

LEGISLATIVE

HOUSE OF COMMONS DEBATES.

REMARKS OF MR. HACKNEY, OF CHARLEM, 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 was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

MR. SPEAKER:—Notwithstanding the adverse report of the Committee to whom this matter was referred, I hope, 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 its rejection is, that another Bill, reported in the other branch of this General Assembly, embraces in part the provisions of this Bill.

skill in such matters as other gentlemen; and that after a report had been prepared and made to this House, others, not members of the Committee, brought in projects of their own, in opposition to the Committee. Sir, in reply to this, I have simply to say, that it is due to myself, to state that no man on this floor entertains higher respect for the constituted authorities of this House, from the Speaker, down to the Committees of every grade, than I do; and, sir, the Journals of this House will bear me witness, that on subjects where the Committees have the advantage of evidence before them, and which is excluded from me, on account of our position on this floor, I have always made it a rule, to concur in their Reports, unless I had personal knowledge of the facts connected with the subject. But, sir, upon subjects where the House is in possession of all the evidence which can possibly come before any Committee, it has been always my rule, as it is my privilege, and trust will ever 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, it is time we should go home and leave legislation alone to our Committees, and save the expense of the concern. I hope, Mr. Speaker, that this Bill will pass.

SPEECH OF MR. WASHINGTON, OF CRAVEN, ON THE BILL FOR RE-DISTRICTING THE STATE.

MR. SPEAKER:—The bill now before the House is one of no ordinary importance. It involves questions materially affecting the political rights of the citizen, and intimately connected with the cause of popular government—questions, in which the people of this country feel a deep and abiding interest.

The gentleman from Rowan (Mr. Ellis) who addressed the House on yesterday, spoke (he said) in behalf of the forty thousand freemen of this State opposed to the passage of this Bill. Reluctant, as I always am, to engage in the debates of this body, I feel constrained to make a few remarks in behalf of the fifty thousand freemen who demand at our hands a restoration of their violated rights. The law now standing upon your Statute book for the arrangement of Congressional Districts, and which it is the object of the present bill to repeal, is an act of flagrant injustice to a majority of the people of this State. In its passage their political rights were violated and trampled upon; their wishes disregarded; and their feelings outraged. They now demand at our hands a redress of these grievances, and a vindication of the true principles of the Constitution. And shall we not obey this their reasonable demand? 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, I confidently believe this bill will become the law of the land—not because it has been thus decreed and settled by a "midnight caucus" as gentlemen of the opposition who have addressed the House, have been pleased to intimate, but because its passage is demanded by justice and propriety.

Mr. Speaker, if anything had been wanting to satisfy my mind of the conscious weakness of the grounds assumed by our democratic friends in their opposition to the bill, it has been furnished by their constant appeals to prejudice and passion, and their studied effort to cast odium upon this measure by vague allusions to a "midnight caucus." Sir, you and I know that all this idea of a "midnight caucus" is mere fancy sketch—having its origin and existence only in the distempered imaginations of the gentlemen themselves. In making the assertion that the fate of this measure has been fixed in caucus, gentlemen mean simply to say that it is the result of consultation and conference among our friends, then, sir, is the assertion most true. But, if, on the other hand, they intend to intimate that gentlemen on this floor had been driven by caucus dictation into the support of a measure which their judgments disapprove and their consciences condemn; I feel it my duty to say here, in my place, that so far as I am individually concerned, and indeed so far as my personal knowledge extends, the assertion is groundless, and the charge unfounded. It is true, sir, I love my party; but thank God! I love my country more; and in all questions deeply affecting the rights of my constituents, and vitally important to the best interests of the State, I pin my faith upon no man's sleeve. I submit to dictation from no quarter; but with an eye single to the welfare of the country and the best interests of the people, march intrepidly forward in the faithful discharge of what I believe to be my duty.

What, Mr. Speaker, are the objections urged against the passage of this bill? Why, sir, it is alleged, in the first place, by the gentleman from Rowan, (Mr. Ellis), that we have not the constitutional right to pass such a law. Mr. Speaker, while I could but admire the tone and temper of that gentleman's speech, and while I frankly admit that he made "the best of a bad cause," and in the goodness of his heart wished him a better one, I must be allowed to say, that some of his positions in this part of his argument struck me with surprise. He has done himself injustice in the grounds which he has taken—He is too good a lawyer not to discover, at a single glance, the feebleness and fallacy of his argument on the constitutional question. I understood the gentleman to contend that although, under the first clause of the 4th section of the 1st article of the constitution of the United States the Legislatures of the several States had originally the power to prescribe the times, places and manner of holding elections for Representatives in Congress, yet as that was subject to such alterations and regulations as Congress might make in relation thereto, and as Congress has undertaken to alter the manner of holding such elections, the Legislatures of the several States are thereby precluded from any further action thereon. I wish, Mr. Speaker, to do the gentleman from Rowan entire justice; and if I have either misunderstood or mistaken his position, I hope he will correct me. [Mr. Ellis here nodded assent to the statement.] Then, sir, let us see if this ground is tenable—if this position can be maintained.

The 1st clause of the 5th section of 1st article of the constitution of the United States is in the following words: "The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law, make or alter such regulations, except as to the places of choosing Senators." The phraseology of this clause of the constitution is, in every respect, plain and unequivocal. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislatures thereof. By this language, our venerated forefathers, who were jealous of the rights of the States, and who knew what they meant, and meant what they said, intended to provide in the first place, that the people of each State should be allowed to consult their own convenience and wishes in relation to the times, places and manner of choosing their Representatives to Congress; but at the same time, left the Legislatures of some of the States might either fail to exercise this privilege, or might abuse

their power, and the people of those States be thus deprived of a full and fair representation in Congress, they took care to provide that "Congress may at any time make or alter such regulations, except as to the places of choosing Senators." Under this provision, it is well known, that the Legislatures of the several States exercised sole and exclusive jurisdiction over the subject from the formation of the Government until the year eighteen hundred and forty-two, when Congress for the first time acted thereon. Some of the States, disregarding the true principles of the constitution, setting at naught the spirit of our government and seeking local power and party aggrandizement at the sacrifice of the best 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 provided by law that each Representative in Congress should be elected from a single district. In all other respects the power of the States is left untouched by the law of Congress. The gentleman from Rowan (Mr. Ellis) laid down in another portion of his remarks, as a well established and firmly settled principle, "that the States may exercise any power given by 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 this bill is not clear and unquestionable. The 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 that each Representative should be elected from a single district composed of contiguous territory. But what particular counties of contiguous territory 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 be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass 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 seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass 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 seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass 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 seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass 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 seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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.

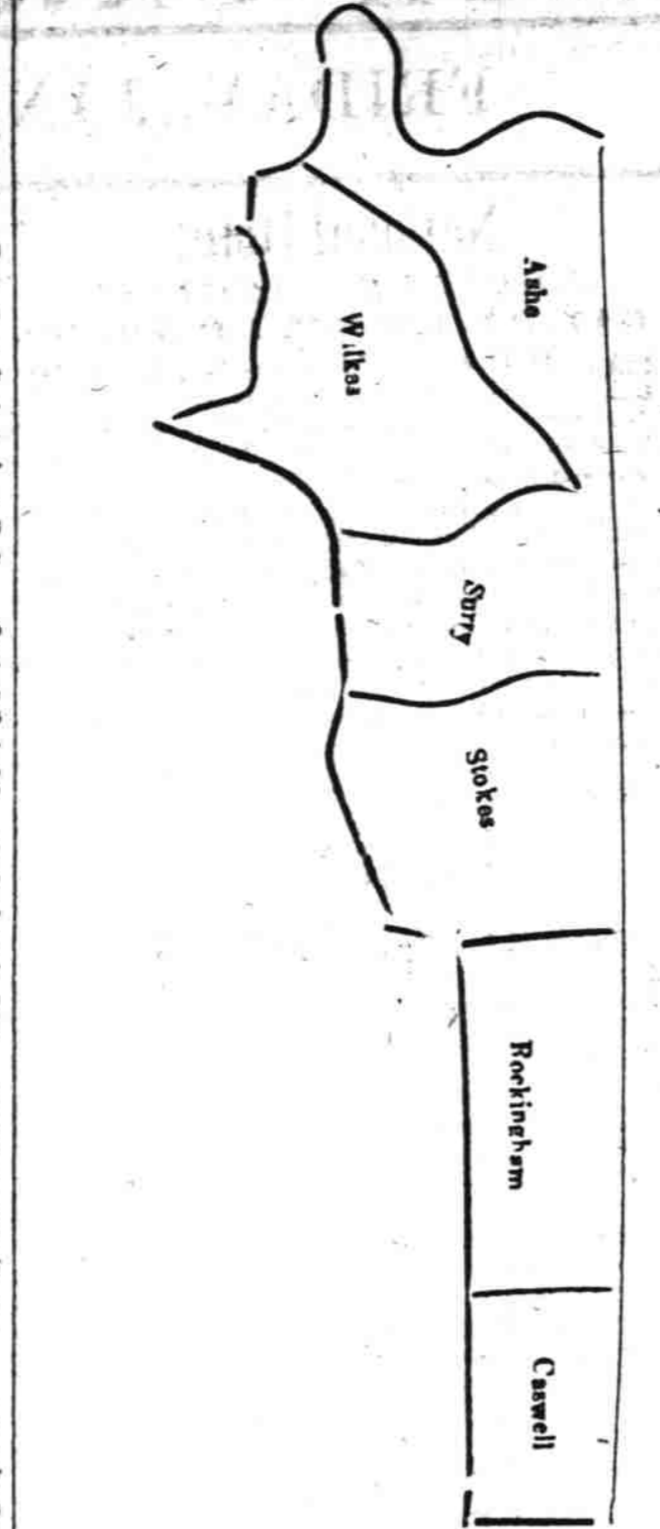
But, Mr. Speaker, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass the Bill? For he has warned us in another part of his speech, that if this Bill does pass, he and his friends will repeal it and arrange the Congressional districts to suit themselves when they get the power, which I hope and believe will not be seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass 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 seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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.

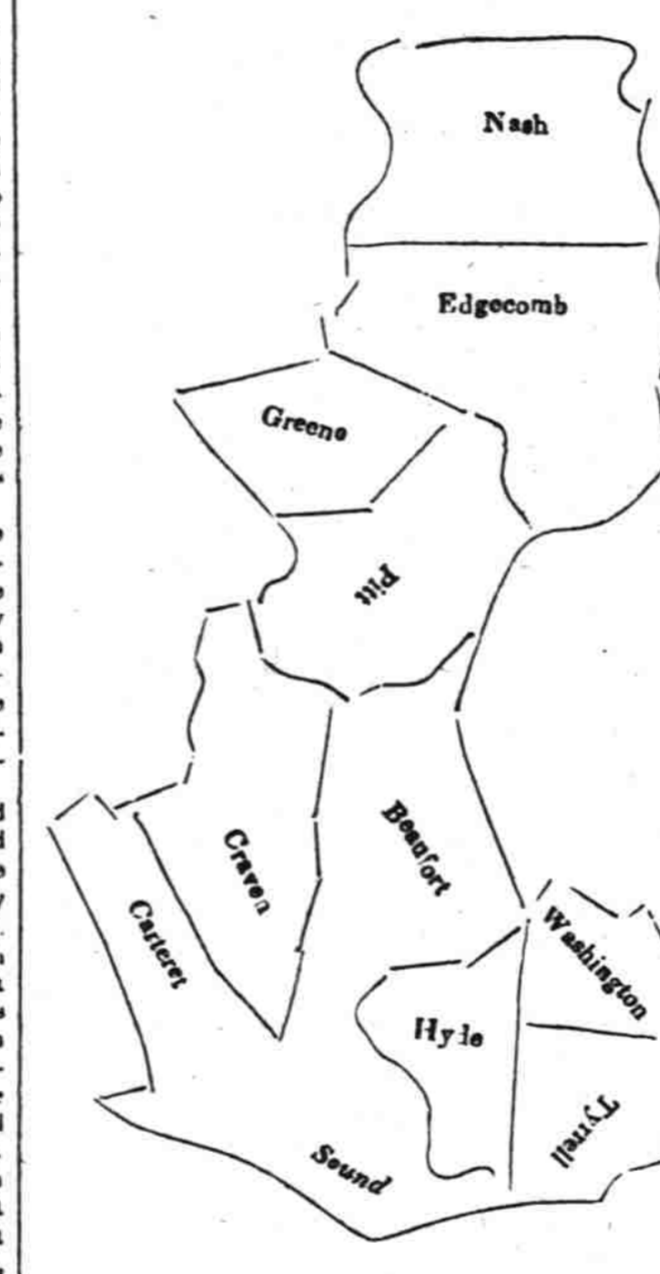
But, Mr. Speaker, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass the Bill? For he has warned us in another part of his speech, that if this Bill does pass, he and his friends will repeal it and arrange the Congressional districts to suit themselves when they get the power, which I hope and believe will not be seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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, can you suppose that the gentleman from Rowan (Mr. Ellis) really believes himself that we have not the constitutional power to pass 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 seen to the State Legislatures. If such be the fact, and if the Legislatures of the several States have not this power, I should like to know by what authority the act 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.

take up the gauntlet which he has thrown down. I accept the challenge and invite the comparison. The gentleman complained bitterly, but certainly very imprudently, of the shape of the ninth district; for that district is left by the present bill exactly as it stands under the existing law; and the gentleman is certainly stopped from finding fault with the sixth district, as it was laid off by his own 16th act, and is now represented by a gentleman for whom my friend from Rowan voted at the present Session as U. S. Senator. He alluded also to the third district. Mr. Speaker, I will show the gentleman a diagram of that district, as it was arranged under the law of 1843. Here it is:



[Much laughter.] And in the language of an old nursery 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 our county deep for over two hundred miles along the Virginia line. Under the bill now before the House, that district is much shortened, and is made two Counties deep. But, Mr. Speaker, I would call the attention of my friend from Rowan (Mr. Ellis) more particularly to a diagram of the eighth district, which I have. Here is "the critter!":



It has been said, sir, to resemble a certain species of shell fish which the immortal Dr. Shankskiu was so solicitous to protect a few years ago, called and known in my country as a terrapin. But I confess, 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 in the waters under the earth."

Look at it, Mr. Speaker, and say if it be not "A monster, of such hideous mien, 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 is, was made for the express purpose of depriving the present Speaker of this House, (Mr. Santly) 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 grievance, this is not the proper Forum for its redress. We should appeal (he says) to Congress to do us justice. What, sir; elect Democratic members, to Congress, and then ask them to change the districts from which they themselves are elected, by which change they themselves are to be legislated out "in the best?" 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 to their own dignity, will be willing 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, Mr. Speaker, 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 successful candidate for Governor may discuss before the people? If so, then there will be but little of that *home legislation*, which the gentleman from Orange

(Mr. Smit h) so highly commended on yesterday; for you know, Mr. Speaker, and the House knows, that *National politics* are chiefly discussed on such occasions. Mr. Speaker, regard the present occasion under which the Governor of North Carolina is compelled to canvass the State for reelection, as not only onerous to the incumbent, but degrading to the office; and if, sir, he is required to discuss before the people all the subjects upon which the Legislature is to act, his duties will be made intolerably oppressive. It was my good fortune to hear Gov. Graham address the people several times during the last summer, and I always heard him with pleasure. He accepted the issues which were tendered him, manfully met his opponents, and gallantly sustained his position.

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 pass; or, if it does pass, a provision should be made for submitting it to the people for their ratification. This position of the gentleman, must satisfy every one, I think that he had room for objections to this bill. Two years ago, when the Penitentiary question was under discussion in this House, the gentleman from Rowan, in a speech able and eloquent, expressed opinions diametrically opposed to those which he has thrown out on the present occasion. I have that speech before me, and beg leave to read a single extract therefrom:

"Mr. Ellis said he opposed the bill at present, solely on account of that provision requiring the question to be submitted to the people, to be acted upon at the next election for members of the next General Assembly. He had as high regard for the opinions of the people as any one, and when their will was known, none were more ready to carry it into effect than himself; 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 shirk from that responsibility." He then insisted that the majority on this floor were bound to make 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 well 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 that 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 and interesting contest against the Democratic party. And, sir, the gentleman from Rowan, in the 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 spectacle 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 condemned. What did he do, sir? Did he vote against his party? No. But regarding a private station, under the circumstances, as the post of honor, he resigned an office conferred on him by the Government, and retired to private life. For this, sir, he was abused, vilified and calumniated—his motives assailed, and his integrity questioned—and this too, at a time and in a place, when and where he had not the right to defend himself. Gentlemen opposed to him in politics, came forward and vindicated his motives, and attested the purity of his private character; while his party and friends, who were in 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 show that express notice of the intention of the Whigs to pass this bill was given immediately before the election in that 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 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 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 Whig 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 had little doubt would be Whig, 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 great party into which the country was divided— "It would be the duty of the Whigs 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 majority of the Representatives, 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 you suppose that the Whigs, who gravely contend, in the face of the facts, that the people have not been apprized of this subject, our Democratic friends have been taken by surprise on the subject? I do not believe the will. Mr. Speaker, I certainly do not wish to say anything on this occasion, calculated to wound in the slightest degree the feelings of any of my Democratic friends. It is feelings from my nature to do so, for many of my warmest personal friends are Democrats. 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 political opinions I honestly entertain. But, sir, as myself and my friends have been tauntingly told, 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. Santly) to the State of Rhode Island, and enquire if they know to what political party a certain Thomas Dorr belonged (—to New Hampshire, Missouri, Mississippi and Georgia, and ask if they remember the fact that the Democratic party in each of these States, resisted as long as they were power, the operation of the law of Congress abolishing the general ticket system, and establishing single districts; a law which my friend from Rowan seems to regard as a sort of supplemental Constitution—an instrument too sacred to be repealed, too holy to be touched!

Mr. Speaker, a good deal has been said in the course of this debate, upon the present condition and future prospects of the two great political parties of the country. The gentleman from Orange, (Mr. Smit h), represented the Democratic banner, and, in a triumph from Maine to Mexico; and, sir, I would but think how fortunate he was in not having heard the result of the recent elections in most of the Northern States; for, where ignorance is bliss,

"is folly to be wise." He was, however, fortunately followed by the gentleman from Wayne (Mr. Brogden), who, in melancholy tones, said we did not. He recounted the various defeats and disasters of his party, and furnished a formidable list of the kind and wounded; but by way of consolation to his friend from Orange, he informed the party had been defeated; it was not discouraged, and though overcom; it was not dis-banded. Comfort, truly, and must have fallen upon the ears of an enthusiastic gentleman from Orange (Mr. Smit h), very much like a wet blanket. It was really cruelly to meet his opponents, and gallantly sustained his position.

Now, Mr. Speaker, in all the discussion and controversy on this point, I wish to have no part in it. I declare to you and to the House, that in the support of the measure, I am influenced not so much by a wish to advance my party, as from a desire to do justice to a majority of the people of the State. Many of my personal friends of both parties will bear me witness that I have always said I would vote for no bill to re-district the State, which would give me any political advantage, for no bill which sought political advantage at the sacrifice of convenience and justice. I am, far, sir, from believing that the bill now before the House is perfect; but, sir, believing, as I honestly do, that it approaches nearly as practicable, to fairness and justice—as the committee majority, desirably of territory, equality of numbers, and similarity of interest, I shall give you my cordial support. For, Mr. Speaker, I have lived long enough in this world to learn, that we cannot expect to have things exactly as we wish. Our whole system of government is based upon compromise; and the balm for all our political troubles—the healing property in the institutions of the land, and which alone can preserve them, is to be found, sir, not in the strict arm of the law, not in physical force and violence, but in the conservative influence of mutual forbearance and liberal principles. Let the breast of every law-maker in the land, swell with sentiments of peace and good will toward his fellow man, and then, and not till then, will victory, party spirit and sectional jealousy, cease from among us. And true patriotism become the distinguishing characteristic of every citizen of the State—there will every variety of soil and climate and scenery, and every diversity of interests and pursuits, seek each another cord to bind together a contented and happy people.

STATE OF NORTH CAROLINA.—CHATHAM COUNTY.—Superior Court of Law and Equity, Fall Term, 1846. Reading Hall, and others, Petition for Sale of Lands. It appearing to the satisfaction of the Court, that the Defendant, Britton Haley, is not an inhabitant of this State; it is therefore ordered, that publication be made in the Raleigh Register for six weeks, notifying the said Britton Haley, to be and appear before the Honorable Judge of our Superior Court of Law and Equity, to be held for the County of Chatham, at the Court House in Pittsborough, on the 31st Monday in March next, then and there to plead, answer or demur to the petition of the Plaintiff, or the same will be taken pro confesso and heard ex parte. Witness, Joseph Ramsey, Clerk and