

DEBATE ON THE
CONVENTION QUESTION.

HOUSE OF COMMONS, DEC. 1821.

Mr. J. D. Jones could but admire the zeal and perseverance of the gentlemen who advocated the resolutions on the table, in so often obtruding them on the notice of the Legislature, after their having been so repeatedly rejected; it is a zeal worthy of a better cause. Did the same spirit manifest itself for compensating public officers, and promoting works of general public utility, North-Carolina might vie with the proudest of her sister states; we would not so long have had our feelings outraged by seeing the price of blood resorted to for paying the prosecuting officers of the state; and a petty tax on auctions made a revenue for compensating one class of judges, while the other, literally the hack-horses of the public, is without adequate compensation at all.

It was, perhaps, his misfortune to entertain very serious doubts, concerning the good policy, or the beneficial results to be calculated on from the passage of the resolutions on the table. To his mind, they were replete with mischief. To his mind, they bore within themselves, principles at war with the well-being of the community; that they were calculated to jeopardize the best interests of the country, the safety and happiness of the people.

It is an old, and well approved maxim, too, said Mr. J. to let well enough alone; or, to borrow the language of the venerable Jefferson, just quoted by the gentleman from Richmond, (Mr. Leak) "it is better to suffer even evils, while evils are sufferable, than to right ourselves by abolishing the forms to which we are accustomed." After having progressed thus far safely, and he might add happily, under our existing constitution, it really seemed to him a species of phrenzy, exceeding madness, to attempt to new model the constitution at this time. The business of renovating a government, was a task to which few were competent; it should be resorted to on the most pressing occasion only; it should be made the extreme medicine of a State, the last appeal of oppressed humanity. But, sir, to apply this harsh remedy, this strong dose of mercury sublimate, on trivial occasions, could not be justified on any principles of sound policy.

The evils complained of in the resolutions, are but of an ideal, imaginary nature; they appeared to him to have grown out of that restlessness of disposition inherent in our nature, that fondness for change and innovation incident to the characters of some men. It is human nature never to be acquainted with its own happiness: in the absence of real afflictions, we go in search of fancied ills. The constitution and the government under which we live, are as mild as meanness could wish them; and yet to hear gentlemen speak of their grievances, you would really suppose, that this was not the mild and rational government of North-Carolina, but the meridian of Asia and of Asiatic tyranny.

What are the mighty evils complained of? The most prominent among them is the inequality in the representation of the counties. We are told that the great county of Rowan, the *Monsieur Tonson* of the Legislature, magnified in importance almost to the Great Mogul; we are told, sir, that this mammoth county sends but three members to the Legislature, while each trifling county in the east sends as many, not advertent that they have little counties also in the west; for it is equally a fact of record, that they have counties in that section of the state, so thin in population, and lean in revenue, that they do not pay into the coffers of the treasury enough to compensate their members of Assembly.

Besides, the balance of population in favor of the west is not so very frightful; and when we take into view the comparative wealth of the east, the large amount of revenue paid into the treasury, the inequality between the importance of the two sections of the state is not very great, and he did not think gentlemen should envy the eastern members the little weight they had in the legislature.

But without insisting that wealth was any basis of representation at all; even admitting all that gentlemen contend for; even conceding there is the inequality complained of, still he denied it as a just ground for new-modelling the Constitution.

Is there not, asked Mr. J. a greater inequality in the representation to the national Legislature? Do not the petty

states of Delaware and Rhode-Island send as many Senators to Congress as the great States of Virginia, Pennsylvania, or of New-York? If the evil be tolerated in the General Government, much more is it to be suffered in a State Government. It is impossible, in the nature of things, to apportion political justice with mathematical precision; we cannot weigh it out in scales; there must be some preponderance, some inequality in the surface. Nature herself, the great mass of wisdom, is full of irregularities.

Every member of this committee must know, that the powers to be delegated to this body are of a dictatorial kind; that they are above law and above the constitution; but we are told there is no danger that they will exceed the bounds of propriety. Sir, we have no security for this; can gentlemen enter into a bond obligatory to the people, binding upon the Convention? Will any man dare to lay his finger upon a limit, and say to them, as God said to the waters, "Thus far shall ye go, and no farther?" No, sir; once constitute them, and they are supreme; once organize them, and no man dare prescribe them limits.

What is the temper, Mr. J. asked, of the present time? Will that temper justify a resort to the measure? He thought not. When our constitution was formed, there was no talk of eastern and western interest; our wise forefathers took a comprehensive, an impartial view of the whole ground, they therefore formed a constitution to suit the whole people, and not a section of them. Not so now. Ill blood and jealousies are stirring among us; every member will carry into this convention, as into a common stock, his private passions and his private partialities; each section of the state will have its local views to compass; the West will be arrayed against the East, and the East against the West; and out of these jarring, discordant elements, what kind of a compound of a constitution was to be produced, he was unable to tell; but feared the birth would be of the monster kind.

If, said Mr. J. the east has the exercise of the political power of the state, it must be acknowledged we use it with moderation. Have the western gentlemen evidenced the same disposition? Would they be equally moderate had they the predominance? He doubted it. For, sir, said he, even in this debate, with all their caution, unfortunate expressions have fallen from them, which sufficiently betray how little they are disposed to lenity in the exercise of power. Is it not common talk, that unless we surrender our opinions and our judgments to these mighty men of the West, these sword and buckler Myrmidons of the Mountains, that some modern Tamerlane or Attila from among them, would rise up and overwhelm the devoted land of the East? That they would literally, sir, sweep us from the tombs of our fathers? Really, Mr. Chairman, said Mr. J. menaces of this kind are less calculated to make an impression on the eastern section of the state, than arguments which have more temperance and moderation stamped upon the face of them. Menaces of this kind, sir, are calculated to irritate, not to soothe; instead of mitigating, they increase contumacy. It is an old and somewhat musty proverb, too, that "a child may lead a horse to water, but ten men cannot make him drink;" so it may be with us, sir; we may be persuaded into this measure, we cannot be coerced; we may be led, not driven. A little more than twelve months ago, he could not in his heart have believed, that there existed in the state of North-Carolina, a man so utterly lost to his interests—so utterly dead to all sense of moderation, as to suggest even the possibility that this question would be staked upon so ruinous an issue. I say, sir, said Mr. J. I could not in my heart have believed it; until about that period, my eye caught a paragraph extracted from a western paper, where an anonymous writer calls upon the people of the west to take up arms against the people of the east, and to drag them into a compliance with their measures, if other means will not prevail, and invoked the spirit of '76 to aid them. He would ask whether it was not the spirit of an incendiary, who applied a torch at midnight to his neighbor's dwelling, of an arch-fiend of hell, who delights to see brothers sheathing their swords in each other's bowels, rather than of '76, which produced such a publication? It is profane, sir, against the purest spirit that ever was an inmate of the bosom of man; it is profaning the spirit which built up the very constitution which we are striving to pull to pieces, and to scatter to the four winds of Heaven. Sir, said Mr. J. the framers of that instrument were patriots, friends to the liberties of mankind. They were men who had just been smarting under the lash of European oppression—they were men who felt for their posterity, what a father feels for the child of his bosom. In the genius and spirit of liberty, they formed that charter of our rights; they handed it down to us as a rich inheritance, which we, like prodigals, would wish to squander, and to substitute—*What?*—no man knows. The womb of time can alone disclose the birth. But to say the most of it; it is a substitution of our own short-sighted views—our interested local prejudices, for the venerable and impartial work of our forefathers.

Mr. Chairman, said Mr. J. I am not one of those who entertain such a superstitious veneration for the works of antiquity, as to deem them too holy to be touched by the hand of man. Yet, sir, I really do entertain for them such a veneration, that unless I see very flagrant abuses growing out of them, unless I see them entailing curses where benefits were intended, I am the last man in the world that would lend a hand to their subversion.

Feeling, and believing, therefore, as he did, on this momentous question, that the adoption of the resolutions was calculated to jeopardize our best interests; that the evils complained of were but of an imaginary nature; and that the powers to be delegated to this convention were of too alarming a nature to be entrusted to men, except called for by the most pressing necessity, he felt it a paramount, an imperious duty to give his vote against the Resolutions. (Debate to be continued.)

CONGRESS.

HOUSE OF REPRESENTATIVES, APRIL 5.

Mr. Walker, of North-Carolina, moved that the house do come to the following resolution:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of granting a bounty of land to the non-commissioned officers and privates who enlisted and served twelve months during the late war with Great Britain, and who by existing laws are not entitled to receive any bounty in land.

In offering his resolution, Mr. Walker observed, that he was not free from apprehensions that it might be unavailing, and had to regret that he could not make more favorable calculations on the result, and he almost anticipated some objections to its adoption; not on the ground of principle, for it was evidently a subject worthy of inquiry, and demanded attention; but his fears arose from past experience, this being the third Congress in which he had made the same effort to effect a measure so equitable in its operations. And since his commencement as a member of this house, he had always viewed it as a radical defect in our military regulations, and ever entertained a wish for a more liberal policy; yet the attempts he had made, though unsuccessful, had by no means altered his opinion or abated his zeal in the pursuit of that which he felt to be his duty, in soliciting a claim of moral right and equal justice to every soldier; and the present Congress being composed of some new materials, many new members, perhaps with new opinions, had induced him on this proposition to hope for better success. The object of this resolution was to present to this house and to the nation the great inequality that has, and does now exist, in rewarding the services of the different classes of military men; soldiers who enlisted during the late war, in full confidence of obtaining a bounty of land from government, which was promised, and now denied to a part of them. By the existing laws, or rather by the construction of those laws by the officers of government, great injustice arose as it regards the rights of a certain class of military men. And we who are here, said Mr. W. in our legislative capacity, for the purpose of administering equal and indiscriminate justice to all our citizens, are morally bound to keep open doors; not give to some and withhold from others who have an equitable claim on government for military services, and who are truly sufferers by the war. A number of our citizens, advanced in life, who had families, enlisted for five years during the war, and continued in service some one, two, or three years, when impelled from the impulse of filial affection and care of their families, they procured substitutes, for which they gave more than their bounty and wages, and returned home. Now, the question is, or ought to be, Who is responsible for the performance of the substitute, the government or the original soldier? Mr. W. had always understood that, according to strict military rules, when a man was received in place of another, by the commanding officer, the original soldier, having no control over his future conduct, was exempt from any further accountability for his service. It was so in the revolutionary war, and he believed, the true discipline in all nations, although it had been otherwise considered in the late war. Another class who were enlisted were minors, who continued in service some of them near the expiration of their time, and were discharged at the request of their parents or guardians, as being under age. Sir, by the present system both these classes, the old and the young, are excluded from a bounty of land with their fellow-soldiers, although they rendered the same service, performed the same duties, encountered the same dangers, faced the enemy in the frozen regions of the north, marched to the sultry and sickly climate of the south, fought our battles, gained our victories, suffered all the privations of a military life, and, after having sustained innumerable hardships, done ninety and nine good turns in the service of their country, should, through misfortune, fail by the misconduct of their substitutes to fulfil the last day's duty, must be refused their rights, go unrewarded, and turned off as cast-aways! This hard measure operates severely on the feelings as well as the interest of that class of our fellow citizens.

They may well exclaim, in the language of the poet,

Oh cease! forbear to give the fatal stroke,
And wound the heart that is already broke.

Sir, I am gratified in being able to assert, that I believe the district I represent has furnished more soldiers, during the late war, than any other section of the Union, in proportion to its population; among whom are some of that unfortunate description I have here noticed, who returned from the army, their health impaired, their constitutions broken, their families made poor by their absence, and now without redress, unless government should reward them with a bounty of land in proportion to their services. The recollection of past events often arrest our sensibility, and teach us to feel for others what we have felt ourselves in the old war. Let us, then, turn aside from the smooth and flowery paths of peace, in which we are permitted to tread, and view the toilsome march of our fellow-citizens through the dreary deserts and the storms of war, and, of all on earth, let the soldier be the last man who would have cause to complain of the injustice of his country. The object of this resolution is not to unbosom the Treasury and remunerate them out of the funds of the nation—but to give them a bounty in land, plant them in soil, allow them a lot of inheritance among their brethren, a home—a place for the old to lay his head, and the young to raise his family for posterity. In making these remarks, I trust I shall not fall under the suspicion of one who would lightly or wantonly be disposed to waste or misapply the public money. No, sir; the state of our finances requires the utmost economy; but I would not, nor could I, withhold either the one or the other from any of our citizens who have justly earned it by the sweat of their brow, or, what is much more precious, the spilling of their blood. Sir, we have already provided a pension for the old war-worn debilitated soldier of the Revolution, as a crutch to support him to the brink of the grave, and something to the disconsolate widow of the militia of the late war, and what remains but to do justice to these unfortunate soldiers—the only chasm in the military system? Grant them land, fill up the breach, and then, and not till then, will the rewards of your system be complete.

The question was then taken on agreeing to the said resolution, and decided in the negative.

On motion of Mr. Long, of N. C. the house then took into consideration the bill to revive and continue in force certain acts concerning allowances for pensions upon a relinquishment of bounty lands.

Mr. Long was in hopes that the bill would not meet with much opposition. If it ever was right (which we believe it was) to pass the law, it was right that all should equally have the benefit of it as intended. To this end it would become necessary to revive the law, as it had now expired, before they all had applied. If, however, gentlemen felt any disposition to vote against the bill, he hoped they would reflect, and see the situation of those poor widows and children as it would be if the house refused to pass the bill. Congress, said he, has heretofore passed a law which held out to them some relief. We may naturally suppose that they have applied as soon as they knew there was a law for their relief; but, to apply effectually, it not only required some time, but was attended with considerable expense in getting their papers in due form, which was done generally by professional men; a class of men who are in the habit of being well paid for their services. In some cases the expense was more than those applicants were able to bear—and, after they have expended every cent they were worth in setting forth their claim, they are informed that the law has expired, and that they are not now entitled to what was intended for them, merely because they have not applied within a certain day. It cannot be expected, said Mr. L. that a poor woman and children, settled down on some remote corner of the earth, constantly engaged at home in procuring bread, could know any thing about the operation or existence of the laws of Congress. He hoped, therefore, that the circumstance of their not applying before the law expired, would not be urged as an objection to the passage of the bill, and that we should not be found ready to snap at this little advantage that may be here taken of the poor and ignorant. He was as much opposed to an improper expenditure of public money as any member of this house, and would go as far as any gentleman in his opinion ought to go, to bring our expenditures within the amount of our revenue, which he conceived to be the indispensable duty of this house; but he could not consent to begin here, and withhold this pitiful sum from the widow and fatherless, who have lost him who ought to have been their protector, while engaged in the service of his country and protection of our lives and liberties.

The bill was thereupon ordered to be engrossed for a third reading.

And, on the next day, the bill was read a third time, and passed.

Mr. Cocke, of Tennessee, laid on the table the following resolution;

Resolved, That a select committee be appointed, whose duty it shall be to sit in the recess of Congress, and inquire into the affairs of the several departments of the government. That said committee have power to send for persons and papers; and that they be required to make report to Congress at an early period of the next session.

Mr. Patterson laid on the table the following resolution:

Resolved, That the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, be required to report to this House, on the first day of the next session, the number of superintendents, assistants, deputies, comptrollers, auditors, clerks, and messengers, retained in their respective Departments, and whether any of them, and if any, how many of them, are unnecessary, inefficient, superannuated, or engaged in other pursuits or professions in no wise relating to the public service; and also, whether they cannot adopt a more efficient as well as a more economical organization of their respective Departments.

MISCELLANEOUS.

SEASONABLE ADVICE.

A correspondent (says the Boston Palladium) strongly recommends the more free use of *Sage*, as a corrective of coldness in the stomach, and indigestion, promoting a suitable appetite, improving the sight and hearing, and generally conducive to health and long life. These statements are supported by references to ancient writers, and instances of longevity.

"The best preparation," says the Edinburgh Dispensary, "is the infusion of the dry leaves drank as tea; or a tincture or extract made with rectified spirit, taken in proper doses; these contain the whole virtues of the sage; the distilled waters and essential oil, only its warmth and aromatic quality."

To preserve Turnips from Insects.

First—To a quart of turnip seed, add one ounce of brimstone finely powdered; put them into a bottle large enough to afford room to shake them well together, every day, for four or five days previous to sowing, keeping it well corked. Second—Take such a quantity of clover leaves as when bruised will yield Juice sufficient to cover the turnip seed you intend to sow, in which let it soak about twelve hours; the next day mix it with the bruised leaves, and sow all together.

Shearing of Sheep.

The following method has been found effectual. Immediately after the sheep are shorn, soak the roots of the wool that remains all over with oil or butter and brimstone; and three or four days afterwards wash them with salt and water, and the wool of the next season will not only be much softer and finer, but the quantity will be greatly enlarged; and the sheep will neither be troubled with the scab or vermin that year.

A species of Wild Sheep have been found near the sources of the Missouri and Columbia Rivers, whose wool is remarkably soft, fine and delicate, resembling the hair of the famous Cashmere goat.

Rats and Mice.

A plant which grows in every field, called the Dog's Tongue, the *Cynoglossum ossicinate* of Linnæus, has been found to possess a very valuable quality. If gathered at the period when the sap is in full vigor, bruised with a hammer, and laid in the house, barn, granary, or any place infested by rats and mice, those destructive vermin will shift their quarters immediately. The success of this method is equally speedy and effectual, and worthy the experiment of every person.

N. H. Gazette.

WEATHER GUESSES.

Before rain, swallows fly low; dogs grow sleepy, and eat grass; waterfowl dive much; fish will not bite; flies are more troublesome; toads crawl about; moles, ants, rats, bees, and many insects, are very busy; swine, sheep and cattle are uneasy, and even so is the human body; cocks crow on the ground, tame geese gabble, pigs run with bushes in their mouths, lights burn blue, corns become troublesome, and broken bones ache.

Proverbs on the Weather.

If red the sun begins his race,
Expect that rain will fall a-pace.
The evening red, the morning gray,
Are sure signs of a fine fair day.
If woolly fleeces spread the heavenly way,
No rain, be sure, disturbs the summer's day:
In the waning of the moon,
A cloudy morn—fair afternoon.

The name of Cobbett's new paper is to be the "*Gridiron*." The Providence Manufacturers' Journal thinks it a very proper title, if the object is to promote broils.

A new paper has been commenced in Clarksburg, (Va.) entitled the "*Rattle-Snake*." Our wonder ceases now at Cobbett's "*Gridiron*."