



STATI JUSTITIA SEQUITUR

Salisbury:

JANUARY 25, 1831.

Review of the proceeding of the legislature of 1830-1.

In our last we mentioned that the legislature had closed. During the session, 40 public acts, which were published last week, 117 private acts and 43 resolutions, some of which will be found in another column of our paper to-day, making in all 202 acts and Resolutions, were passed.

In looking over the whole list of these acts, there are but few that strike us as being of very great importance. Among the most important is one which we briefly noticed in our last, it is,

"An act for the relief of the University."

The 41st section of the constitution of the State in the following words—"That a school or schools shall be established by the legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and, all useful learning shall be duly encouraged and promoted, in one or more universities."

Thus we see, by the constitution, it is made imperative on the Legislature to encourage useful learning, by the establishment of schools and universities. Accordingly in the year 1789, the Genl. Assembly influenced, no doubt, as well by this injunction, as other elevated motives, passed an act establishing the university of N. Carolina, and incorporating the Trustees thereof. At the same session, they endowed the institution, with a gift of such property as might, from time to time, becheat to the State, a few years afterwards the Legislature loaned to the Trustees the sum of ten thousand dollars which was afterwards relinquished to the institution as a donation. This is all that the State ever has done for the university until the Session just closed, which passed the act above alluded to. This loan will enable the institution to relieve itself from pending Executions, and also to pay off the debts due the Banks.

We think that the Legislature did well, that they acted wisely, and patriotically to arrest the downfall of the only literary institution in the State of any note or celebrity; and one too which has acquired for itself and its able and venerable President a reputation so deservedly high. We hope this reputation may increase until the university shall have acquired a stand second to none in the Union. We could have wished that they had done more,—that they had followed the example of some of our sister States and have taken the institution under the special care and patronage of the State; and that they had reduced the price of Tuition to a mere nominal sum, and placed the whole concern on a footing so as to put it in the power of the poorest young man in the community, to obtain the blessings of an education.

When we reflect that the very existence of our government depends on the intelligence and virtue of the people, the Legislature could not be better employed, than in encouraging useful learning, by the establishment of Schools according to the solemn injunction of the constitution. Say what people may ignorance is the radical cause of our depressed condition and it can only be ameliorated by the diffusion of intelligence which always excites enquiry among the people that never fail of being attended with results the most beneficial.

The next subject which claims our attention, as well on account of its importance as the excitement which the cause for its enactment has created is,

"An Act to prevent the circulation of seditious publications and for other purposes."

We understand that the introduction into this State of the famous Walker Pamphlet gave rise to the passage of this act, and of some six or eight others, or branches of the same subject. We believe that circumstances called for some legislation upon these subjects, but there is always danger of going too far when men are under excitement; we wish however to be understood not as intimating that they have gone too far in the present case.

It has been very confidently predicted that "friend Swain" Editor of the Greensboro Patriot will fall the first victim to the new law on the subject of seditious publications. It will certainly mortify us very much to see one of the "Editorial Corps" dangling in the air, or in plain English—hanged. For the credit of the corps we hope he will take timely warning and correct his "ca-co-log-y" as Doct Pangloss says; if he does not, and they ever catch him about the "flats of Wilmington," we will under-stand for him, that he will never issue any more "Seditious publications."

We will next notice,

"An act to repeal the 2d Section of the act of 1806 to review the militia laws of this State."

This is nothing more nor less than the famous "quaker bill," so much talked of. Henceforth quakers must either muster or pay an equivalent annual tax of \$2.50. There is now no state in the union where the quaker can find an exemption from militia duty.

"An act to prohibit the circulation of the

od, had not reported upon it, on account of some papers containing valuable information respecting the matter having been mislaid; but they were now recovered, and a measure would be based upon them. Mr. Verplanck, from the Committee of Ways and Means, reported the Navy appropriation bill for the service of the year 1831; and, after a first and second reading, it was referred to the Committee of the Whole on the state of the Union. Mr. Jones moved a re-consideration of the vote of the House on his motion, that the House should no longer attend the Senate chamber, in a body, on the trial of Judge Peck. The re-consideration was directed, and a discussion followed; but before a decision was arrived at in the question, the hour for the consideration of resolutions elapsed. On the motion of Mr. Richardson, the committee on Revised and Unfinished Business was instructed to inquire into the possibility of expediting the public business. A message was received from the President, transmitting copies of the correspondence, and other documents connected with the negotiations for the renewal of the West India debt; and, on motion of Mr. Cassellogh, they were referred to the Committee on Commerce, and 6,000 copies ordered to be printed.

RESOLUTIONS.

A Caption of a Resolution, passed by the last Genl. Assembly of this State, as are of general interest or of interest to the people of this section of the State.

A Resolution authorizing the committee of Finance to burn such Treasury Notes as are unfit for circulation; Authorizing the committee of Finance to employ a clerk; In favor of the legal representatives of the late Chief Justice Taylor; Authorizing a loan of arms to Daniel H. Boggs; Concerning the Literary Fund. [Authorizes the Treasurer to enter on the books of the Literary Fund a certain sum due from the estate of John Haywood.] Directing the Governor to transmit to our members of Congress copies of the resolution on the subject of re-opening Roanoke Inlet; Instructing the Public Treasurer relative to the 500 dollars returned by D. L. Seain; Approving W. R. Hill Librarian; Directing W. N. Roberts, late Treasurer, to be credited for the amount of Treasury Notes burnt; Directing a copy of the State documents to be deposited in the Executive office, &c.; In favor of John M. Rice. [Requires that the Public Treasurer shall not bring suit on his bonds before December next, unless the safety of the debt should otherwise require.] Relating to the claim of the State against the United States. [Requests our members of Congress to urge a speedy payment of said claim.] Authorizing repairs to the Government House and Capitol; An authorizing the Public Treasurer to draw upon any of the public funds, provided the charges of government require the same; For the publication of certain documents. [Directs the Governor to have published in pamphlet form the documents relative to the Declaration of Independence by the citizens of M. ckenburg and others in this State.] Directing the State Librarian to purchase twelve copies of the Journal and Debates of the Federal Convention and State Conventions, and to discontinue the subscription for the North American Review.

Tuesday, Jan 4.

Mr. Storrs, of New York, from the Committee on the Judiciary, reported a bill enabling marshals of the United States, who had not made their returns of the enumeration of the inhabitants of their respective districts on the 1st of Dec. last, the time prescribed by the law of last session to do so by the 1st of June next. It appeared that three cases of this character had occurred; one in Tennessee, one in Indiana, and one in the city of New York. It was ordered to be engrossed and read a third time. The bill to establish a uniform militia throughout the United States, was, on motion of Mr. Thompson, of Georgia, committed to the Committee on the Militia. The House decided, on a division by yeas and nays, by a vote of 117 to 69, to dispense at present, with attending in the Senate chamber, on the trial of Judge Peck. On motion of Mr. Carson a resolution was adopted, appointing a select committee of five, to inquire into the expediency of establishing an assay office in the gold regions of the South; after which, the House went into Committee of the Whole on the state of the Union, Mr. Peck in the chair, on the bill making appropriations for Indian treaties, and for arrearages in the Indian Department, which passed the committee and were reported to the House, which afterwards went into the special order of the day.

FROM THE CHRONICLE AND ADVERTISER.

A NEW YEAR'S GIFT.

How those who are not to live the year out, may be their own administrators.

1. Post up your books to this day, and be careful to see that all accounts that have been paid are balanced on your Ledger.

2. Where you have an unsatisfied account of more than one year's standing, and there is a bill against you, and you don't know the amount, get it immediately, credit it and strike the balance.

3. If the balance is against you, pay it without delay; if in favor, and you cannot get your pay, be sure to make a settlement by taking a note.

4. If you have any long standing accounts, don't flatter yourself that your debtor is an honest man, and will do what's right—ten chances to one but he will tell your Administrator that he knows nothing about it, or if he acknowledges it, will present a set off which will overgo your demand—every day's experience proves this.

5. Be sure to close all accounts with persons of doubtful complaint called in solvency; for be assured that such men will have a heavy bill against your estate; it matters not whether you owe them; depend upon it every receipt you get from them will be worth one hundred dollars to your heirs.

6. Reader, your life may not continue 48 hours, therefore, if you have any matter of honorary obligation, discharge it before you sleep, if you can.

7. Finally, if you have any matter in dispute settle it, or refer it to arbitration, else sue or be sued without delay, always bearing in mind that you know much more about the matter than those who will come after you.

Reform.—In the Navy Department when under the direction of Mr. Southard, the expenditures always overrun the appropriations—and Congress was called upon at each meeting for additional appropriations to cover the deficiency.

Under the agency of Mr. Branch, we find, that the appropriations for the Navy, have been found more than sufficient for the expenditures, and there will remain an unexpended balance probably exceeding one million of dollars, saved by an economical and legal disbursement of the public money.

pike Road, passed in 1826; Appointing commissioners to view, mark and lay off a road from the neighborhood of Fort Defiance, across the Blue Ridge, to the turnpike road at or near the Three Fork Meeting House in Ashe county.

PRIVATE ACTS.

A Caption of such Private Acts, passed by the last General Assembly, as are of interest to the people of the Western section of the State.

An act amending the act of 1828 to appoint commissioners on a part of the road from Manginton to Avery's turnpike road; Authorizing the county court of Lincoln to designate the time and places in said county where personal property shall be sold; Amending the act to alter the time of holding two of the county courts of Lincoln; Repealing the act of 1821, to increase the number of jurors in the superior courts of Lincoln; Altering the time of holding the county courts of Ashe; Repealing the act of 1823, concerning the public lands in Haywood county, so far as respects buildings on said lands; To prevent the falling of timber in or obstructing the channels of certain water courses in Lincoln county; Concerning the county courts of Iredell; Concerning the county courts of Rowan; Appointing an additional place of public sale in Rutherford county; Repealing the act of 1829, to divide the regiment in Macon county; Concerning the poor of Stokes county; Appointing commissioners for, and incorporating the town of Rockford; Amending the act of 1828, to appoint commissioners on the road from Watauga in Ashe county, to the head of John's river in Burke; Concerning surveys in Macon county; To amend the act of 1829, authorizing the county court of Burke to appoint commissioners to view and lay off a turnpike road from the Lincoln line to Mull's Mill, passing through the Laurel Gap of the South Mountain; Reducing the number of jurors to lay off roads in the county of Macon to five freeholders; For the better regulation of the county courts of Haywood; Authorizing the county courts of Lincoln, Haywood, Brunswick, Pitt, Macon, Northampton and Hyde to appoint committees of finance; Supplemental to the act of 1826, for the better regulation of the town of Concord; Incorporating the Fayetteville Rail Road Company; Directing the sheriff of Macon county to pay over certain monies therein mentioned; Concerning the militia of Iredell county; Authorizing the county court of Stokes to regulate the compensation of court officers; Amending the act of 1820, authorizing the county court of Rowan to hold a court of probate; Establishing a superior court of law and court of equity in Macon county; Appointing commissioners to superintend the building of a court house in Burke county, and for other purposes; Altering the time of holding two of the county courts of Rutherford; Providing for the compensation of certain jurors in Haywood county; Amending the act, entitled an act to amend an act to establish and regulate a turnpike road in the county of Haywood, to be called the Tennessee River Turn-

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undertaken; for, from this chair, I have known no man, but as a member of the House of Commons.

We are about to separate, many of us, no doubt, never to meet again. There is something melancholy in the thought, and to me it would be painful, but for the accompanying reflection, that we are returning to our constituents, and each to his own fire-side and domestic circle. There is something, too, interesting and cheering in witnessing this practical operation of one branch of our political system, and in contrasting it with what is now going on in the governments of other nations.

While Europe is tremulous through-out her whole extent—her governments standing on the brink of moral volcanoes quaking with fear and trembling with apprehension—her Legislatures, such only in name, assembling amidst the cries of the people, the roll of drums, and the din of arms—what is our happy condition? We, the representatives of the people of one of the Sovereign States of this great Confederacy, have met together in peace, and in harmony, have legislated on the wants of our constituents, and now are ready to fall back, and be lost in the great mass of the people—having aside our brief authority with as much ease as the way-faring man throws off his cloak at the close of day. If, at times, small excitements spring up among us, what are they but the breeze of health that scatters the mist, & purifies our political atmosphere?

We owe these blessings not less to the virtue and patriotism of the present generation, than to the wisdom and valour of those who went before us, and above all, to that beneficent Being, who holds nations in his hand, and with a breath rules the destiny of empires. That this may long be the condition of our beloved country, may Heaven vouchsafe to grant.

Before I bid you adieu, I must thank you for the indulgence and kind forbearance extended towards me during the whole of this long and laborious session; and if, in the course of my duties, I have said or done ought to wound the feelings of a single member, I pray you to believe it was done without intention.

That you may reach your homes in safety, and find all well, is the fervent wish of my heart.

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long series of encroachments on our rights have evinced a determination to abrogate and destroy the excellent Constitution under which the Union exists, and by which alone it is and will be preserved, it will then become the duty, as well as the right of each State to interfere for the preservation of the Union—a Union for which all profess, and it is hoped, cherish the fondest affection.

To deny that a law passed by Congress, in open violation of the Constitution, is void, and to deny to a State the right to treat such a law as void, and exercise under the Constitution, the rights reserved to the States by that instrument, and affected by such a law, would in the opinion of the undersigned, be tantamount to a denial of the principles on which the Constitution itself is founded. Many cases may arise in which a right reserved to a State, under the Constitution, may be constitutionally exercised by the State, although the exercise of such right be prohibited by a law passed by Congress in violation of the compact. An attempt on the part of Congress to interfere with the relation between master and slave, a relation recognised by the Constitution, and regulated and sustained by several States, under rights reserved to them under the Constitution, would present a case in which the right would clearly and undeniably exist and in which it would be the imperative duty of a State to interpose so far as to arrest the progress of the will, and thereby to preserve the Constitution itself, as well as to provide for the safety of the parties to it. Again—an attempt might be made by Congress to impair the sovereignty of these States, by prescribing the places in which their Legislatures should convene to elect their Representatives in the Senate of the United States. Can it be denied that the Legislature of any State would have a Constitutional right to assemble at any place it might select, different from the place designated in the law of Congress, and that a Senator elected at such a place would be, under the Constitution, entitled to his seat in the Senate of the United States? Would a State, so disregarding and nullifying such a law, be exercising the right of revolution? Certainly not. It would be merely acting under a right reserved to it by the Constitution.

Many other cases might arise; but although the undersigned claims for the States the Constitutional right thus to interpose; yet he only claims it for them in extreme cases, when the lives and liberties of their citizens would be endangered, and their own sovereignty jeopardized; and he would deprecate its exercise by them except on "occasions deeply, essentially affecting the vital principles of this political system." He is too warmly attached to the Union, cemented as it has been in the blood of our forefathers, and consecrated by the many holy recollections that surround it, he is too well aware of the disasters and fatal consequences that would flow from its dissolution, to desire to see the rights exercised except in cases in which submission to usurpation would be equally as fatal to our liberties and the hopes of man as the consequences of disunion. He ardently hopes that every State in this Union would "suffer while evils are sufferable," rather than resort to this remedy, which however perfect our right under the Constitution to resort to it may be, might tend "to abolish the forms to which we are accustomed." But should the time ever arrive when "a long train of abuses and usurpations, pursuing invariably the same object, shall evince a design to reduce" the citizens of this Republic "under an absolute despotism," it will then become the duty of the States to exercise their Constitutional right, and endeavor to "arrest the progress of the evil and maintain within their respective limits the authorities, rights and liberties appertaining to them." And if, in the discharge of such a duty on their part, the fair fabric we have reared to Liberty shall be overthrown, and with it the hopes of mankind, let the execrations of posterity rest on the party that usurped the power, not on the one that exercised the right.

(Signed) CHARLES G. SPAIGHT,
of Newbern.

House of Commons,
8th January, 1831.

On motion of Mr. Singleton,
Received unanimously. That the thanks of this House are due, and are hereby presented to the Honorable Charles Fisher, Speaker thereof, for the able, impartial and dignified manner in which he has discharged the duties of the Chair during the present session.

Whereupon the Speaker made his acknowledgments to the House in the following appropriate address, and then adjourned the same *ere die*.

Gentlemen of the House of Commons,—The resolution which you have just adopted, in such flattering terms, approving of my conduct as presiding officer of this House, fills my bosom with the warmest emotions of gratitude. I am too sensible of my deficiencies, for a moment to fancy that I merit all the resolution would express; but so far as it speaks of my impartiality, I feel that it is not