

want is power. This is unkind in our opponents. Why suspect us of an impure motive, when we can give open, fair, and unanswerable reasons for desiring a Convention.

No, sir, we are not seeking after power, we are only asking for equal rights.

We wish a convention, because we know that the Constitution is defective, and requires amendment.

A government to be just, and Mr. F. should be equal in all its operations; its benefits and its burdens should fall equally on all, the object is the good of the people, and the rights of the people are equal.

As I before remarked, I deprecate the division of this question into Eastern and Western, but as some who have preceded me in the debate, have taken that view and have urged that the Western counties have no cause to complain, let me meet them on their own ground with a plain calculation or two.

I. VIEW—White Population.

Western Counties, contain 261,697 souls, send to Legislature 81 members. Eastern Counties, contain 197,465 " 111 members.

The Eastern Counties with 55,664 white souls less send 30 members more, than the Western Counties.

II. VIEW—White and Black Population.

Western Counties, 372,424 souls, 81 members. Eastern Counties, 346,522 " 111 members.

III. VIEW—6 Large and 24 Small Counties.

Orange, Lincoln, Rowan, Buncombe, Guilford and Rutherford, contain a population of 106,174 souls.

Tyrrel, Lenoir, Washington, Columbus, Jones, Haywood, Macon, Hyde, Greene, Carteret, Camden, Brunswick, Ashe, Onslow, Moore, Gates, Bladen, Perquimons, Cabarrus, Hertford, Martin, Nash and Richmond, in all 24 counties, contain a population of 101,925 souls.

24 Small Counties, 101,925 souls, send 72 members. 6 Large Counties, 106,174 " send 18 " 54

Here we see a population of 101,925 souls, in some parts of the State, send 72 members to the Legislature, while a greater population, in other parts of the State, send only 18 members, or 54 less.

IV. VIEW—10 Large Counties contrasted with 10 small ones.

Burke, Buncombe, Guilford, Lincoln, Rowan, Orange, Stokes, Lenoir, Mecklenburg, Cumberland, Rutherford, Camden.

10 Large Counties, 141,318 souls send 80 members. 10 Small Counties, 83,326 souls " 80 members.

107,992 difference.

Here we see a population of 141,318 souls, in one part of the State, send 80 members to the Legislature, while 83,326 souls, in another part of the State, send just the same number; one man in the 10 small counties, has the political weight of 4 men in the 10 large counties.

There are 23 counties, all in the East except two, which contain only 21,405 white souls, and there are 6 counties in the West, which contain 92,305 white souls.

The 21,405 souls in the East, send 69 members, while the 92,305 souls in the West, send only 18 members, or 51 less. In the 23 counties every 1,333 souls send one member; in the 6 counties every 5,111 send one member, or one man in the 23 counties has five times the political weight of one man in the 6 counties.

But it is said, that population alone is not the true basis of representation. I admit it; I hold, that property should be felt as well as population. In peace and war, property supports Government, as well as population, and one of the great objects of Government is to protect property. The true basis therefore, is property and population combined on some just and fair arrangement. On this principle, therefore, let us see if the Constitution is just, and our representation equal.

V. VIEW.

The counties of Cumberland, Lincoln, Rowan, Orange, Edgecombe, Mecklenburg, Granville, New-Hamover, Wake, Halifax, Northampton and Craven, pay taxes, \$24,105.89.

The counties of Ashe, Brunswick, Beaufort, Jones, Lenoir, Carteret, Currituck, Camden, Onslow, Tyrrel, Columbus, Hyde, Haywood, Washington and Greene, pay taxes, \$6,984.55.

18 counties paying \$6,984.55 send 45 members. 12 counties paying \$24,105.89 send 36 members.

Difference, 17,140.34 9

If taxation was the basis, the 15 counties would have 20 members, or 25 less than they now have, and the 12 counties would have 69 members, or 23 more than at present.

If taxation and population combined, formed the basis of representation, then the 15 counties would have 19 members, or 27 less than now, and the 12 counties would have 60 members or 24 more than now.

VI. VIEW.

The 10 large counties named in View 4, pay \$16,735. The 10 small counties there named, pay 5,563.

Difference, \$11,172

White population, on principles of equality, would give the 10 large counties 69 members, they now have 30; would give the 10 small ones 14 members, they now have 30.

Taxation and population combined, would give the 10 large counties 53 members, or 23 more than now; 10 small counties 18, or 12 less than now.

VII. VIEW—Expenses of the State Government.

Total expense of the State, \$81,779. Which gives to each county, \$1,979.

Now there are 45 counties out of the 64, which do not pay their portion of expense, that is, each county costs the State \$1,979—and there are as many as 45, neither of which pay the amount, yet those 45 counties send 135 members out of 195.

There are 14 counties that do not pay their part of the expenses of the Legislature alone, or do not pay their own members with incidental expenses, and yet these 14 send 43 members, or really one fourth of the whole.

VIII. VIEW.

The expense of each county to the State is \$1,979. Columbus, Hyde and Tyrrel, paid last year into the Public Treasury, \$1,144.50 all three less than the charge of one to the State.

Asd Currituck and Carteret, and the 5 will pay \$2,085, not as much as Wake alone, and yet they send fifteen members, while Wake sends only three.

IX. VIEW—Congressional Districts.

6 Eastern Congressional Districts, have a population of 174,929 souls—pay \$6,216 dollars, and send 103 members. 6 Western Districts have a population of 265,991 souls—pay 27,998 dollars, and send 87 members.

On a mixed basis, the 6 Eastern Districts would be entitled to 86 members, and the 6 Western, to 65 members.

X. VIEW—Population of 4 Small and 4 Large Counties compared.

Table with columns for County, White, Total, and another Total. Rows include Brunswick, Chowan, Columbus, Washington, Lincoln, Rowan, Orange, Mecklenburg.

There are 18 counties in the State each containing a larger population than these 4 small counties, and 8 others, each containing an equal population.

If Columbus is entitled to 3 members, then on the basis of equality the 4 larger counties above named would be entitled as follows:

Table with columns for County, White, Black, and Mixed. Rows include Lincoln, Rowan, Orange, Mecklenburg.

Thus we see whether you take White population, or White and Black, or Taxation, or Taxation and Population mixed, it is equally clear that our representation is unequal in the highest degree.

Let us see how it stands in point of effective force, according to Militia returns:

Table with columns for County and Militia. Rows include Perquimons, Carteret, Greene, Brunswick, Columbus, Halifax, Jones, Washington, Tyrrel.

9 Counties with a militia of 3,994 men, send 27 members.

Table with columns for County and Militia. Rows include Lincoln, Mecklenburg.

2 Counties with a Militia of 3,909 men send 6 members. Rowan contains 1,683, Stokes 1,692; even youthful Macon 726 Militia.

And here, said Mr. F. let me drop a word in answer to what had been said in the course of the debate, as respects the small sum paid by Macon. Why is it that Macon does not pay more? Because you keep her lands out of market. Let the laws respecting that country be once settled, and those lands brought into market, you will soon see Macon appear not only strong on her feet, but also on the tax list. In fact, as it is, Macon has paid more money in the Public Treasury than three fourths of the counties. She has paid fully \$140,000. Even as Macon now stands, with her hands tied up by bad policy, let but the county stand in need of strong arms and stout hearts, and no where will they be so eager found than in patriotic Macon.

Mr. F. said, he held in his hand several other calculations, to show the inequality of our system, but he thought he had exhibited enough. If these were not sufficient to make out the case, he would give it up; but he thought all would admit, that these views show the great defects of the Constitution, in one particular at least, and the consequent necessity for a reform.

Mr. F. said, he was not one of those, if there be any such, who believe there are no good parts in the Constitution; on the contrary, he was deeply attached to it, and if it were cured of its defects, he thought it a most admirable Constitution.

That it should have defects ought not to be a matter of wonder, when we recollect the times in which it was framed. North Carolina was one of the first Colonies to stand up for her liberties, and establish an independent government for her self. She had but few lights to go by, and therefore very naturally committed some errors.

This was not so much the case with some of the other States, and yet what is the fact? Why, every one of those States that formed Constitutions subsequent to North Carolina have held Conventions and reformed their Constitutions, some have held even more than one Convention.

How has it happened, said Mr. F. that all these States were so unfortunate as to have defects in their Constitutions, when North Carolina alone happened to make a perfect one?

No, it is not that our Constitution is greatly defective, as I have shown, but causes have conspired to prevent us from amending it; these causes may be found in the sectional jealousy which exists in the State, and which have thus long kept justice at bay; but this cannot be the case much longer. This contest must come to a close; gentlemen may flatter themselves that it will not, but they only deceive themselves. Population is going to the West and so is wealth. Compare the amount of taxes now paid in the West, with what was paid 10 years ago, and you will see that wealth keeps pace with population. True, owing to Federal legislation, neither population nor wealth increase as rapidly as they ought. I only speak of this increase in contrast with the Eastern part of the State.

Where population and wealth travel, there will power go. You cannot arrest its march. You might as well attempt to stop the Neuse in its course to old Ocean.

Yes, we must have reform in North Carolina. Why should we not have it, when the spirit is abroad on the Globe? Where do you not see it? Even in the old governments of Europe it is at work, we witness its progress in England, the nation from which we derive our Institutions. The gentleman from Halifax, (Mr. Long,) remarked in his speech, that there is no analogy between the struggle in England and ours; he is mistaken, it is the very same struggle; equal rights is what both are contending for. The fact is, our institutions in North Carolina greatly resemble those of England in some striking particulars. What is it they are endeavoring to get rid of in England? The Borough system. What is it we are complaining of? The County system.

The evil in England is greater than here, but it is not enough here in all conscience—to bad to be borne many years longer. A Convention then is wanting for the purpose of reforming the Constitution, and to expel many evils that exist in the body politic, to break up local divisions, to allay the heart burnings and jealousies, that exist in the Legislature, and to make us feel as one people. Who can look at these unfortunate divisions and not deplore their effects? They prevent us from doing any thing for the State. What have we ever done? What have we done for the education of the rising generation? Almost every State in the Union has laid down plans for common schools and general education, except North Carolina. We have literally done nothing, except to create a small literary fund, from which we occasionally borrow a few thousand dollars to pay the members. Intelligence is only safeguard for the rights of the people, and but little have we done for this cause. What have we done for developing the natural resources of the State? Nothing—literally nothing—and how does this happen? Why are we so much divided by sectional jealousies that we cannot act altogether; start a project and none will pull this way, and some that.

As a proof that I do not exaggerate, witness the feelings that have been displayed on the Rail-road bills now before us. And here, said Mr. F. it is proper to notice some of the remarks made by one of the members from Rowan on this subject. (Mr. Pearson.) I was one of those who attended a meeting in Salisbury, held during the last fall, in favor of a central Rail-road. I certainly did so with feelings and motives of the most patriotic kind, and the worthy citizens of Salisbury who were most active in getting up that meeting, I am sure was influenced by no other consideration.

But this meeting was resorted to by meetings held in Raleigh, Newbern, Carteret, Hillsborough and other places, and now he holds all this is discovered to be nothing more nor less than a political combination. I intend to make no personal allusions, but really there are some men in this world so perfectly incapable themselves of all disinterested and patriotic motives, that they suppose every body else to be like themselves; hence, whenever a man performs an act, if, by any possibility, it can be made susceptible of two constructions, drawing the rule from their own bosoms, they are sure to assign to it the worst motive. It has often been my lot in life to encounter such men. It is almost insinuated, that I had been opposed to the Central Rail-road, when first started by the venerable President of the University, and had looked on it as visionary, wild and extravagant, and that now, for political purposes, I have turned in favor of it. Mr. Fisher said, he would not so far forget the respect due to the House, as to pronounce the charge false, but he would, with becoming decorum, prove it so.

The first time that the subject of a Central Rail road was ever brought before this House, it was by a resolution, directing the governor to apply to the General Government for a Corps of Engineers to make a survey of the route. This resolution, as I understood, at the time, was drawn up by Doct. Caldwell, and placed in the hands of the gentleman from Newbern (Mr. Gaston.) That gentleman, for good reasons no doubt, handed it over to Mr. Alexander a member from Mecklenburg, who introduced it, together with a letter from the Secretary of War, consenting to cause the survey to be made, provided the Legislature would make the request. Objections were soon raised to the passage of the resolution, on the grounds that it might in the end, turn out to be an encroachment on State rights. Mr. Fisher said, he had always been an advocate for State Rights but he could not see how this resolution would infringe them, and therefore was in favor of its adoption. But wishing to remove all objections, I drew a substitute, so as to place the whole affair under the direction of the State, and also requiring some other survey to be made; which substitute, I offered and supported, but which together with the original, failed. Mr. F. here produced the Journal, and read the final vote on the resolution. This is enough, I think, said he, to disprove the charge that I ever was opposed to the scheme of a Central Rail road.—But, continued Mr. F. it has been said, that I was once friendly to a Rail road from Fayetteville to the Yadkin, and that I was the first person who moved a resolution for that purpose. To prove this, the gentleman from Rowan has searched up the Journals, and has actually found the resolution itself. Yes; the gentleman is right. I was then in favor of the plan, and what is still more, am now in favor of it; and not only this, but of every other scheme of improvement, which will go to develop the natural resources of the State, and improve the condition of the people. I am not one of those who wish to see but one part of North-Carolina progressing; my affections for the State are large enough to spread over the whole; and whenever I see improvements going on, whether in the East or in the West, there my good wishes are sure to fall.—Yes, I am not only in favor of the Central Rail-road, but of the Cape Fear and Yadkin Railroad likewise, and I will go as far in voting appropriations on these subjects as any other member of this Legislature. If the gentleman from Rowan had searched a little further in the Journals, he would have found that one of the provisions in my substitute for Mr. Alexander's resolution was, that a Survey should likewise be made of a route from Fayetteville to the Yadkin. He might have discovered still further evidences of friendship to the Cape Fear section of the State; for I will venture to say, he will find my vote recorded in favor of every appropriation made for the improvement of the Cape Fear, during the years I have been a member of the Legislature; also, the appropriation for the flats below Wilmington, not only always received my votes, but in moments of danger, my open and active support in this House. But sir, all this is forgotten, and I am denounced here, and in the Fayetteville papers, because I am in favor of the Central Rail-road, and suspected to be one of those who doubt the policy of removing the Seat of Government from Raleigh.

Is this, sir, the way to treat friends? or, to make friends? Time will prove all things.

Mr. Fisher could but regret that the gentleman from Rowan had thought proper to turn the discussion away from the Convention Question to other matters. He no doubt had his motives for so doing, and the House might judge of them.

I hope, said Mr. F. I have and nothing in the course of my remarks to increase sectional jealousies, or to wound any member's feelings on this floor.—Although we may not all possess equal talents and qualifications, we all possess equal rights and privileges, and to me it shows want of good feeling, for one member, because he has a better use of his tongue than another, to sport with his feelings or wound his sensibility; such has never been my practice and never will be.

YANKEE INGENUITY—A PUZZLER.

A yankee captain, who was master and owner of a trim-built schooner, finding trade rather dull on the coast down-east, chartered her to a company of merchants, who thought themselves particularly cut in the way of business, and who obtained her on such low terms, that the captain determined the first opportunity that occurred, to pay them off in their own coin. He met with an assorted cargo of "notions" belonging to Messrs. A. B. & Co. A owned one third, B one fourth C one fifth, and D one sixth—and the return cargo was to be divided according to their investments.

In a month or two the vessel returned from a successful trip to the West Indies, having on board 60 hogheads of molasses.

"How d'ye do?"—exclaimed the captain, meeting A. on the wharf; "I guess as how you want your third of the sixty hogheads I've fetched?"

A, answered in the affirmative, and accordingly received twenty hogheads.—B. congratulated the captain on his success, received his fifteen being a fourth.—C. wishing he had entered more largely into the speculation, took his twelve, or fifth, and D. cursing his unlucky stars, received ten, being his sixth.

"I say, Mike," said the captain to his mate, chuckling—"don't say nothing about them 'ere three hogheads that are left in the hold.—Every man is satisfied—and so am I."

Now, since arithmetical questions have become so much in vogue, we would ask our readers how it happened that the captain honestly retained three hogheads in his possession, after having satisfied his employers?

AN AWFUL DECLARATION AGAINST IRISH LANDLORDS.

We take from the Wexford Freeman the following description of two men named Redmond and Jackman, convicted of the barbarous murder of the Madoxes:—

Upon announcement of the verdict, the prisoner John Redmond, in a firm and distinct tone of voice said:—

"The verdict is right so far as I am the man who committed the murder; but as for Nicholas Jackman he is as innocent of it, or of any participation in it, as (pointing to the bench) your lordship, Jas. Jackman, who was condemned yesterday, is also innocent.

This declaration produced a thrilling effect, as well upon the bench and Jury, as upon the bystanders, all looking at each other in stupor and silent amazement.

"Yes," resumed Redmond, "I am the man who committed the murder, and for which I am willing to suffer. But landlords and bad agents have driven me to commit the desperate deed. My old father, who had grown grey upon the farm, and his numerous and helpless family being there expelled by them. My father was in arrears five pounds; that was the last five pound note he had, he went and paid it down, and after all was ejected. I say again, bad landlords and bad agents have forced me to seek this desperate redress. I was resolved upon vengeance, and now that I have taken it, I am content to die."

Poor Jackman who all the while stood in a trembling attitude, his face as pale as death, now fell upon his knees, saying—

"My blood be upon the jury who condemned me, for as I hope to appear before my Creator, I am perfectly innocent."

GRASS LANDS.

If a supply of fine manure is on hand, scarify your grass lands, and then give them a top dressing with manure. This will greatly increase the quantity of hay. If you have reason to think moles, ants, and the frost have rendered ground uneven, the grass will be benefited by relaying.

A most diabolical murder has been committed in New Jersey. The following particulars are furnished by the New York Gazette of Monday.

HORRIBLE MURDERS.

The village of Morris-town, New Jersey was yesterday thrown into the utmost consternation by the discovery of the murder the previous evening, of Mr. Samuel Sayres, his wife and a colored servant woman, who resided about half a mile from the village. We have been some pains to ascertain the facts, and believe the annexed recital of this most horrible catastrophe will prove correct. About 6 o'clock yesterday morning, as a person was walking along the road in the neighborhood of Mr. Sayres' residence, he discovered a bundle of clothes, which he picked up, and on examination it proved to be wearing apparel, belonging to the family of the deceased. He therefore conveyed it to the house, and knocked at the door, but no person answering, he gave an alarm, when the house was broken open, the dead body of the colored woman was found in one of the rooms, but no traces of Mr. Sayres or his wife. Every thing in the house was in the utmost confusion.

The party then proceeded to the stable, where they soon found the dead bodies of Mr. Sayres and his lady buried under a heap of manure. The alarm was quickly spread through the village, and suspicion was immediately directed towards a Swiss, who had been about two weeks in the employ of Mr. S., and who was missing. Handbills were immediately struck off, and officers despatched in every direction, in search of the perpetrator of this most diabolical act. Several constables, including the sheriff of the county, took the road to New York, and on reaching the half way house, on the causeway between Jersey City and Newark, they found the object of their pursuit. He was immediately arrested, secured and carried back to Morris-town, to answer the charge. On him were found two large bundles, containing male and female apparel, which was instantly identified as belonging to the family of the deceased. He also had in his pockets the razors of the deceased, a gold watch belonging to one of his daughters, and about twenty dollars in silver, and wore, at the time of his arrest, a pair of trousers and a hat belonging to Mr. Sayres.

It is believed that the murders were perpetrated in the following manner: The accused as is supposed called Mr. Sayres from the house early in the evening to examine one of his horses, and after getting him into the stable, struck him on the head with a hatchet and then buried him under the manure. Mrs. S. alarmed at the protracted absence of her husband, repaired to the stable in search of him, and there met the same fate. The monster then went to the house and despatched the colored woman, by stabbing her in the ear with a sharp instrument, supposed a knife.—He then packed up such articles as he could conveniently carry off, including, (in addition to the articles above specified,) a bag containing 200 dollars in gold coins; thence he repaired to the stable and took one of the horses, and made the best of his way to this city.

We learn that the officers who arrested the wretch found on the road between Morris-town and Newark the bag containing the gold, and from appearances the horse had fallen with or thrown him and run away. When arrested he was on foot.

We learn that Mr. Sayres came to this city about three weeks since, for the purpose of procuring a man to work on his farm, and being well aware of the general good character and integrity of the Swiss, went aboard the vessel and selected his murderer from his prepossessing appearance. How wofully he has been deceived!

Mr. Sayres was formerly a respectable merchant in this city and associated in business with Mr. Hugh K. Tolson. He has left two interesting daughters, one of whom is now completing her education at a female seminary in New Haven; and the other on a visit to some friends in Connecticut.—Had they been at home they would doubtless have shared the fate of their parents.

P. S.—We were informed last evening, that another man (also a Swiss) was arrested yesterday afternoon in Bergen woods, with the horse, charged as being a participant, but we are inclined to believe that the villain had no accomplice, although he told the Sheriff that there were five others concerned with him.

AVERY.—AVERY'S CASE DID NOT COME BEFORE A JURY UNTIL THURSDAY LAST.

It continued with but one hour's recess during that day. It was resumed on Friday. A correspondent of the Boston Advocate writes:—"The prisoner himself is exceedingly composed, and collected. He sits in a chair, by his counsel, as though he were attending to his ordinary business. His appearance is entirely prepossessing, and his manners easy without any show of assurance. He looks much younger than his age, which is about 37. His figure of tall, thin and rather genteel, and he wears ten of the professional air than is common to clergyman of his denomination. He has a partially dark complexion, dark hair, cut close round his forehead, and his nose may be called handsome. His dress is adapted to his profession, with no attempt at display."

The Newport Mercury of Saturday observes:—"Eleven witnesses have been examined up to last evening, and some new testimony has been introduced by the prosecution. It is probable, that most of the ensuing week will be consumed in the trial. It is attended by a large number of persons, either as spectators or witnesses, among whom are many of the Clergy and members of the Methodist connexion in this, and the neighboring States."

THE TRIAL OF AVERY.

A slip from the Advocate Office, contains a long letter from the editor of that paper, dated at Newport on Wednesday evening. It relates chiefly to the unfavorable effect of newspapers publications of testimony and surmises in capital cases, &c. Mr. Hallett says:—

"This has been the cause of the unusual delay in empanelling a jury for his trial, three entire days having been occupied in that alone. One hundred and twenty jurors have been returned to the Court, and of this number one hundred and two were called before a jury of twelve was made up, who had not formed an opinion upon the question, or felt a bias that might influence their judgment. If a jury, equally fair for the prisoner and for the government, has not now been found, the fault I believe must be ascribed solely to the imperfection of human laws and human judgment.—Nearly all the jurors who were set aside, had made up their minds from reading the pamphlets and newspapers upon the case. The singular fact was presented, that reading a newspaper, and especially being a subscriber to one, amounted to a disqualification to sit on the jury in this case; and very properly so, because they who had read the facts, had come to the conclusion, either that they were insufficient to convict the accused, or that, if they were true, he was guilty of the crime. This state of mind did not leave the juror wholly impartial, and therefore he could not serve.—Several jurors were also declared incompetent, on account of conscientious scruples against finding a man