

# GREENSBOROUGH PATRIOT.

"THE IGNORANT AND DEGRADED OF EVERY NATION OR CLIME MUST BE ENLIGHTENED, BEFORE OUR EARTH CAN HAVE HONOR IN THE UNIVERSE."

VOLUME VI. NO. 52.

GREENSBOROUGH, N. C. WEDNESDAY, JULY 8, 1835.

WHOLE NO. 312

## THE PATRIOT

Is printed and published weekly by

WILLIAM SWAIN.

At two dollars per annum, payable within three months from the date of the first number, or three dollars will be invariably exacted immediately after the expiration of that period.

Each subscriber will be at liberty to discontinue at any time within the first three months from the time of subscribing, by paying for the numbers received, according to the above terms; but no paper will be discontinued until all arrearages are paid.

A failure to order a discontinuance within the year, will subject the subscriber to payment for the whole of the succeeding year, at the rates above mentioned.

A year's subscription will be ascertained by the numbers of the paper and not by calendar months. Fifty-two numbers will make a year's subscription; and in the same proportion for a shorter time.

Those who may become responsible for ten copies shall receive the 11th gratis. An allowance of ten per cent. will also be made to authorized agents for procuring subscribers and warranting their solvency or remitting the cash.

### ADVERTISEMENTS.

Not exceeding 12 lines, will be neatly inserted three times for one dollar;—&c twenty-five cents for each succeeding publication;—those of greater length in the same proportion.

All letters and communications to the editor, on business relative to the paper, must be POST-PAID, or they will not be attended to.

Every subscriber will be held strictly to the LETTER of the above terms, "without variation or shadow of turning." Let no one deceive himself by making calculations upon our indulgence.

### NORTH-CAROLINA.

"Let wisdom through her councils reign,  
And her's shall be her people's gain."

### STATE CONVENTION.

Monday, June 15th.

Gov. Swain said, that he was very far from supposing that the gentleman from Greene was disposed to shrink from a discussion of this question with him or any other gentleman. He attributed his course to a very different motive.

To the gentleman from Halifax (Gov. Branch) he must be permitted to say, that he was perfectly aware, that as chairman of the committee it was his duty to explain and sustain the report. It would be recollected however, that immediately on its introduction, before any opportunity of explanation was offered to him, its reference to a committee of the whole, accompanied by a notice that on this morning he would propose to strike out 120 and insert 100 in the second article, was made by the gentleman from Greene. The high opinion which he entertained of his ability to do justice to any cause he advocated, had admonished him, not rashly to thrust himself into the front of the contest, but quietly endeavor to maintain the ground which the gentleman from Greene had been pleased to assign him. The committee had just been favored with the views of the gentleman, in support of his motion, and he (Gov. S.) would now proceed to consider them, and the report, in the order prescribed for him.

He would say with perfect sincerity, that if he knew his own heart, no gentleman in this convention would participate in its deliberations with less of party or sectional feelings, or more anxious to terminate forever the differences between the two sections of the state, than he. He trusted, indeed he was confident, that a correspondent feeling influenced the great body of the convention, and yet he was not without apprehensions as to the result. The utmost caution and circumspection were indispensable to a happy termination of our labors, and if passion and prejudice are permitted for a moment to assume the reins, incalculable injury might result from it.

We have convened, said Gov. S. under the provisions of an act of assembly, which defines and limits our powers, and he did not hesitate to say, that he differed entirely from the gentleman from Halifax with respect to its construction and the consequent obligations which it imposes upon us. Every provision in it is obligatory, not simply because the legislature enacted it, but because the people had ratified it. If a fair construction of the act as it appears of record, justified and required the proportion between the senate and the house of commons which the committee had assumed, it was idle to urge that individual members did not so intend. Other gentlemen must construe the obligation imposed by the act and by the oath, for themselves; but for one, he should regard a substantial departure from the relative proportions it prescribed, as a violation of the compact. He believed that the interests of the whole state would be best subserved by the adoption of the number proposed by the committee. It was our solemn duty however, to settle this controversy, and he was prepared therefore, if such should be the will of the majority, to acquiesce in the selection of 34 and 90, the lowest numbers recognized in the bill, or of the intermediate numbers between these, and 50 and 120. Unless his opinions underwent a great change, however, he would not yield assent to any numbers which did not preserve the proportion which he considered to have been estab-

lished by the constitution. He would cheerfully submit to the determination of a majority here, the question would present itself under very different circumstances when he should be permitted to his ancient privileges as one of the free citizens of a free state. He thought the gentleman from Halifax erred in supposing that his construction of the act was a objection upon the general assembly. Four-fifths of the constitutions of our sister states recognize a much greater disparity of numbers between the two branches of the legislature than had been assumed by the committee. In Maine, the proportion of the senate, to the popular branch, was as 25 to 186, or 1 to 7; New Hampshire, 12 to 230, or 1 to nearly 20; Massachusetts, 50 to 561, or 1 to 14; in Rhode Island, 10 to 72, or 1 to 7; in Virginia the proportion was about 1 to 4, and in the new constitution just adopted by Tennessee, 1 to 3.—It was scarcely necessary to swell examples. If numbers gave weight to the decisions of the common sense, gravity, dignity and wisdom, would impart it in no less degree to the determinations of the senate.

He agreed with the gentleman from Greene, that 50 was not too large a number for the senate, but he differed entirely from the opinion, that principles of economy demanded a proportionably smaller house of commons. It was said to be a bad rule which would not work both ways. If you reduce one, reduce both.—Neither curtailment is necessary. In 1820, the population of this state was 639,000; in 1830, 753,000; in 1850, a proportionate increase would yield nearly a million. Were 170 persons so numerous a representative of a million of inhabitants? Would the expense incident to a legislative body of 170, be too grievous to be borne by a million of people?

Gov. S. said that he was aware that discussion here should begin and end with the act of assembly, under which we were called together. The gentleman from Greene, however, has attempted to show that a compromise made by the general assembly was neither liberal nor wise. His argument will go forth to the people, who will ultimately decide the question, and it is proper that it should be accompanied by the views of those who dissent from his opinions. For himself, he was disposed to conceal nothing here or elsewhere. Every view he entertained, as to the relative advantages which would be derived by each section of the state, was at the service of all who desired in the convention or out of it.

He said he doubted whether the principles of compromise, which would be met the concurrence of the gentleman, were, on the whole, as favorable as those adopted by the general assembly. Government were instituted among men, for the protection of life, liberty and property. His notions of the beautiful ideal of a representative government was perfect protection to persons in the branch and to property in the other. The greatest in the Virginia convention was upon this principle, and those who maintained it were denominated as aristocrats within that most aristocratic assembly. Individuals more democratic than himself, perhaps not less so than some of his constituents demanded white population as the basis of representation in both houses. The only objection he had to the principle which we are required to adopt, is that substitution of federal number for white population as the basis of the house of commons.

To those among his friends who doubted the necessity which exists for the protection of property in one branch, he begged leave to submit the consideration of a single fact. If red he had to the imaginary line so long regarded separating eastern and western interests, there were found 37 counties constituting the former and 20 counties the latter section. Divide the amount of taxation for 1833, paid by each section of the state, by the number of white souls it contains, agreeably to the census of 1830, and it will be found that each white person in the eastern counties pays into the treasury something more than 14 cents, while in the western counties, the proportion is less than eleven cents.—Those who contribute, should have proportionate control in the distribution. Under the constitution, they have this and more. If they pay cents, they abstract more than 16, and hence the necessity of a change. It is true that the vices of a community will influence the ratio of representation; but as billiard tables are found only in eastern counties, the objection might be urged with more force by others than the gentleman from Greene.

In conclusion, Gov. S. said, he was willing to accept the compromise offered by the legislature, and sanctioned by the press, if the duties of this convention, should be justly and wisely performed. It was the interest of all sections of the state that this should be done, and terminate forever, a boisterous controversy which convulsed the colonial assembly of 1746, and been the bane of legislation ever since.

He said, there was one who deprecated more than himself, the idea of an unlimited convention. But he assured gentlemen that if, by any arrangements of larger counties both sections of the state, or, if from any cause arising out of the peculiar principle upon which the convention is constituted, injustice shall be done to any large portion of the community, the struggle which we are involved in will not terminate with the existence of this body. The general sense of the people will impel the people to

The question was put on the motion to strike out from the resolution fixing the number of which the senate was proposed to consist, the word fifty, and negatived without a division.

The question then came before the committee for striking out the words one hundred and twenty from the resolution prescribing the number of the house of commons.

The president (Mr. Macon) rose & delivered his sentiments pretty much at large on the subject; but from his distance from the reporter, and owing to the low tone of voice in which he spoke, he was very imperfectly heard. In referring to the compromise which it is understood was made by members from the eastern & western part of the state at the session of the legislature which passed the act calling the convention, he expressed his disapprobation of all compromise and concealment. He disapproved of any plan of internal improvements in which the government was to take any part. All improvements of this kind, he said, ought to be the work of individuals, as they could always have it done at a cheaper rate than government. In noticing a remark which had fallen from some member, derogatory to the character of this state, he said, for his part, he had never seen a state in which he had rather live than in North-Carolina, nor any, where the people were in general more happy. There might not be so many two and four-horse carriages amongst them, but there were plenty of good horses. Nor so many splendid houses; but the people generally had comfortable dwellings and good plantations. The term Farmer he said, was seldom heard in North-Carolina, and he was glad of it, as it always indicated to him a state of tenantry—he preferred the term planter, which conveyed to his mind more of independency & plenty.

Mr. M. did not approve of the proposed plan of amending the constitution, and read a resolution which he said he wrote at home on the subject, but in so low a tone that he could not distinctly hear it. We believe it proposed to refer the whole subject to committees to be appointed in each county by the next general assembly. We presume he is opposed to biennial sessions of the legislature, as he quoted the following maxim from Mr. Jefferson: "where annual elections end, tyranny begins."

In the course of his remarks, Mr. M. observed that he believed all changes of government were from better to worse.

Gen. Welborn said, the question before the committee was on striking out the words one hundred and twenty, for the purpose of inserting one hundred. He trusted this motion would not be agreed to, the word fifty having been retained in the proposition fixing the number of members for the senate, it would be proper to confirm the number of one hundred and twenty reported for the number of members in the house of commons. These numbers were the highest prescribed in the act of assembly passed at the last session, which were fixed upon by way of compromise between the eastern and western members. The numbers were not thought sufficiently favorable to the west, but it was all that the eastern members were willing to accede to and was accepted by the west. This number of one hundred and twenty for the house of commons, he believed, would suit both the eastern and western members better than any other. He hoped therefore it would be agreed to.

Judge Daniel wished the committee to rise and report progress, in order that the convention might order to be printed certain calculations which had been stated to the committees to the effect which 120, 100 and some other number for the house of commons, would have upon the several counties.

This was objected to by several members as unnecessary, and calculated to obstruct the decision of the question; that every member would make his own calculations and vote accordingly.

Judge Daniel, after some other remarks on the subject, withdrew his proposition.

Mr. Dobson said, he came to the convention, in order to unite with the members from all parts of the state to carry into effect in good faith, the objects prescribed in the act of the 1st session. As it had been determined to have 50 members in the senate, which was the utmost limit of the act, he was in favor of voting for 120 in the house of commons. Had the senate been fixed at 34, it should have been in favor of 90 in the house of commons; though he would have preferred 40 members in the senate and about 110 in the house of commons. As these corresponding numbers between the two houses were those which had been fixed upon by the parties who were instrumental in passing the law under which the convention sat, he hoped the numbers would be agreed upon without opposition.

Gen. Speight advocated at some length his motives for striking out the words one hundred and twenty, for the purpose of inserting one hundred, and endeavored to shew, from calculations which he adduced, that 100 members for the house of commons would be a more suitable number than 120, and that he felt himself authorized to propose any number of members for the house within the limits of the act. It had been said, that unless the convention would agree to fix the number of 120 members for the house of commons, 50 having been agreed upon for the senate, the west would not accept of the constitution. He took this occasion of stating, once for all, that no threat of this kind would prevent him from performing what he believed to be his duty. He would take the consequences of his course, be what they may.

Gen. S. said he would have agreed with the gen-

constitution which has fixed the habits of the people, and that these feelings ought to be consulted in every step that is taken. If 120 was fixed as the number of the house of commons, he would enumerate upwards of twenty counties that would each be deprived of a member. This was not all. They would have no representative in the senate.

Gen. S. observed, that it had been remarked by the gentleman from Buncombe, in the view which he had taken of the manner in which many of the governments of the states are formed, that their senates consist of a smaller number of members than that fixed upon by this body for our senate in future. Does not the gentleman know that most of these senates are not like our legislature, but merely exercise revisory powers, and are judicial tribunals in the last resort. There is not therefore the same necessity that exists with us for a large number. Our form of government differs from most of the governments north of the Potomac. In the north, they have small senates and large houses of representatives. In the south, the number of the senate is much larger, and possess all the legislative powers of the other house.

Some remarks had been made in relation to the present condition of North Carolina, which had been very properly noticed by the venerable president of the convention. He asked in what respect had the state been disgraced? He had always felt proud whether at home or abroad, of being called a North Carolinian—here he wished to live, and here to breathe his last. Look at our judiciary; at our laws, at our university, which stands on a footing equal to any other institution in our sister states. He could see no reason, therefore, why any gentleman, representing the interests of North Carolina should thus speak of her. He looked on such representation with disgust.

The gentleman from Wilkes had spoken of the great emigrations which take place from this state. If he was correctly informed, they are equally great from South Carolina. Gen. S. said he could feel the gentleman what caused these great emigrations. It was the sales of the public lands which produced them. And the gentleman and his friends may make what internal improvements they please in the state they will have no effect in stopping emigration while the land sales continue.

With respect to internal improvements, no individual was more desirous of encouraging judicious improvements than himself, but he was against engaging in any large and extravagant schemes for this purpose, by the government. It was impossible that this state could vie with the state of New York in improvement. Nature has thrown obstacles in our sea-coasts that cannot be overcome. It is true we have a good harbor at Beaufort; but to make a rail-road from thence to the mountains would be incurring an expense that could never be repaid by the intercourse between these distant portions of the country. There might in the course of time be large quantities of produce and goods of different kinds, carried on the road; but there would be but few passengers, and it is well known, that without these no rail-road can be sustained.

Nor did he think that the proposed amendment to the constitution would be the means of effecting the internal improvements which gentlemen seem to expect. He could tell them what had principally prevented improvements from being successfully carried on in this state. We had constantly attempted to do too much.

On this ground it was, that he opposed the system. He was well aware, that there was not only an eastern and western interest in the legislature, but there was a Roanoke, a Cape Fear, and a New River interest, so that whenever any public improvement was proposed in one section of the state, it could not be carried without consenting to introduce projects in other parts. It was this species of log rolling that had prevented any thing from being effectually done to improve the state.

Gen. S. concluded his remarks, with calculation in justification of the number which he proposed for the future house of commons.

Gov. Swain was perfectly aware that some of the senates in the northern states exercised a judicial as well as a legislative power; but he could see no reason why, on this account their bodies should be less numerous than others who had not that power.

He noticed the inconsistency of the argument of the gentleman from Greene, who had said he was in favor of fifty, the largest number proposed for the senate, because it came nearest to the present number of that body; but when the number of the house of commons came to be fixed, he was opposed to 120 members, (the largest number proposed) in the house, though that of course came the nearest to the present number of that body.

The gentleman also complained, that if the number of the house of commons was fixed at 120, that many of the counties, would be deprived of a member but he ought to have known, that if 120 was adopted as the number, there would be still more in that situation, and if 100 was fixed upon, the number would be further increased.

Gov. S. went into a variety of calculations to show the propriety of fixing the number in the house of commons at 120 in preference to any other number, as the number of the senate has been fixed at 50. To adopt any smaller number for the house, would destroy the proportion to be before been agreed upon by gentlemen, and which was the compromise, and which was the