called Emmanuel, or God with us, or Jesus Christ, in reference to John i, Tim. iii, &c.?

Does he agree with me according to the inspired History, namely the Bible, that God has manifested himself as the Father, a Son, and the Holy Spirit?

Does he agree with me that the Bible, and especially the New Testament, teaches us to know what is the chief office of the Father, what is the chief office of the Son, what is the chief office of the Holy Spirit?

Does he agree with me that Jesus Christ died for our sins, was buried, and rose again for our justification, in reference to 1st Corinth. xv, 1 to 4, Rom. iv, 24, 25, &c.?

Does he agree with me that in conversion and sanctification, the spirit of God operates on persons through the Word of Truth, in reference to Psalms xix, 7, John xvii, 17, &c.?

Does he agree with me, that when we hear the word of God, we cannot doubt it, but are induced by the force of its truth through the solemn and sweet influence of the spirit, to believe gladly, certainly, and [illegible] ly what God, of whose love we, his children have tasted, has, [illegible] concerning His Son, or to be persuaded what God has promised to save us through His Son, he will, faithfully fulfil His promise on the condition of our obedience to the gospel law of repentance and baptism, in reference to Mark xvi, 17, Acts ii, 38, xx, 16, 18 Peter i, 22?

Does he agree with me that people ready to baptism, our mouth confession of our heart or [illegible] that Jesus is the Christ" is not only indispensable to the building of the Church of Christ, but also of our hearing through life His name, &c., in reference to Matt. xvi, 16, 17, 18, John xx, 31, Acts viii, 37, Romans x, 9, 10?

Does he agree with me according to the honored ancient or primitive usage as recorded in the New Testament, that we must go down into the water to be buried with Christ into His death by baptism, into the name of the Father, and the Son, and the Holy Spirit, in the name of Jesus Christ, for the remission of sins, and we shall receive the gift of the Holy Spirit, in reference to Acts viii, 38, Matt. xxviii, 19, Rom. vi, 4, Col. ii, 12, Acts ii, 38, &c.?

Does he agree with me that we should love each, other, in reference to 1st Peter, i, 22, &c.?

Does he agree with me that we should persevere in doing well, with patience to the end, according to the hope of eternal life, in reference to Mark xiii, 13, Rom. ii, 7, Titus i, 2?

Does he agree with me according to the New Testament, that these three Divine promises or blessings are remission of sins, the gift of the Holy Spirit, and eternal life?

Does he agree with me that the Spirit itself bears witness with our spirit that we are the children of God and, in other scriptural words, we in all the children of God by many Christ Jesus, for [illegible] into of us as have been [illegible] &c., in reference to Rom. x, 17, Acts viii, 8, Ephes. i, 12, 13, &c.?

Does he agree with me that repentance [illegible] is the effect of [illegible] of our sins, forsaking and [illegible] to well in reference [illegible] 37, 38, &c.? Does he a [illegible] that [illegible] of [illegible] and a Shepherd, and [illegible] [illegible] of the flesh, but the [illegible] of a good conscience toward God, by the resurrection of Jesus Christ, and for the remission of sins, in reference to 1st Peter iii, 21, Acts ii 38?

Does he agree with me that baptism is not regeneration, but the washing of regeneration, because God saves us by the washing of regeneration and the renewing of the Holy Spirit which he shed on us abundantly through Jesus Christ our Saviour, in reference to Titus iii, 5, in accordance with the same order of things as related to John iii, 5, Ephes. v, 26? Does he agree with me that the solemn, holy office of sanctifying and cleansing the believing and repenting sinners with the washing of water by the word through the agency of preaching and baptizing servants of Christ, believe in Christ who loved them and gave himself for them, and not to Priests or Confessors, in reference to Ephes. v, 26?

Does he agree with me that, while all our previous [illegible] in Christ's blood for the remission of [illegible] repentance and baptism or anything whatever, [illegible] is to [illegible] us in reference to Rom. vi, 25, Acts ii, 38, 1st John v, 6? What must we do to [illegible] Christ's blood? Why, we must have faith in his blood.

Does he agree with me that those who are persuaded, or believe in God's promise to save them through Christ, can receive the remission of sins and the gift of the Holy Spirit by repenting and being baptised according to God's promise believed in reference to Acts ii, 38 to 40? This is the obedience of faith. This is justification by faith, &c.?

Does he agree with me that the destruction or giving up, different or contrary creeds, disciplines, books, traditions, confessions of faith, &c., invented by mistaken human wisdom, and uniting or fellowshiping on the Bible as the common rule of faith and practice is essential to the promotion and increase of Christian union, knowledge, obedience, peace, happiness, faith, hope, love, prayer, &c., without which the world cannot be converted successfully in reference to John xvii, and especially 20 and 21, according to our Saviour's prayer, Acts xix, 18, 19, 1st Corinth. i, 10; Ephes. iv, 1 to 6?

I have joined the Church of Christ for the reasons as above. I am hap