The North Carolina Whig.

"Be true to God, to your Country, and to your Duty."

VOLUME 5. CHARLOTTE, N. C., MAY 20, 1856. NUMBER 13.

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EDITOR & PROPRIETOR.

TERMS:

The North Carolina Whig will be afforded to subscribers at TWO DOLLARS in advance; TWO DOLLARS AND FIFTY CENTS if payment be delayed for three months; and THREE DOLLARS at the end of the year. No paper will be discontinued until all arrearages are paid, except at the option of the Editor.

Advertisements inserted at One Dollar per square (16 lines or less, this sized type) for the first insertion, and 25 cents for each continuance. Court advertisements and Sheriff's Sales charged 25 per cent. higher; and a reduction of 33⅓ per cent. will be made from the regular prices, for advertisers by the year. Advertisements inserted semi-monthly or quarterly, at $1 per square for each time. Semi-monthly 75 cents per square for each time.

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Poetry.

The Human Heart.

BY W. SEAMAN SEARS.

The human heart in silence keepeth
Joys and sorrows fondly sealed
With the sacred dews that weepeth
Daily o'er the secrets revealed.
Hidden springs are gently lending
Thoughts and [illegible] that never die,
Ever rising, ever blending,
Welcome sprys of days gone by.

What are trials? Clouds that vanish
'Neath the rays of heavenly light
From thy heart in triumph banish
Thoughts that bear the form of night.
Let not sorrow, care nor anguish,
Crush thy heart with dark remorse,
Never let thy ardor languish
In the true and only course.

A little world through life created
In each human heart there lives,
Sorrows to our joys are mated,
Smiles for tears it freely gives.
Keep a sacred place that liveth
In thy heart for other's woes,
'Tis the spring of love that giveth
Draughts of comfort as it flows.

The human heart in silence musing,
Oft embitters purer thought,
Vainly cringing, whilst refusing
Words with holy beauty fraught,
Let us rather, when besetting
Sins and trials ever nigh,
Smile with Hope whose never-setting
Sunlight gleams with God on high.

Brooklyn, March, 1856.

Miscellaneous.

THE SAILOR AND THE COUNT,

A STORY OF THE FRENCH REVOLUTION.

CHAPTER VII.

Just as the day broke, Rebecqui entered the cave. He desired his guests to prepare to follow him, as it was no longer safe to remain so near the castle, as the soldiers were roaming about the neighborhood and might perchance come that way. The count took him on one side, and asked after the fate of the garrison. Rebecqui told him that the greater part had escaped, though some had been killed and many wounded; the dead had been buried in the ruins, the injured cared for. The female servants had been conducted to Marseilles, where they had relations. The father and daughter began their journey, Rebecqui leading the way.—As they emerged from the cavern the sun was rising brightly in the east.

No appearance of the deadly conflict could be seen. All nature was in repose; innumerable birds sprang from branch to branch of the trees that skirted the sides of the valley, warbling forth their melodious notes. They walked along for some time stealthily and in silence. At last, Rebecqui began the conversation, by saying that it was advisable for Count D'Aubigny to leave the neighborhood of Marseilles for some time, as there would no doubt be a hot pursuit after him; 'but,' added he, 'my mother lives in a secluded retreat in one of the adjacent mountains, and your daughter will be as safe there as if under your own roof.'

The count pressed his hand, saying—

'I accept your offer; I will leave Clarisse with your mother, quit the country, and return when the disastrous troubles are over.' By this time the sun had risen high in the heavens. No sound was heard but the dashing of the torrents as they fell from crag to crag, and the tinkling of the small bells attached to the sheep which clung to the declivity of the rock, or browsed on the soft and fragrant herbage which grew under their feet. The sides of the valley were diversified by woods, precipices, rocks, romantic grottoes, and natural fountains and cascades. Some parts were like immense orchards filled with every kind of fruit. There were countless vines trained on poles, twining their delicate tendrils round some vigorous elm. An abundance of wild strawberries mingled with the loveliest flowers, now wet with the morning dew, grew within reach of the hand.

They had been walking for about an hour, when they entered a wood, which afforded a refreshing shade after the burning heat of the sun. The barking of dogs plainly showed them that they were approaching some human habitation.

'"Tis sweet to hear the watch-dog's bark
Bay deep-mouth'd welcome as we draw near home.'

Having crossed the wood, they came to a steep path, which apparently led to some dwelling, and soon a cottage, almost hidden by the foliage of some magnificent trees, appeared. At their summons, a middle-aged lady opened the door. Her likeness to Rebecqui betrayed her relationship. She was his mother, and welcomed the strangers with warmth, and with that tact which is the sure accompaniment of good breeding, asked no questions 'until she was alone with her son. He then told her their story, and asked her protection for the young lady, which, to gratify Rebecqui, she readily consented to give.

In a few days Count D'Aubigny left the cottage. Clarisse grieved much, as it was their first separation; but she was the more reconciled to the parting, as she had already begun to love her new friend, and Rebecqui's mother, seeing that her son had more than common interest in their young guest, soon treated her as if she had been her daughter.

CHAPTER VIII.

The chateau of Count D'Aubigny was not the only one destroyed by the republicans. Nearly all the houses of the aristocracy in the neighborhood of Marseilles, were rased to the ground, and bonfires made of the furniture and pictures they contained, their owners being obliged to fly for their lives. The town of Toulon alone had sheltered ten thousand royalists who had taken refuge there, trusting in the defences of the place, which was walled and had but two gates, besides, being protected by the combined fleets which guarded the harbor. But they were deceived in their expectations.

Secret plots were formed by the republicans to surprise the city. They had their emissaries in the town, and the hills behind were filled with armed men, some concealed themselves in the caverns, some in the pine woods. There reigned among them the silence of death, for they were waiting eagerly for the signal from within, which was to announce to them that it was time to begin the attack. A rocket was to be thrown up from the market place at ten o'clock.

About a league from Toulon, on the road from Marseilles, a body of men were making their way silently towards the city. They were much more numerous than those on the hill, but it was evident, from their costume, that they belonged to the same party. Their road led them over a path paved roughly by nature, partly between two rocks, partly between high caper hedges, which helped to conceal them from sight. Rebecqui, who had by this time risen to the rank of captain, commanded the first column. He had a look of stern determination, mixed with soft melancholy on his countenance. He was no doubt thinking of the little cottage on the mountain, and of the blood which he knew must be shed that night. He led his men to the back of the city, where in the course of a short time, the two battalions joined, and the commanders speedily made their arrangements. Part of them drew near to the gates, not far from the foot of the hill. Some climbed the lofty trees, in order to have the first sight of the signal.—They had not long to wait, for in a few minutes an enormous rocket, flew, hissing upwards into the dark atmosphere, where it was nearly lost to view, but it soon came down exploding and casting its shower of light in all directions. The battle commenced by repeated discharges of cannon from the ships of the combined fleets. The tocsin sounded, a light was seen in almost every window, and the work of destruction commenced in the town. Flames issued from some houses, illuminating the hills to the very top. The scene there was most striking. The whole of the slope was covered with thousands of men, who seemed to have risen from the earth, and were formed into ranks to march and surround the town. By a strong coincidence, a storm broke simultaneously over the place. A close heat had made the air very unpleasant all day; the lightning flashed, the thunder rolled, and it was amid this war of nature that the attack commenced. The wild shouts of victory mingled with the shrieks of the inhabitants, who, roused from their beds, were running in terror from their burning houses towards the shore, in the vain hope of being able to escape to the ships in the harbor.

A tremendous hurrah at this moment informed every one that the gates had been burst open by the republicans, who had rushed in and made themselves masters of the place. The storm of nature was over, but that of man continued with unabated fury. Some persons had fired a train of gunpowder, which blew up the arsenals and many other buildings, the flames of which lit up the sea for many miles. Rebecqui performed prodigies of valor; but after the victory, he went from place to place, in order to prevent the soldiers from doing more mischief than was necessary, and it was while engaged in some such act of mercy that he was struck by a random shot, and it seemed probable that he had fought his last battle in this world. He fell helpless on a heap of dead and dying. He could not move, but the thoughts of his mother were uppermost in his mind. The lonely widow—how she would grieve for her only child; and Clarisse, would she regret him? He was very glad that his mother had a companion to console her.

As he lay there in his wretched state, he began to review his own situation. 'I am a republican, it is true,' thought he, 'but I cannot sanction the atrocities I have witnessed this night. Cruel and selfish men are grasping at power in order to aggrandize themselves, and instead of ameliorating the condition of the people, have deluged their streets with blood.' He was so disgusted with the turn things had taken, and believing that a pure republic was but a romance, he thought he would, if it pleased God to spare him, retire into private life, and have no more to do with politics. He cast his eyes round him; it was a sight sufficient to appal the stoutest heart. On all sides lay heaps of dead and dying. The spot was near one of the gates, where the fight had raged most fiercely. Numbers of both royalists and republicans lay there, severely wounded; but if they had had a sister's or a mother's hand to assuage their sufferings, some at least, perhaps, might have recovered; but no notice was, or could be taken of them, and life was fast ebbing from their wounds. This sad sight pressed so heavily on Rebecqui's mind, that it caused him to groan aloud. At that moment a figure wrapped in a dark cloak was gliding stealthily along the walls. It stopt, on hearing the sound, and said, in a low voice—

'Is any human being alive on this bloody spot?'

'I live said Rebecqui,' but am wounded in the leg, and cannot rise. Whoever you are, for the love of God assist me to leave this dreadful place.'

The stranger came nearer, stooped down, and the recognition was mutual; and as gratitude is of no party, the count—for it was he—tenderly raised the wounded man, desired him to lean on him, and led or rather carried him outside the gate, which had been abandoned, and, under cover of night, got down to the sea, and by bribing a boatman, they contrived to reach an English man-of-war, being more fortunate than many others, hundreds of whom were drowned in their struggles to reach the ships. The captain of the vessel paid every attention to the wounded man. As he had a great number more, he was obliged to put out to sea immediately, but at a great distance they could hear the cries of warfare. In fact, the fight lasted three days. Many ships were blown up in the air, with their crews, and others disabled. When Rebecqui was a little recovered, he expressed to the count his intention of abandoning the sanguinary contest then going on, but that, although he should never change his principles, he would retire to some distant part of the world, where he might never more hear of the disasters and miseries of his country. Anticipating something of the sort, he had previously arranged with his mother to convert everything they possessed into money, and to be ready at a moment's notice to quit France. It was settled that the count should proceed at night, and bring Madame Fontange and Clarisse to the ship. They could then take refuge in some foreign country, where, at leisure, they might reflect on some plan for their future life.

The count agreed to everything, and got a boat rowed to the village at the foot of the mountain, where stood the cottage of Rebecqui's mother. The sailors retired to a small creek, out of the sight of curious eyes. The count then climbed the path, and was soon in the embraces of his delighted daughter. All was speedily in readiness; men from the village were employed to carry the luggage to the boat, and the little party was soon on board the ship. In answer to a question of Rebecqui, as to how he had made his appearance so opportunely at Toulon, the count said that he had fought as long as there was any hope, but when he saw his party giving way, he determined to save himself for the sake of Clarisse, and was on his way to find a ship, when hearing a groan, he could not pass a fellow creature without rendering him assistance. He immediately recognized Rebecqui, and was very thankful at being able to rescue a person who had twice stood between him and death.

Clarisse was grown up a very beautiful woman. She was but twenty-two years of age, and fully realized the promise she had given at fifteen. Her character, also, was very much improved. Misfortune had purified her mind from that pride and selfishness of manner which are the sure accompaniment of uninterrupted prosperity. She was gentle and affectionate, and cheerfully shared the task with Madame Fontange of nursing Rebecqui through a long illness. Love soon grew in their hearts, which, being founded on a knowledge of each other's noble qualities, was much more likely to last than that ephemeral trash, called 'passionate adoration,' which will melt away under the first cloud of misfortune, or turn to indifference when time or the cares of maturity have chased away the roses from the cheeks of the once beloved.

As now there was no question of inequality of rank, the consent of the count was readily obtained, and they were to be married as soon as circumstances would admit, and we will take leave of them for at least six years.

CONCLUDED NEXT WEEK.

SPEECH OF JOHN A. GILMER,

OF GUILFORD COUNTY,

DELIVERED IN THE SENATE,

On the 14th December, 1855, on the motion of Mr. Graham to strike out all of Mr. Boyd's Bill providing for Free Suffrage by Legislative enactment, and insert an amendment providing for the call of a Convention.

Mr. SPEAKER:—I am in favor of the leading provision contained in the bill introduced by the Senator from Orange, (Mr. Boyd,)—the extension of suffrage. Now, [illegible] guarded, and granted in a manly [illegible] of republican freedom. I concur [illegible] that all free white citizens, who are allowed to vote for members of the House of Commons, should also be allowed to vote for Senators. It accords entirely with my feelings to permit all, who vote at the one box, to vote also at the other. If nothing more than the extension of suffrage was *effected* by the bill, I would be the last to raise my voice against it. Raised and educated as I have been, it would be contrary to my inclination and natural impulses to oppose any measure tending to secure to my fellow citizens equal rights and privileges, wherever and whenever the same can be done consistently with the rules of *justice*, and freedom, securely and satisfactorily regulated.

This bill, I admit, has a *title*, and professes a *purpose* most fascinating and imposing. To refuse it my support, I am aware, will expose me and my friends to the most bitter criticism, and the most unjust and illiberal misrepresentations as to our true designs and purposes. All this I am willing patiently to bear and endure. I have a duty to perform to my constituents, and the State, at large. In discharge of this duty, I desire to explain, in brief, why I am opposed to the bill, and in favor of the amendment.

I admit, that to amend the Constitution of the State, in the manner proposed by the bill, is clearly and certainly within the express provisions of the Constitution. But to this mode we have not as yet been committed by any precedent. I hope and trust we never shall be. Precedents have a great and powerful influence as well as binding force and effect, for good or for evil.

The fundamental maxim of American freedom is, "that all political power is vested in, and derived from, the people only." This is also a part of our Constitution.—How can this be true, if the people, *as the people themselves*, have given up their power and control over their fundamental law, their constitution, to their General Assembly, their Governor?—reserving to themselves the menial privilege of saying that *they will have*, or *they will not have*, this or that which three-fifths of the members this Senate may in their wisdom and gracious condescension submit for their approval or rejection? Would this be reserving all power in their own hands? Under this rule, could it any longer be truly said that all political power is vested in the people? The Senate of the United States has the power of passing on the nominations of the President. But by the exercise of this approving or rejecting power, can the Senate secure what they want, their own choice? Can they by the exercise of all their power secure the appointment of the persons that they deemed best qualified to discharge the duties of the office to be filled? Can it be truly said of the Senate, that all the appointing power is vested in and derived from them only? Let us once be committed by precedent to the *legislative* mode of amending our fundamental law, the Constitution of the sovereign people, and my word for it, it can no longer be said in truth, "that all political power is vested in and derived from the people only." If the people of North Carolina can never have any amendment to, or alterations of, their Constitution, except such as shall on a final vote, meet the approbation of two-thirds of this Senate, *organized as it is*, they are, I presume, less free and independent than they have heretofore supposed they were and, whether they be really so, they cannot be induced to enquire too soon. To my mind the proposition that seventeen Senators in this chamber representing (as I will presently show) only one hundred and nineteen thousand of the inhabitants of the State, should defeat the vote of thirty-three Senators representing the unanimous voice and wish of four hundred and thirty-three thousand inhabitants, is monstrous.—Can any true republican rest easy under such doctrine? Constitutional freedom indeed!! Away with such popular sovereignty!!! As much as I have ever been, and ever expect to be, opposed to making the Constitution of the State, the Palladium of our liberties, depend on the suddenly formed and expressed opinion of a majority of the voters, I would prefer such rule to the admission that a diminutive minority of one hundred and nineteen thousand inhabitants, haughty in their tone and bearing, with their seventeen Senators, should control and govern four hundred and thirty five thousand inhabitants with their thirty-three Senators. This may be said to be out of place and have no application to a simple proposition to amend so as to let all electors vote for Senators. But it must be borne in mind that the method or mode, to which we shall now commit ourselves, by precedent, will be cited and insisted on as to all other amendments now or hereafter to be proposed, and it becomes an immense majority of the free people of North Carolina to enquire seriously whether they are not taking an extension of suffrage at a very great abridgment and sacrifice of political freedom popular rights, especially when all this can be more easily, surely, cheaply and quickly done by adopting the amendment proposed!

Are Senators in earnest? Do they really wish to let all vote for Senators? Do they wish to have the privilege extended? If so, then why not adopt the amendment? Let the people be consulted, and aid them to call their convention, in case they want one. Does any one doubt that the convention would give this very Free Suffrage proposed by the bill, and that, at the very next election for members of the General Assembly, all who vote for members of the House, would also vote for Senators? Why not consult the people at once—go into convention on the Federal basis, as the amendment proposes? Give free and equal suffrage, supply, by express constitutional provision, a fair protection to lands against unequal and exorbitant taxation, settle all questions as to constitutional amendments and reforms in the course of the next year, save a dangerous precedent, and let the popular mind become again quiet and satisfied with their own Constitution still in their hands and under their own control.

I am for exercising and giving this right to vote for Senators to all qualified voters now. By adopting the amendment, and people desire it, they will certainly get it, and *in a short time*. Then why not, at once, adopt that course which is speedy and certain? The question of Free Suffrage, by Legislative enactment, has once had its constitutional test and trial. It passed one session of the Assembly. At the next, it failed to get the requisite majorities. The gentlemen from Martin, (Mr. Biggs,) in one sense, seems to be terribly alarmed at the idea of the deliberate and settled will of a majority prevailing, however great that majority may be, *provided* it shall not be sufficiently large to carry the proposed amendment through two successive Assemblies, by the majorities prescribed and required by the Constitution itself. He seems to be in dread of having the popular mind *often* and *repeatedly* agitated with a desire to change or alter their organic law. Is he sincere? Do his course and conduct accord with his own doctrines? Have not the people of the State, through their members of last session of the general Assembly, decided against *this* very reform? On what ground does the Senator from Martin now insist that we should pass this bill and reject the amendment? Is it not on the ground that a majority of the people have indicated their anxiety, for it? If a majority is to prevail in securing, by legislative enactment, why should not the deliberate, settled, and well considered will of a majority prevail in other things?—Suppose Free Suffrage, instead of being defeated on the final vote at the last session had passed, the honorable Senator, I presume would now pronounce a proposition to repeal what the people had constitutionally sanctioned *agitation*, and the *mover* thereof a *dangerous agitator*. He certainly makes a difference in this respect for decisions on constitutional questions. If a decision is made, as he individually desires, then it is a determination that he will respect—if against him, it is entitled to no consideration.

Mr. Speaker, is Free Suffrage the only question of constitutional reform that agitates or is likely to agitate the popular mind? Will the anxiety of a multitude in the State, to elect their Justices of the Peace, their Judges, Comptroler, Treasurer, Secretary of State, and a Lieutenant Governor, be quieted by the passage of this Free Suffrage Bill? He (Mr. Biggs,) insists and argues, that by legislative enactment, the Assembly can submit but one specific amendment at one time. Grant this to be correct, and look fairly and honestly at things as they are, and I would ask when are we to get rid of constitutional questions? How long will the system of law-making and Constitution amending continue? Shall any man living see the end of it? What respect will the people have for their Constitution, when it shall become mixed and commingled with the ordinary legislation of the country? If the system shall once fairly obtain, I would inquire how long it will continue, before some Governor will submit to the Assembly the propriety of appointing Commissioners to revise, not only the Statutes, but the Constitution itself?

We have ever considered the Constitution the safe-guard of the people—a guaranty against the abuse of power. In conformity with this notion, the people have provided and required all whom they trust with power, from the highest to the lowest officer, civil or military, to take a solemn oath to support it. As long as the people shall keep their Constitution, the work of their own, *in their own* hands, and under their *own* control, separate and distinct from the ordinary legislation of the country, legislators, their servants, and themselves the sovereigns, we may expect the Constitution to answer the purposes for which it was framed and adopted, commanding the veneration it deserves. When it shall go into the hands of partisan legislators, its reform or amendment to be influenced by other questions of legislation, become the foot ball of party, party appeals and party rallies made for and against, and the success or defeat of this or that reform in the organic law made to depend on party triumphs or party defeats, I anticipate a very different state of things. In fact, Mr. Speaker, when I take the oath of Senator, the idea of commencing forthwith to tinker with and amend the very Constitution, which I have sworn solemnly to support, is contrary to all the ideas I have ever entertained of constitutional freedom and legislative responsibility. The Federal Constitution, made to define powers, granted by sovereign States to a limited government to secure the welfare of all, may more safely be altered or amended by the action of Congress and the ratification of the States as States. The idea of a majority of the people of the whole Union altering or amending the Federal Constitution, is at war with the very nature and character of a government acting for States, in all things sovereign except so far as, (for the common good,) they have yielded power to a government common to all. North Carolina is a consolidated government, its Legislature having power to make, alter, limit, extend and repeal her counties, and in amending or altering her Constitution, should be cautious in following the example of a government limited and circumscribed in character, acting for States, and not for the people of the whole Union, *en masse*, like our own State government acting for all the people of North Carolina as one community.

Mr. Speaker, as the Constitution now stands, slave property is, by an express provision of the Constitution itself, secured against unequal and excessive taxation—So is land by the provision that landholders alone elect the members of this Senate.—By the bill offered by the Senator from Rockingham, providing *simply* that all who vote for members of the House, shall also vote for members of the Senate, the landholder loses his protection against his land being unequally and excessively taxed. The protection to slave property remains. The protection to land is removed. If it is deemed necessary and proper to protect the slaves is it not equally necessary and proper to protect in like manner the lands? Do Senators [illegible] to be being to our constituents, the farmers, *the freeholders* who elected us and on whom we are to depend for our re-election, and they understand that we have set on foot a plan of *free suffrage*, by which is removed all restriction on the power of the Assembly to tax their lands, (now at a time when the taxes of the State are to be greatly increased,) whilst the slaveholder retains his protection, that they will be satisfied? I expect to hear the freeholders of all parties who sent me here say, that they have no objection to all voting for Senators, provided you, in making the change, give the land the same protection against an unequal taxation, that it gives the slaves. But if you have done the one without providing for the other, which could be so easily done, we are dissatisfied, and in the selection of Senators for the next Assembly, we will try to select members, who have regard for justice, as well as equality, and who, when they give the latter, should secure the former. I cannot conceive Senators serious in expecting this bill, in its present shape, to be sanctioned by the next Senate, to be elected by the landholders, from whose lands all protection in levying taxes is removed. However anxious and willing the freeholders, who own land and no slaves, or land and a few slaves, may be to allow all their neighbors to aid them in the selection of Senators, I conceive a change, that even party ties cannot prevent, will come over them in relation to this subject, and incline them to demand that when they yield to this just extension of suffrage, that their lands shall be placed on an equal footing with polls and the large slave owners. In all sincerity, I submit to the consideration of Senators, and all who feel an interest in slave property, and its present and proper enjoyment, as it is my interest and sincere desire they ever should, whether this bill, in its present shape, is not calculated to excite feelings, jealousies and dissensions much more to be dreaded, than any that could ever grow out of the amendment offered by the Senator from Orange, (Mr. Graham,) and by which the Senator from Martin (Mr. Biggs,) seems to be driven into such horrors.

If it is the honest, sincere design of Senators to commit the State to the legislative mode of amending the Constitution, and by peace-meal to keep the country agitated for years to come, leading off with Free Suffrage, why not permit the bill to be amended and put in that shape that will be acceptable to the freeholders? The Senator from Martin has in his speech failed to answer that part of the argument of the Senator from Orange, pointing out to him the injustice of the bill. He has not attempted to answer this. He does not even deny this injustice. Instead of this he raises the war cry of party. He reads documents, messages, and political resolutions on other subjects. He levels his artillery at the Whig party, seemingly under the impression that if he destroyed *that party*, it would be a good substitute for an answer that he ought to make, but could not. He is evidently unwilling that his pet project should be amended or in any way modified even for the better. He is opposed to the bill assuming a shape that would be more acceptable to the land owners and certainly do no hurt to its leading feature, lest it might appear to the freemen of the State, that all wisdom and foresight did not belong to his own party friends. He will accept no aid from this side. He seems determined to rule or ruin.

The Senator from Martin argues at length to show that now, for the first time, the issue is distinctly made, Free Suffrage by legislative enactment, or a free and unrestricted Convention called on the federal basis, the basis of the House of Commons; and before he gets through he falls upon the Western Address, heinbors it, but admits that in it, four years ago, this issue was distinctly made. He holds up this address as containing something dangerous, and yet ready as he is at reading from books and papers, he reads none of this address, and points out no part thereof, that he deems objectionable or censurable.

I am glad, Mr. Speaker, that the Senator, in this debate, has called attention to this address, heretofore so much misrepresented, perverted and abused. I am still the more gratified that after giving this paper his attention and review he cannot find any portion of it, which he is prepared to condemn. Why did he not do this? He doubtless, on a more careful examination, found a different document from what he had supposed, having formed his opinion of it from the false, illiberal and unjust criticisms of his own party presses.

It is true, that four years ago, after members in the other end of this Capitol, coming from the same section of the State, in which resides the Senator from Martin, and where his opinions and influences prevail, had attempted by resolutions indirectly to destroy the prospects of the North Carolina Railroad, and to repudiate the State's subscription to this work, and after the feelings and views of Western men had been outraged and misrepresented, Western members, under the excitement of the occasion, did get together, agree on, and publish that address. And here I would call attention to the fact that in this meeting were none but western gentlemen, Whigs and some Democrats. Their deliberations were their own—exclusively western. They were not checkered, influenced, or modified by conference and intercourse with the eastern men, views and influence. And after all this, did they agree and insist upon any thing that was radical, revolutionary, or dangerous? Did they intimate or insist on a change of the federal basis in the House of Commons? No, sir; nothing of that kind. Did they insist on the white basis in the Senate? No; they insisted on no such thing. They stated, in a fair, open and manly way, the advantages which they conceived the east had over the west, according to the present basis so imperfectly executed and carried out.—They showed that notwithstanding the false and illiberal illusions to the contrary, there were more slave owners in the west than were in the east, and that the protection to the institution of slavery, mainly to be relied on, must be found in the west; a section never having had any great favor in the eyes of the Senator from Martin. In no part of the address is there an argument tending to establish the white basis in either House, or any basis that would not be more favorable to our eastern friends than the basis established in any of the Southern slaveholding States,—far more favorable than the basis contained in the constitutions of Alabama, Mississippi, Louisiana, Texas, Arkansas, Missouri, Kentucky, Tennessee, South Carolina, Georgia or Florida. The address, in substance, insisted that the strength of a State was made up of two things—*men* and *property*. That men, soldiers, could do but little without property and money, *means*—that means were of little avail without men—and in their estimation the only basis that they felt inclined to suggest would be one in which both *taxes* and *men* should be estimated and counted. The address also gave assurances that upon this, as well as all other subjects of constitutional reform, they were ready and anxious to go into Convention on the federal basis with their eastern brethern, entertaining the confident belief that thereby all these questions would be settled at once, in a manner much more satisfactory to all sections of the State than they had ever been before,—all sectional strife and jealousies entirely done away with and annihilated—because a token and pledge of confidence would be given and interchanged, producing the most happy consequences and effects on the future welfare and prosperity of the State.

The Senator from Martin assails Governor Manly for the expression of his respect and regard for the popular will, fairly and deliberately expressed, seemingly scouts the idea of "the moral effect" of such expression and exclaims most startingly.

All this may do for the time and the occasion—whether he will always feel at liberty to deal out such strains, time alone can determine.

I grant, Mr. Speaker, that it would be unsafe and unwise to alter or change the Constitution of the State, at every movement of the popular majorities. I am a disciple of no such school. But I do believe, in a government like ours, that where after mature reflection and deliberate expression, the will of the majority is ascertained, it ought not only to be respected, but proper aid given to carry it into effect, and that it will, in the end, require more than the cry of revolution to defeat the settled wishes of a large majority of the free white citizens of North Carolina. It may be attempted for a season with success, but for how long, the free republican spirit of the people must determine.

In my opinion, all legislation is wholesome when properly directed to advance the public good, the public quiet, to suppress and avert approaching evil. There is danger in withstanding the reasonable and just demands of majorities; for when goaded to madness by delay, conscious of their numbers, they may be driven to excesses.

Suppose it had been declared in the Constitution of 1835, afterwards ratified by the people, that no Convention should ever be called by the General Assembly; would that *forever* have precluded the free people of North Carolina themselves from calling a Convention to amend or modify their organic law, however changed their condition and circumstances might become, and representatives forever, and under all circumstances, forbid to give the people aid in calling a Convention? Such an idea is abhorrent to my feeling. If the people of North Carolina can never have a Convention, except two-thirds of the members of the Senate shall first graciously give their consent, let us, for a moment, enquire whether, from the very organization of this body, they have not substantially debarred themselves of this right, in all time to come, however pressing may be the necessity.—Take the following counties: Bertie, Beaufort, Bladen, Brunswick Camden, Carteret, Caswell, Chowan, Columbus, Currituck, Duplin, Edgecomb, Franklin, Gates, Green, Halifax, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Mecklenburg, Nash, Northampton, Onslow, Pasquotank, Perquimans, Person, Pitt, Rockingham, Sampson, Tyrrell, Warren, Washington and Wayne, thirty-six counties, having, according to the census of 1850, a white population of 192,141 only; federal population 304,588 only; 32,264 voters only; paid State taxes in 1851, $77,767 only. And yet, according to the ratio of taxes adopted at last September, they are entitled to 27 Senators. Take the counties of Alamance, Alexander, Anson, Ashe, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Chatham, Cherokee, Cleaveland, Craven Cumberland, Davidson, Davie, Forsythe, Gaston, Granville, Guilford, Haywood, Henderson, Iredell, Jackson, McDowell, Macon, Madison, Montgomery, Moore, New Hanover, Lincoln, Orange, Randolph, Stanly, Stokes, Surry, Union, Wake, Watauga, Wilkes, Yadkin and Yancy, forty-six counties, with a white population of 559,217; federal population 402,154; voters 53,217; taxes paid in 1851, $79,659, and these 46 counties are entitled to 23 Senators only. So here there are forty-six counties which have only 23 Senators out of 50, although they contain a majority of one hundred and sixty-seven thousand of the white population, one hundred and forty-four thousand majority of federal population, more than nineteen thousand majority of the voters, and pay more than half the taxes, whilst 36 counties, being in a minority as to voters, taxes, and