LEGISLATIVE. HOUSE OF COMMONS DEBATES.

REMARKS OF ME. HACKNEY, OF CHATHAM, On the passage of the Bill to transfer the Internal Improvement Fund to the Public Treasury.

Mr. SPEAKER :- Notwithstanding the adverse report of the Committee to whom this matter report of and bond is a sir, this Bill will pass. The Committee do not disapprove of the principles contained in the Bill now on its passage, and which I had the honor of introducing, but state in their Report, that the reason they recommend i's rejection is, that another Bill, reported in the o-ther branch of this General Assembly, embraces in part the provisions of this Bill. Sir, what does this Bill propose 1 Why, sir, to transfer the In-ternal Improvement Fund of the State, to the Public Treasury, to meet the wants and liabilities of the State, on account of her endorsements for the Raleigh and Gaston Rail Road. Then, sir, if I understand the object of this Bill, it proposes to take a Fund, set apart by Law for Internal Improvement purposes, to pay the liabilities of the State on account of Internal Improvement.

We have been told, in order to meet the liamitteemen, it is time we should go home and bilities of the State, we must resort to a system leave legislation alone to our Committees, and of Taxation, or issue State Bonds, payable in 1860. save the expense of the concern. I hope, Mr. this bill is not clear and unquestionable. The New, sir, our desks are loaded with printed Bills, to carry out projects of this character. But, sir, pass this Bill, and it will supercede the necessity Speaker, that this Bill will pass. of any system of taxation. And, to establish that SPEECH OF MR. WASHINGTON, OF CRAVEN, position, sir, let us come to facts and figures ; ON THE these will determine the liabilities of the State, BILL FOR RE-DISTRICTING THE STATE and exhibit the resources to meet the liabilities. Sir, in the first place, the Treasurer's Report IN THE HOUSE OF COMMONS, DEC. 1846. shows, that the State is liable on account of the Raleigh and Gaston Rail Road, 727,000 dollars. Mr. Speaker :- The bill now before the House Now, sir, the interest on this debt is due semiis one of no ordinary importance. It involves questions materially affecting the political rights annually ; the principal part of it, to wit : \$500 .of the citizen, and intimately connected with the 000, is not due until the year 1860, the remaincause of popular government-questions, in which der is due in instalments of 30,000 dollars annuthe people of this country feel a deep and abiding that each Representative should be elected from ally. The Treasurer's Report, which lies before interest. me, sir, states, that if he is permitted to borrow The gentleman from Rowan (Mr. Ellis) who \$68,000 from the Literary Fund, there will be addressed the House on yesterday, spoke (he only \$22,000 more required to meet all the desaid) in behalf of the forty thousand freemen of mands against the State for the next two years. this State opposed to the passage of this bill -Now, sir, let us examine this fund, and see how Reluctant, as I always am, to engage in the defar it will enable the Treasurer, ff this Bill pasbates of this body, I feel constrained to make a ses, to meet the liabilities of the State. First, few remarks in behalf of the fifty thousand freethen, what does this fund of Internal Improvement men who demand at our hands a restoration of consist of ? Why, sir, the Cherokee Bonds amount their violated rights. The law now standing upto \$175.000; and by an act of the General Ason your Statute book for the arrangement of Consembly of 1884-'5, the interest on the whole agressional Districts, and which it is the object of mount of these Bonds, and one-twentieth of the the present bill to repeal, is an act of flagrant principal, is to be paid on the 24th December, in injustice to a majority of the people of this State. each and every year. Now, sir, these bonds are perfectly good ; the sureties to them are said to In its passage their political rights were violated be perfectly solvent. On those bonds, there will and trampled upon; their wishes disregarded; and their feelings outraged. They now demand at our fall due, between the date of the Treasurer's last hands a redress of these grievances, and a vindica-Annual Report and the first of January, 1849, ation of the true principles of the Constitution. And bout \$55,000. The next item, sir, of this Fund. shall we not obey this their reasonable command ? is \$3,000 (as I am informed by the Treasurer,) paid in since his report, at this Session of the Shall we not do this simple act of justice to them, to ourselves and to the country ? "That is the question." I hope and trust we shall. Yes, sir, Legislature, derived from the Buncombe Turnpike Company. Another item in this account, ait, is 711,200 dollars Stock in the Bank of Cape confidently believe this bill will become the Fear ; and, again, there are Bonds on individuals law of the land--not because it has been thus for loans, to the amount of \$15,000, and \$5,000 | decreed and settled by a " midnight caucus" as of Stock in the Buncombe Turnpike, yielding, gentlemen of the opposition who have addressed upon an average, for the last eight years, 101 pr. the House, have been ple: sed to intimate, but tutional? I should hope not, Sir. No one certain. to a diagram of the the eighth district, which I have. cent. We have, also, unsold lands in the Counbecause its passage is demanded by justice and | ly acquainted with his character and standing, would ty of Cherokee, which the representative from propriety. that County, (Mr. Hays,) informs me were sur-Mr. Speaker, if anything had been wanting to rendered to the State by the act of 1844-'5, which satisfy my mind of the conscious weakness of the will sell for at least one hundred thousand dolgrounds assumed by our democratic friends in lars, besides 30,000 acres of unsold surveyed lands their opposition to the bill, it has been furnished by their constant appeals to prejudice and passion, in the same County, and 30,000 acres unsurveyed, which the County of Cherokee, as I am and their studied effort to cast odium upon this credibly informed, will take at nine thousand measure by vague allusions to a " midnight cau dollars, making in all, an amount sufficient, from this fund in the next two years, to meet cus," Sir, you and I know that all this idea of a " midnight caucus" is mere fancy sketch-having the liability of the State, up to January, 1849. its origin and existence only in the distempered Thus far, Mr. Speaker, the Bill on your imaginations of the gentlemen themselves. If, in making the assertion that the fate of this meatable, and the one reported from the Senate, are similar ; but the provision of the Senate Bill does sure has been fixed in caucus, gentlemen mean not provide the ways and means, beyond the first simply to say that it is the result of consultation of January, 1849, while the Bill now under conand conference among our friends, then, sir. is sideration will still aid the Treasury after that the assertion most true. But if, on the other period in meeting its heavy liabilities. Let us see. hand, they intend to intimate that gentlemen on sir, what aid this fund will afford the Treasury this floor had been driven by caucus dictation infrom 1849 to 1851 ! I have carefully made the to the support of a measure which their judgcalculation, and find that in the next two years ments disapprove and their consciences condemn; after '49, ending the 1st of January 1851, upon I feel it my duty to say here, in my place, that, Cherokee Bonds, there will be due \$34,000so far as I am individually concerned, and indeed From other sources, stocks, and sales of lands, so far as my personal knowledge extends, the asand excess of revenue, over and above the ordisertion is groundless, and the charge unfounded nary expenses of the State, I have no doubt will It is true, sir, I love my party; but thank God !] enable us to meet all our liabilities for the next love my country more; and in all questions deep. ly affecting the rights of my constituents, and vifour years. Mr. Speaker, I may be asked the question by tally important to the best interests of the State. those who favor a system of taxation, how the I pin my faith upon no man's sleeve. I submit State debts are to be eventually paid ? To this to dictation from no quarter ; but with an eye I will reply, that we have abundant means to single to the welfare of the country and the best meet all our liabilities, of course, if a prudent interests of the people, march inexorably forward Legislation is adopted. Sir, the Internal Imin the faithful discharge of what I believe to be provement fund, the items of which I have just my duty. presented to the House, the Rail Road estimated What, Mr. Speaker, are the objections urged at cost, (and it is believed it will command more,) against the passage of this bill ! Why, sir, it is the \$500,000 in Bonds due by Stockholders, alledged, in the first place, by the gentleman their liability under the act of 1838, all amount from Rowan, (Mr. Ellis.) that we have not the to one million two hundred thousand dollars .-constitutional right to pass such a law. This, sir, is the reply to the question of taxa-Mr. Spcaker, while I could but admire the tone tion : and I have shown from facts and figures, and temper of that gentleman's speech, and while as I sat out to do, that we have near \$500.000 I frankly admit that he made "the best of a bad more than our liabilities amount to. Then, I ask, cause," and in the goodness of my heart wished sir, why are our desks loaded with Bills to tax him a better one, I must be allowed to say, that our people, when soon, I fear from the signs of some of his positions in this part of his argument the times, the General Government, with Polk struck me with surprise. He has done himself policy, will come down upon us with a system of direct taxation, unparalleled before. Sir, it is not injustice in the grounds which he has taken .--He is too good a lawyer not to discover, at a sinto be disguised, that an alarming expenditure by gle glance, the feebleness and fallacy of his arguthe General Government for this War, forement on the constitutional question. I under shadows this result. stood the gentleman to contend that although. But, sir, we are told by our friends over the under the first clause of the 4th section of the way, that this Internal Improvement Fund is a macred one, and set apart to improve the condition 1st article of the constitution of the United States the Legislatures of the several States had oof the State, and ought not, therefore, to be used to pay our debts. Well, sir, an easy answer to riginally the power to prescribe the times, pl ces and manner of holding elections for Rej. this argument is at hand. These debts which resentatives in Congress, yet as that was subject we are now discussing, are debts incurred by the to such alterations and regulations as Congress State in aid of Internal Improvements ; and I might make in relation thereto, and as Congress contend, sir, that this fund is the legitimate source. from whence must spring means to meet debts has undertaken to alter the manner of holding of an Internal Improvement character; and upon such elections, the Legislature of the several this subject, sir, I wish to be distinctly under-States are thereby precluded from any further action thereon. I wish, Mr. Speaker, to do the stood. I am no enemy to Internal Improvement, neither am I an opposer of the Western interests gentleman from Rowan entire justice; and if I of the State ; for I should be grateful, sir, if the have either misunderstood or mistated his position, I hope he will correct me. - [Mr. Ellis here nodded assent to the statement.] Then, sir, let State were able to furnish that people with means to make roads across every mountain in the us see if this ground is tenable--if this position the gentleman from Rowan, (Mr. Ellis) says, the Western part of North Carolina. But, sir, I stand can be maintained. upon this floor as a guardian, humble though it be, of the interests of the people of the whole The 1st clause of the 5th section of 1st article State; and I believe that Legislators should, in of the constitution of the United States is in the questions of this sort, act as prudent and wise following words : "The times, places and man men do in their own individual matters of policy ner of holding elections for Senators and Reprein finance. By way of illustration, Mr. Speaker, sentatives shall be prescribed in each State by suppose an individual had set apart a certain the Legislature thereof; but the Congress may amount of funds, which he designed to use in at any time by law, make or alter such regula improvements upon his farm, and by that system | tions, except as to the places of choosing Senaahad become involved ; would it be wise and prutors.' dent in him to say, I will not take this fund, set The phraseology of this clause of the constituapart for improving my farm, and pay those debts; tion is somewhat peculiar. " The times, places but will keep it to make other improvements !-and manner of holding elections for Senators and Representatives shall be prescribed in each State Certainly not. No prudent man would do it, neither do I think this House will refuse to transby the Legislatures thereof." By this language, for and use this Internal Improvement fund: so our venerated forefathers, who were jealous of much needed at this particular juncture, when the rights of the States, and who knew what they the result of that refusal will drive us to taxation. meant, and meant what they said, intended to Mr. Speaker, I am aware that there is a power- provide in the first place, that the people of each ful influence exerted, to operate against the passage of this bill. I have reference, sir, to the venience and wishes in relation to the times. State should be allowed to consult their own con-Report of the Committee upon this subject -- places and manner of choosing their Representa-Now, sir, it has been remarked upon this floor, lives to Congress ; but at the same time, lest the that the Committee appointed to, ar stigate this Legislatures of some of the States might either of the districts as arranged under the existing law, matter of finance, had as much 2% igence and fail to exercise this privilege, or might abuse and as proposed in the bill now before the House, 1

men of every grade, than 1 do; and, sir, the Journals of this House will bear me witness, that on subjects where the Committees have the ad-vantage of evidence before them, and which is excluded from us, on account of our position on

of the facts connected with the subject. But, eir, upon subjects where the House is in possession of all the evidence which can possibly come rule, as it is my privilege, and trust will ever gress should be elected from a single d strict. be, to investigate subjects for myself, and act according to the honest convictions of my own understanding. And, sir, as to the case in point, every member here has a plain statement before him, in the report of the Treasurer ; and, sir, if the doctrine is to prevail, that members of this General Assembly, because not on any Committee, are to sit here and ratify the edicts of Com-

Congress for the first time acted thereon. - Some

this floor, I have always made it a rule, to concur party aggrandizement at the sacrifice of the best in their Reports, unless I had personal knowledge interests of the country, had resorted to the general ticket system ; and Congress, to counteract this evil, and avert the dangerous consequences which must have inevitably followed such a course before any Committee, it has been always my provided by law that each Representative in Con-

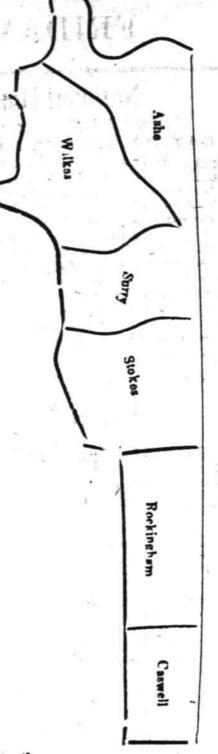
> In all other respects the power of the States is left untouched by the law of Congress. The gentleman from Rowan (Mr. Ell s) laid down in another portion of his remarks, as a well established and firmly settled principle, "that the States may exercise any power given to Congress and not prohibited to the States, until Congress shall have used the power thus given "-Now, Mr. Speaker. let us take the gentleman upon his own ground, and see if the power to pass act of Congress is in the following words :

"That in every case where a State is entitled to more than one Representative, the number to which each State shall be entitled under the apportionment, shall be elected by districts composed of contiguous territory, equal in number to the number of Representatives to which said State may be entitled; no one district electing more than one Representative."

From an examination of this enactment, it will be seen that Congress has not legislated at all in relation to the times or places of holding elections. and has interfered with the manner in which the same should be held, only so far as to prescribe a single district composed of contiguous territory. But what particular counties of contiguous terri tory shall form such districts in the several States, Congress has not undertaken to prescribe but has left the arrangement of the districts entirely to the State Legislatures. If such is not the fact, and if the Legislatures of the States have not this power. I should like to know by what authority the law of 1843 for the arrangement of Congressional Districts, was passed. That law was passed not only subsequently, but in obedience to the law of Congress.

But, Mr. Speaker, cau you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to puss the Bill? For he has warned us in another part of his speech, that if this Bill does pass, he and his friends will repeal it and arrange the Congressional districts to suit themselves when they get the power, which I hope and believe will not be soon. Now sir, before a member of the Legislature is allowed to take his seat, he is required to take an oath to support the constitution of the United States ; if it is unconstitutional now to re-district the State, it will be so then ; and would any one suffer hunself to believe that the gentleman from Rowan (Mr. Ellis) would publicity proclaim an intention on the part of himself and his friends to do au act which he believes to be unconsti- my friend from Rowan (Mr. Ellis) more particularly

He atluded also to the third district. Mr. Speaker, will show the gentleman a diagram of that district, is it was arranged under the law of 1843. Here it is:



[Much laughter !]

And in the language of an old sursery game. I would ask what does it look like? It is said to be more like a ragged shoe-string than any thing else, extending as it does only one county deep for over two hundred miles along the Virginia line. Under the hill now before the House, that district is much shortened, and is made two Counties deep.

But, Mr. Speaker, I would call the attention of

skill in such matters as other gentlemen : and that after a report had been grepared and maketo this House, others, not members of the Commit-tee, brought in projects of their own, in opposi-tion to the Committee. Sir, in reply to size, that it is due to myself, to state, that no man on this floor entertains bigher respect for the constituted authorities of this House, from the Speaker, down to the Committee men of every grade, than I do; and, sir, the Journals of this House will bear me willness. the time acted thereon. Some sive. It was my good fortune to hear Gov. Graham address the people several times during the last sum-mer, and I always heard him with pleasure. He so-cepted the issues which were tendered him, manful-ly met his opponents, and gallantly sustained his po-sitions. Again, sir. It is urged by the gentleman from Rowan, that the people have not been consulted on the subject, and, therefore, this bill ought not to the subject, and, therefore, this bill ought not to the subject and the people have not been consulted on the subject and, therefore, this bill ought not to the subject and the people have not been consulted on the subject and, therefore, this bill ought not to the subject and, therefore and the bill ought not to the subject and, therefore and the bill ought not to the subject and, therefore and the bill ought not to the subject and, therefore and the bill ought not to the subject and the people have and be the gentleman from a desized the subject and the people have a people have

the subject, and, therefore, this ball ought not to port of the inclusion. I all induced not so may pass; or, if it does pass, a provision should be made by a wish to advance my party, as from a desired for submitting it to the people for their ratification. do justice to a majority of the people of the State This position of the gentleman, must satisfy every one, I think, that he is hard run for objections to this bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me witness that I have always said I would be a bear me bill to redistrict the State are been always said I would be a bear me bill to redistrict the State are been always said I would be a bear me bill to redistrict the State are been always said I would be a bear me bill to redistrict the state are been always bear me bear me bear and the bear me bear me bear me bear me bear me bear and the bear me bea bill. Two years ago, when the Penitentiary ques- vote for no bill to re-district the State. which to bill. Two years ago, when the Penitentiary ques-tion was under discussion in this House, the gentle-man from Rowan, in a speech able and eloquent, ex-pressed opinions diametrically opposed to those which he has thrown out on the present occasion. I have the has thrown out on the present occasion. I have that speech before me, and beg leave to read a sin- sir believing: as I honestly do. that it approaches gle extract therefrom :

next election for members of the next General Assembly. He had as high regard for the opinions of the people The had as high regard for the opinions of the people whole system of government is based upon comparation of government is based upon comparation whole system of government is based upon comparation of gov but the mode pointed out by this bill for consulting that will, he regarded as an infringement upon our Constitution and laws, and a dangerous perversion of the spirit and design of our Government.

"To his mind, the provisions of this bill indicated on the part of members a fear of legislative responsibility, and a desire to shrink from that responsibility." He then insisted that the majority on this floor were bound to take the responsibility, of passing such

laws as they believed the interests of the country required, or the exigency of the times might demand. Sir, we do take the responsibility of the measure, and for weal or for woe, are willing to go before the people on the question.

But, sir, I think the gentleman from Rowan is mistaken as to the extent to which the attention of the people has been directed to the subject. It is well known, that at the close of the Session of the Legislature of 1842-'3, by which the law arranging the Congressional districts was passed, the Whig members of that body published an address to the people, in which they denounced that law as unjust and oppressive, and declared their intention to repeal it as soon as they had the power to do so. Many gentlemen on this floor inform me that the subject was fully and freely discussed in their respective Counties, during the last Summer, and formed one of the most prominent issues on which the elections were made to turn. In my own section of the State, while I frankly admit that but little was said on the subject during the last Summer, yet you, Mr. Speaker, will bear me witness, that in the Congressional canvass of 1843, and the subsequent canvass for the Legislature in 1844, the unjust and unequal law of 1843, for the arrangement of the Congressional districts, constituted an important count in the long indictment preferred against the Democratic said Court, at Office, the 3rd Monday in September. party. And, sir, the gentleman from Rowan, in the A. D., 1846. course of his remarks, made an allusion to a certain debate in the House of Representatives of the United

States, upon the resignation of a distinguished Senator from this State, which I thought unfortunate for himself and his friends. Sir, what a ctacle was there presented ! Mr. Haywood had spent the vigor of his youth and the prime of his manhood in the service of his party. He had labored by day and by night, in advancing its principles and promoting its success. But, sir, in an unlucky hour, he is called upon by his party to sustain a measure which his judgment disapproved and his conscience con- is ordered by the Court that Publication be made in demned. What did he do, sir ? Did he vote against the Raleigh Register and North Carolina Standard. his party ? No. But regarding a private station, published in Rateigh, for the space of three Months, under the circumstances, as the post of honor, he resigned an office second to but few (if any) in this Government, and retired to private life. For this, sir, he was abused, vilified and calumniated—his motives assailed, and his integrity questioned-and this answer or demur to the said Petition, otherwise the too, at a time and in a place, when and where he had | same will be taken pro confesso and heard ex parte. not the right to defend himself. Gentlemen oppos- Witness. John Thompson Clerk of our said Court ed to him in politics, came forward and vindicated his motives, and attested the purity of his private character. while they did not pretend to endorse his politics. On the same day, however, Mr. Benton did endorse him in the Senate, throughout, in a speech which I would commend to the attention of my Democratic friends, for its good sense, generosity of sentiment, and its excellent taste. But I have suffered myself to be drawn off. Mr. Speaker, from the main object for which I alluded to that debate, which was to shew that express notice of the intention of the Whigs to pass this bill. was given immediately before the election last Summer. Among the speakers on that occasion, was Mr. Dockery, of this State. I have a report of his remarks before me. and will read a few extracts : Mr Dockery said, " it is true there are in this House six Democratic and three Whig Representatives, from the State of North Carolina. That was by no means to be taken as an exposition of the political sentiments of a majority of the people ; the matter was easily explained: "The majority accidentally obtained in the Legislature in 1842, and by which Mr. Haywood was 5 sent to the Senate, districted the State into Congressional Districts. In doing this, that Legislature completely gerrymandered it; the result was, six Representatives were given to a Democratic minority, and three to a Wing majority. So much for the representation on this floor, speaking the opinions and sentiments of the people of North Carolina. The next Legislature, which he was happy to say he and sittle doubt would be Wing, would remedy this grievance. this act of injustice to the people, and make such a distribution of the Counties into Districts, as would be just in itself and fair to the two great parties into which the country was divided .-It would be the duty of the Legislature to do this, and he had no fears that it would shrink from this duty. A majority of the people should be represented on this floor by a majorny of the Representa tives, holding opinions and professing sentiments identical with themselves." These remarks were published and circulated throughout the State on the very eve of the election And can my friend from Rowan (Mr. Ellis) gravely contend, in the face of these facts, that the people have not been apprized of this issue, or that our Democratic friends have been taken by surprise on the subject? I do not believe he will. Mr Speaker: I certainly do not wish to say any thing on this occasion, calculated to wound in the slightest degree the feelings of any of my Democratic friends. It is foreign from my nature to do so, for many of my warmest personal friends are dress. We should appeal (he says) to Congress to Democrate, Besides, Mr. Speaker, I will take this occasion to repeat what I have often said before--that I believe the great body of the Democratic party to be honestly wrong in the opinions which they entertain ; and I am willing to accord to them what I claim for myself, a right to enjoy pointical opinious I houestly entertain. But, sir, as myseif and my friends have been tauntingly toid, that while we claim to be "the law and order party," we are pursuing a destructive policy on this floor, I will simply refer the gentleman from Rowan, Mr Linis) and the gentleman from Orange, (Mr. Smith.) to the William Hill, dec'd. State of Rhude Island, and enquire if they know to

nearly as practicable, to fairness and justice-that consults mainly, contiguity of territory, equality "Mr. Ellis said he opposed the bill at present, sole-ly on account of that provision requiring the question to be submitted to the people, to be acted upon at the law encount of this would be the people of the p my cordial support. For, Mr Speaker. I have live long enough in this world to learn, that we canne expect to have things exactly as we wish. On the healing property in the institutions of the land and which alone can preserve them, is to be found sir, not in the strong arm of the law, not in physical force and violence, but in the conservative influence of mutual forbearance and liberal principles. L the breast of every law-maker in the land swell with sentiments of peace and good will towards he fellow man, and then, and not till then, will violen party spirit, and sectional jealousy, cease from among us, and true patriotism become the distinguishin characteristic of every citizen of the State-then will every variety of soil and climate and scener, and every diversity of taste, interest and pursuit, add each another cord to bind together a contented and happy people.

> TATE OF NORTH CAROLIN 4.-CRATHAT Fall Term, 1846. Country .-- Superior Court of Law and Louis

Redding Hatley and others, Britten Hailey. Petition for Sale of Lands.

It appearing to the satisfaction of the Court, the the Detendant, Britton Ha ley, is not an inhabitan of this state : Li is therefore ordered, that publication be made in the Roleigh Register for six werks, to titying the said Britton Hatley, to be and appear be fore the Hunorable Judge of our Superior Count Law and Equity, to be held for the County of Chatham, at the Court House in Pittsborough, on the 3rd Monday in March next. then and there to plead, answer or demur to the Petition of the Plaintiffs, or the same will be taken pro confesso and heard ex parte Witness, Joseph Ramsey, I lerk and Master of

JOSEPH RAMSEY, C. M. E. Pr. Adv. \$5 694. 99 6w STATE OF NORTH CAROLINA.-CHATRAN County -- Superior Court of Law, Fall Terr 1846. Hannah Mebane Allen Mebane. Petition for Divorce.

do him such injustice.

But the gentleman from Rowan (Mr. Ellis) insists that by the passage of this bill, if not the letter, at least the spirit of the constitution will be violated, and the rights of the minority put in jeopardy, if not sacrificed. How, I ask ? It is said, that if the power of the States to legislate on this subject be once admitted and recognised, the larger States may be tempted to abuse it, and by combination and fraud. deprive the smaller States of their constitutional rights and privileges. But how is this to be effected ! for, according to the gentleman's own argument, Congress having altered the manner of electing Representatives by providing for single districts, the States have no power to establish either double districts or the general ticket system; and in no other way could the larger States (if they were so unpatriotic as to desire it) accomplish the result which the gentioman seems so strongly to apprehend and so deeply deplore.

Again, sir, it is said, if we pass this bill. the State of Alabama may be induced by the precedent to redistrict that State, in such manner as to deprive the Whig party of the only representative which they now have. Mr. Speaker, I was astouished to hear an argument like that used on this floor. Are the representatives of the freemen of North Carolina to be deterred from doing what is right, because the Legislature of some other State may do what is wrong ?-Certainly not.

But since the State of Alabama has been alluded to, let me tell my friend from Rowan that he need give himself no uneasiness on that subject. The dominant party in that State will not dare to do any such flagrant act of injustice, as he has suggested. They learnt a lesson ou that subject in 1841, which they will not soon lorget. In 1840, to save the seat in Congress of a distinguished gentleman who was trembing in his shoes and whose defeat as it then stood was inevitably certain, his friends in the Legislature abolished single districts, and established the general ticket system, but warned by that still small voice to which the gentleman from Orange (Mr. Smith) so feelingly alluded on yesterday, and which he says " is the monitor of man," they provided that

the law should be submitted to the people at the next election for members of the Legislature ; and, sir, such was the indignation of the people at the outrage which had been perpet ated, that with a Democratic majority of some 10 000 in the State, the bill was rejected by a majority of nearly 15,000 votes.

The State of Georgia has also been atluded to by the geutleman from K.was, (Mr. Ellis) who seems to suppose that if this bill should become a law, the Legislature of that gallant State, emboidened by our example, may re-arrange their Congressional districts, so as to give the Democratic party a majority of the representatives in Congress I can assure the gentleman that his fears are groundless, and his anxiety unnecessary. The State of Georgia has set an example on the subject, which o her States might do well to imitate. At the passage of the law of Congress prescribing single districts, the general district. system provailed in that State, and the Democratic party adhered to it as long as they had the power. But as soon as the Whigs obtained a majority, they laid off the State into single districts with such re markable fairness and justice as to give to each of the political parties four representatives in Congress. Would to God ! the same generosity and magnanimity had been shewn to us by the Democratic party of this State in 1843. Then, sir, there would have been no necessity for the introduction of this bill : then, sir, there would have been no necessity for all this waste of words and consumption of time. But grievance under which we labor is not so great as we unagiue. The State, (says he,) being entitled to nine representatives, the Democrats took four and gave the Whigs four, leaving an odd man to be appropriated by some one; and was it very unfair, he asks, for the Democratic party to take to themserves the odd-man? Mr Speaker, 1 will come the Yaukee over the gentleman, and answer his question by asking another. It is this: If it was fair, in 1843, forgetting what is due to her sovereign cl emocratic friends in a minority of 4000 voter to take to the meetves five representatives, giving the Whigs but four, can it be very unfair for the Whigs, now representing as they do a majority on popular vote of nearly 8000, to take to themseives five representatives and give their opposents four? And since the gentleman has seen ht to adopt this mode of argument, I will propeuted to him another question : If it be, as he says, an act of despotism for the Whig majority here new to appropriate to themselves a majority of the representatives in Congress, what species of tyranny will be denominate hat, by which a Democratic minority did the same hing in 1843 ?



It has been said, sir, to resemble a certain species of shell fish which the immortal Dr. Shanklin was so solicitous to protect a few years ago, called and known in my country as a terrapin. But I contess, Mr Speaker, that I never conceived the resemblance very striking I have viewed it attentively, and have come to the deliberate conclusion, that it is like nothing in the heavens above, or in the earth beneath, or m the waters under the earth."

Look at it, Mr. Speaker, and say if it be not "A monster, of such hideous mein,

"That to be hated, needs but to be seen."

Sir. a distinguished Democrat once admitted in my presence, that this eighth district, ugly as it 15, was made for the express purpose of depriving the present Speaker of this House, (Mr. Stanly) of a seat in Congress ; and, lest you might forget it, Mr. Speaker, I will simply remind you, that not only was the plan well devised, but admirably executed, and effectually answered the purpose intended. [Laughter. The gentleman from Rowan, (Mr. Ellis) insisted, however, Mr. Speaker, that if we are suffering a grievance, this is not the proper Forum for its redo us justice. What, sir; elect Democratic members, to Congress, and then ask them to change the districts from which they themselves were elected, by which change they themselves are to be legislated out of their seats? Sir, I have heard of appealing from "Phillip drunk to Phillip sober," but this would be reversing the motto, and would be appealing from Phillip sober to Phillip drunk." I was surprised, sir, to hear such doctrine avowed on this floor by the gentleman from Rowan (Mr. Ellis) who claims to be a strong State Rights' man. I trust in God the day will never come, when the people of North Carolina, forgetting what is due their own dignity, will he wil- ed (--to New Hampshire, Missouri. Mississippi and ling to apply to Congress for the passage of any law within the Legislative jurisdiction of the State. A commendable State pride forbids it: the best interests of the country are opposed to it; and the common sense and right reason of the people would condemn such an application, and repudiate such doctrine. But, sir, it is said that we ought not to pass this bill, because his Excellency Gov. Graham did not discuss the question in his canvass last summer .--Has it then, sir, come to this? Are we to sit here simply to record the edicts of the Executive? Is the Legislature of North Carolina to be restricted in their enactments to such topics only as the successin the course of his remarks, challenged a comparison of the districts as arranged under the existing law, and as proposed in the bill now before the House, 1 home legislation, which the gentleman from Orange

It appearing to the satisfaction of the Court the Allen Mehane is not an inhabitant of this State:] notifying the said Defendant to appear at the next at office the third Monday in September A. D. 1846.

JOHN THOMPSON, C. S. C. TT Standard copy. (Pr. adv. 89) 97 3m

TATE OF NORTH CABOLINA .- CHATRAN COUNTY -- Court of Pleas and Quarter Sessiups, November Term, 1846.

Sophia Aldridge, Parson Aldridge and wife Elizabeth, Bala .m Mc Vay and wife Lydia, Margaret Moure, William Moser and wife Mary,

Solomon For and George For, Executors of John Fox, dec'd, and in their own right. David For, John Fox. Jacob Fox, Christian Rightsman and wife Polly, Leonard Hightsman and wife Soplas, Balsar Isley and wife Catharine, and Betsey Lane Petition for Account and Settlement, and for Legacies.

It appearing to the satisfaction of the Court, that the D. femiant, Betsey Lane, is not an inhabitant of this State : It is therefore ordered, that publication be made in the Raleigh Register for six weeks, notiliing the said Betwey Lane, to be and appear before the Worshipful Justices of our Court of Pleas and Quiter Servicene, to be held for t hatham County at the Court House in Pintsboro', on the 2nd Monday in February next, then and there to plead, answer of demur to the Plaintiffs' Petition, or the same will be taken as conferred and heard ex parts as to her.

Witness, Nathan A. Stedman, Clerk f mid Court, at Office, the 2nd Monday in November, A. D.1846 N. A. SFEDMAN, Clerk. Pr. Adv #5 624 99 67

Petition for Devorce.

In this case it being made appear to the satisfaction of the Court, that a subpong and alias subpong had regularly issued as directed by law, to the defendant Issue D Lipsey, commanding his appearance in the Court, to plead or answer to the petitioner's petition, and that a copy of the aloresaid subparas had been left at the lass place of abode of the suid defendant, Isaac D Lipsey, in this State more than fifteen days before the day of the return of each of said subpensi. proclamation was therefore made by the Sherif, il the door of the Court House, for the said defendant, lease U Lipsey, to appear and answer as commanded by the said subpotuss ; and the said detendant, Issue D. Lipsey being so called, made default. It is therefore ordered that the clerk cause notice of the pendency of this petition to be published in the Newberman and Kaleigh Register for three months, and that at the next term an issue be submitted to a Jury to ascertain the worth of the material facts charged in the petitioner's petition. Witness, Joseph M. French, Cierk and Master in Equity, for the County of On-low. JOSEPH M FRENCH, C. M E. Dec 22, 1846 [Pr. Adv. \$8.] 104 3m

STATE OF NORTH CAROLINA .--- Rossior an account and settlement of the Estate of the

Datiel Morits and wife Ready, Everitt Hill, Page Hill, and John Hill, by his Guardian, Mary Hill.

Mr. Speaker, my friend from Rowan (Mr. Ellis)

Georgia, and ask if they remember the fact that the Democratic party in each of these States, resisted as long as they had the power, the operation of the law of Congress abolishing the general ticket system, and establishing stugie Districts; a law which my friend from Kowan seems to regard as a sort of supplemental Constitution-au instrument too sacred

to be violated, too holy to be touched ? Mr. Speaker, a good deal has been said in the course of this debate, upon the present condition and he country. The gentleman from Orauge, (Mr. smith.) represented the Democratic banner as float-ag in triumph from Maine to Mexico; and, sir, 1 sould but think how fortunate he was in not having reard the result of the recent election of here of plead to, answer or demur, of the same was be taken pro confesso and heard *ex parte* as to them. Witness, Richard C. Rhodes, Clerk and Master in our Court of Equity, at Office, this 29th Deckar-ber, A. D 1816. seard the result of the recent elections in most of the Northern States ; for, "where ignorance is bliss,

28. loseph C. Lee. Administrator on the Estate of Ed-ward Hill Griffin Taylor and wife Elizabeth and Roderick Hill.

In this Case, it is ordered, that publication be made the said Griffio Taylor and wile Etizabeth to appear at the next Term of this Court, to be held for the Lounty of Robeson, at the Court House in Lumber-ton, on the fourth Monday in March next, then and inture prospects of the two great political parties of there to plead to, answer or demur, or the same will

> RICHARD C. RHODES, C. M. E. [Pr. adv. \$5,624.]