From the American Organ.

RALEIGH, N. C., Dec. 28, 1854.

MY DEAR SIR: I now propose to go on with my review of Mr. Wise's manifesto against the "Know-Nothings," at that place where I left off in my last.

Mr. Wise says "this secret political organization is against the spirit of our laws, and the facts of our history." In attempting to establish the latter branch of his proposition—that it is against the facts of our history—I am not willing to do the injustice to Mr. Wise's intellect, to suppose he is serious in his method of putting the argument. I can only regard it as a piece of pleasantry, for which I know Mr. W. is remarkable, sometimes, in the midst of the most serious discussion. His position is this—that, inasmuch as we are such a youthful nation, all our ancestors having been only 200 years ago foreign born to the soil—it is, therefore, "against the facts of history," that we should now show any jealousy of foreigners.

If Mr. W. is serious in this, he certainly does not mean to insist that our *right* to guard with the most stringent provisions our institutions against foreign influence, is at all impaired by our youthfulness as a nation. He may argue it as a matter of *taste or sentiment*—if he does, then, as I have said before, I demur to such a method of dealing with questions of constitutional right and privilege. But I had always thought such have been the teachings of history, as I have read it, that it has ever been in their early history, that all nations have been most jealous of foreign influence—most sensitive in regard to the preservation of their peculiar institutions. The ancient Greeks were much more tenacious of their freedom, and jealous of barbarians (as they called all the rest of the world) in their early history, than in their latter days of splendid effeminacy, when their arts and sciences and luxuries had invited an influx of foreigners from all parts of the world. So with the Romans.

It is true, Romulus first invites the refugee and outcast from all Italy to assist him in founding his colony and completing its defences; but when Rome grew strong, and became to have a distinctive character, where was there ever a people that possessed a more marked and isolated nationality? And it was when the title of Roman citizen began to loose its once priceless value—when the millions of the conquered provinces were admitted to equal rights and honors—that decay and degeneracy commenced their work.

According to Mr. Wise, the early Greeks were a set of upstart pretenders, in their jealousy of barbarians. They should have recollected that Cadmus and Cecrops, and Pelops, were men of yesterday, foreign adventurers from Phœnicia and Phrygia. The history of nations is, to a great extent, the record of the migration of races. How long must a people be in possession of a country, before they have a right to consider themselves the undoubted lords of the soil, and to provide against foreign intrusion?

How long, according to Mr. Wise's theory, should the Israelites have been in Palestine before they adopted their stringent laws against foreign influence? Mr. Wise must think Moses was sadly contravening the "facts of the history" of his country, in the jealousy exhibited against foreigners in the commercial law. He seems to be in ecstacies at the right extorted by Magna Charta, at Runnimede—but yet according to the doctrine here laid down, the Barons were a set of heartless foreigners—for it was not to the people at large, to the British or Saxons "Autochtous" (to use one of Mr. Wise's law words) that King John yielded those rights:—but to the Barons, a set of quasi foreigners, whose ancestors had come over with the conqueror, only one century before.

Mr. Wise says, further, by way of showing the inconsistency of jealous opposition to Roman Catholic influence, that only two centuries ago our ancestors took possession of this country, "by authority, either directly or indirectly, of Papal power. His Holiness the Pope was the great grantor of all the new countries of North America."

If such an argument as this had come from a bigoted Papist, I could have appreciated its bearing; but, coming from one, who, in another part of his letter, boasts of his Protestantism, I confess I am utterly unable to understand it. That the Pope of Rome, as the pretended viegerent of the Almighty, has claimed and still claims the ownership of all the domains of the earth, I am aware; that he has from time to time affected to grant to his chosen followers immense territories, I am also aware; just as I am informed from reading my Bible, that the Devil once offered to give the whole world—which he had just about as much title to, as the Pope of Rome has—to the Savior, if he would worship him. But, if Mr. W. intimates that this ridiculous claim of the Pope has ever been recognized in the public law of Christendom, I deny it. Discovery, possession, settlement—these are the criteria of national title to wild and savage lands. How were the charters granted by the British Kings, for the settlement of North America, derived from the Pope?

Did the early English explorers of North America plant the English flag on our shores, in virtue of any papal bull? Were the settlements at Roanoke, at Jamestown, at Plymouth Rock, made in virtue of permission from Rome? Certainly not. This claim of the Pope to distribute the domains of the heathen has never been regarded, even by Roman Catholic countries, except when followed by settlement and established dominion. Mr. W. says "foreigners, in the name of the Pope and the mother church, took possession of North America," &c., "and now their descendants are for excluding foreigners and the Pope's followers from an equal enjoyment of the privileges of the same possession." The first part of the proposition is not warranted by history. The country was originally settled by a Protestant population. As to the latter part of the proposition, if Mr. W. is serious, he must mean that we are under obligations to the Pope and mother church for granting to our fathers this great domain; consequently, an obligation rests on us in return to reciprocate the boon.

It must mean this, if it means anything. Let me ask Mr. Wise—do you believe the Pope's bull granting heathen lands to any Power on earth, has any validity in the public law of nations, in virtue of his Pontifical character, or in the unbiassed coincidences of mankind? If you do not, why do you gravely contend, that it is ungrateful in us not to appreciate what you have just before termed as "fiction?" If you do, then you cannot consistently call yourself a Protestant any longer. In speaking of this pretended power of the Pope, to grant heathen lands, he says, further, "what would have become of our national titles in the northeastern and northwestern boundaries, but for the plea of this authority," &c.? Here Mr. Wise is again at fault. No such doctrine was contended for by either power in either of the treaties with England, settling our vexed questions of boundary. There Papal bulls were referred to, and very usefully too, in settling disputed questions of date, and also of recognised boundaries, at certain times.

But neither England or America or their diplomatists ever advanced the doctrine, that the mere grant of the Pope conferred any exclusive power, but that settlement and continued possession were the only evidences of national title.

Mr. Wise next goes on to describe very graphically and beautifully too, the trials and difficulties of the colonies, their energy, patience, and devotion to the principles of liberty, their resistance to unjust taxation by the mother country, their final appeal to arms, and their fraternal concord in promulgating the Declaration of Independence. In every sentiment here expressed I heartily concur, but it is out of place—it has nothing to do with the question at issue. I cannot see any possible logical connection between it and the deduction he attempts to draw from that clause of the Declaration of Independence which, in enumerating the grievances complained of on the part of George III., mentions his "endeavoring to prevent the population of those States; for that purpose obstructing the laws for the naturalization of foreigners, refusing to pass others to encourage their emigration hither."

I would appeal to Mr. Wise's candor, and ask him—Was that complained of on the part of the Colonies, as a matter of principle, involving any question of English liberty, or as a mere matter of policy? Mr. W. will hardly deny that it was urged on the ground of policy—if so, it had special reference to the time, and the circumstances, and the condition of country. At that time, we did need population; the country was extensive and sparsely settled; there was great need felt for laborers, mechanics, capitalists, to subdue the country, and promote the arts and improvements of civilized life. At that time, the African slave trade was in full vigor. Any interference with that, on the part of the Crown, would, no doubt, have been considered a grievance. But because they were grievances then, is no reason why they should have been grievances *forever*. The framers of the Constitution thought not, in regard to the latter, for they provided for its discontinuance after 1808, and the whole country has acquiesced in it. Why?

Because the great increase of the slave population, together with the knowledge that there was only a portion of the country adapted to slave labor, convinced statesmen, and people, too, that we had as many as could be usefully employed. Well, the people of this nation are beginning to think pretty much the same way about foreigners. Because it might have been considered good policy to encourage the emigration of foreigners in 1776, is no more reason why we ought to pursue the same course now, than that the toleration of the African slave trade till 1808 is a reason why we should remove all restrictions upon *it* now. Mr. W. will not deny that the policy of a nation is changed by time and circumstances. But not only are time and circumstances different from what they were in 1776—but the charter and conduct of the foreign immigrants are entirely changed.

This cannot be denied. Up to within the last thirty years, they were an industrious, enterprising, and orderly population, who came here to better their condition in a new country, where labor was scarce, food abundant, and liberty secure. There was then no distinctive class organization among them for political purposes; no concerted action among them as a foreign, contra-distinguished from an American party; no disgracing the streets of our cities with scenes of riot and bloodshed; no driving and beating away peaceable and orderly American citizens from the polls; no emptying the prisons and almshouses of Europe upon our shores; no huckstering with parties, corrupting the political morals of the country, and selling the ballot box for the reward or the promise of reward. Hence, no one objected to their coming, receiving naturalization after a short probation, and enjoying all our rights and privileges as freemen.—And so with Roman Catholics. In the early history of the county, when they were weak in numbers, they were modest and unpretending.

No Jesuit horde had then inundated the land; no Pope of Rome had then parcelled out our country into provinces, over each of which was placed some foreign minion of his own, claiming all the church property therein as vesting absolutely in himself; no arrogant claim was then set up by them, that a portion of the school fund in the States should be specially appropriated to them, to enable them to teach hatred to Protestantism; no prelate of this church had then dared negotiate with the leading men of rival parties as how and for what consideration the Roman Catholic vote should be cast; no bloated menial of a foreign potentate had then dared to arraign before the nation, and challenge controversy with, grave Senators in Congress for their efforts to procure from American citizens dying in foreign lands the Christian burial foreigners received in ours. And hence, no Protestant was in favor of interfering with them, or denying them any of the rights, privileges, and immunities common to all.

And what has been the result? These foreign and Roman Catholic vipers, that we have taken in our bosoms, and warmed into life and energy, are now trying to fasten their fangs into our very vitals. And as is ever the case with ingratitude, they seem to hate us with the greater intensity, on account of the wrongs they have inflicted on us. And, notwithstanding all this, there is, *as yet*, no disposition with the Know-Nothings to deprive them of any right secured to them by the constitution and the laws, and I defy their most violent opponents to show anything to the contrary. The Know Nothings wage no war, but a war of defence, in order to prevent their foreign and Roman Catholic enemies from cheating them out of their rights.

Mr. Wise lays great stress on the fact that Roman Catholics fought in the same ranks with our Protestant fathers in the Revolution; and that the signers of the Declaration of Independence, one of whom, (Carroll, of Maryland,) was a Roman Catholic, gave a "pledge which bound them and us their heirs forever to faith and hope in God, and to charity for each other, to tolerance in religion, and to mutuality in political freedom." Exactly! Exactly! And that pledge, the Know Nothings, if I understand them, are resolved to keep sacred and inviolate forever!—peaceably and quietly, by means of the ballot box, if they *can*, but as I trust and hope, by shedding their heart's best blood if they *must*. "Charity for each other!" Does Mr. Wise believe that this church has this charity for Protestants? If he does, let him read Bronson's Review, sanctioned and endorsed by every Romish Bishop in this country; he will there see that all Protestants are denounced as infidels, and atheists, and as without the pale of salvation. "Toleration in religion?"

Does Mr. Wise believe that Romanism, if it had the power, would tolerate Protestantism in this country for a day? How can he believe so, when it is a fact in the history of the times, that a Roman Catholic journal in St. Louis, only a few months since, boldly declared, that when the Romish Church obtained the ascendancy, no other religion would be tolerated?—And this, too, under the eyes of the Bishop there, without reproof or denial from him.—Will not Mr. Wise admit that "liberty of conscience" in religious matters means the liberty of worship in such form, under such ritual, and with such faith as conscience dictates to be right? He certainly will; and yet does he not know, that Archbishop Hughes, in his controversy with Senator Cass, arrogantly promulgated to the world, that "liberty of conscience" meant nothing more than the "liberty of thought," and that it did not necessarily imply the right of corresponding action? "Mutuality in political freedom!" Does Mr. Wise mean sectarian or class mutuality or individual mutuality? I suppose, of course, he means the latter.

If he does, does it not imply the right of every one to cast his vote in accordance with what his judgment may suggest as most conducive to the public good? And does he not know, that the Roman Catholic vote of this country is controlled, and generally cast as a unit, according to the directions of the hierarchy of that Church? Would there be any "mutuality of political freedom" in allowing the claim of the Romish Church to appropriate a portion of the school fund to teach their sectarian views—and deny the same privilege to the various Protestant denominations, who, by the way, have never claimed it? It is this very "charity for each other"—this "tolerance in religion"—this "mutuality in political freedom," of which Mr. Wise speaks with such rapture—that the Romish Church is warring against, and which the "Know Nothings" are determined to assert and maintain? But still, they propose to assert it, not by putting the Roman Catholics under the ban of the law—they propose to do it by the individual right secured to freemen by the great conservative remedy of the ballot-box.

If Mr. W. wishes to know the *modus operandi*, the how, and the where, and the when, as I "*know nothing*" about it, and, therefore, can't tell him, he will have to join the order, if they will receive him, which, perhaps, they may do, if he will bring "fruits meet for repentance." But, even if the "Know Nothings" did propose, by way of "security for the future," to guard against the designs and tendencies of the Romish and Foreign influence, by a change of the constitution and the laws, Mr. Wise's argument, that some few Roman Catholics and foreigners having been good soldiers in the Revolution, and one Roman Catholic having signed the Declaration of Independence, should forbid such action, is worth nothing. There is not only no logical but there is no rational sequence to any such conclusion. Even if foreigners and Roman Catholics had been mainly instrumental in securing our liberties, that is no reason why others, seventy-eight years afterwards, who happened to have been born in the same lands, and to be followers of the same faith, should be allowed to destroy in peace the freedom which the former maintained in war.

Mr. Wise next proceeds to say—"But before the 4th of July, 1776, there were laws passed of the highest authority, to which this secret organization is opposed." He then goes on to enumerate provisions in the Declaration of Rights prefixed to the Virginia Constitution.—The first of these provisions to which he adverts is the fourth section "that no man or set of men are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services, which not being descendible, neither ought the offices of magistrate, legislator, or judge, to be hereditary," and then he asks if the Know Nothings do not claim for the "native born set of men to be entitled to exclusive privileges from the community, as against naturalized and Roman Catholic citizens," &c. Mr. Wise has positively asserted in the preceding sentence, that "this secret organization is opposed" to this provision. He ought to be more careful how he makes such ungenerous charges against his own fellow countrymen, in the absence of all pooof. I answer his question—no! emphatically no!

They not only never avowed any such doctrine, but have uniformly denied it, and, in the absence of proof, such charges are unkind and illiberal. Under the constitution and laws, as they now are, native born citizens enjoy no such "exclusive privileges;" and I defy Mr. W. to point to any evidence showing that the Know-Nothings are in favor of so changing our institutions as to give them such. This provision in the Virginia Declaration of Rights was intended as a restriction upon the Legislature; and no one surely can contend that it ever was designed to curtail the privilege of the citizen, in the exercise of the right of suffrage. Mr. W. lays stress upon the term "set of men"—that evidently means a class, constituting an integral portion of the body politic, and has reference to the hereditary magistracy and legislature of the English constitution, which it was intended to guard against. Even if the Constitution of Virginia were so changed as to declare that no foreigner or Roman Catholic ever should be elected to any office in that State, it would be no violation of that provision of the Declaration of Rights, any more than the provision that none but white men shall be so elected is a violation of it.

Has Mr. W. forgotten that the very constitution of 1776, to which this declaration was prefixed, provided that none but freeholders should be eligible to the Legislature, and that the privilege of voting should be confined to those who owned a certain amount of property. Will Mr. W. contend that that provision in the old constitution of his State conferred "exclusive privileges" on a 'set of men,' and did a man who inherited from his father property sufficient to render him eligible to office, or to vote for those who were, thus, "by virtue of birth inherit the right of election to the office of magistrate, legislator," &c? He will hardly admit that the great men who formed the constitution of his State, in 1776, thus stultified themselves. Does the present constitution of Virginia, declaring that none but a native-born American shall be governor of that State, conflict with this clause in the declaration of rights? Does it thereby constitute native citizens a "set of men" who, "by virtue of birth, inherit the right of election" to that office? And if the principle involved in that clause of the declaration of rights referred to is not violated by this povision, how would it be violated by extending it to every other office in the Commonwealth?

Mr. Wise next refers to the seventh section of the Virginia declaration of rights, which forbids "all power of suspending laws, or the execution of laws by any authority, without consent of the representatives of the people," &c. And he asks, how can "a secret power suspend the laws or the execution of the laws, which say that Catholics and naturalized citizens shall be tolerated and allowed the privileges of citizenship and eligibility of office." The Know-Nothings are not in favor of any such "authority" having the power to suspend the laws or the execution thereof. This provision, like the former, was not intended to impose restrictions on the Legislature. It was nothing more than the assertion of the same great principle secured to the English people in the bill of rights.

The revolution of 1688 annulled forever this prerogative of the Crown, exercised by the Tudors and claimed by the Stuarts, of suspending the laws, and of the dispensing power; and so jealous were the revolutionary men of 1776, that they determined, even in framing a republican goverment, that *no authority* should ever, under any pretence whatever, be armed with this dangerous power of suspending the laws. So far, then, from its being a restriction on popular liberty or the right of suffrage, or the privilege of the people to control and regulate the action of the government, it is a provision in favor of popular rights. The restraining clause applies to '*any authority*.' What means the term authority there? It certainly does not refer to the people as the great source of all power through their action at the ballot-box. But it implies a power invested with certain official functions provided for by the organic law. Mr. Wise has confounded a concerted effort on the part of the people to counteract the evil tendencies of a law with a suspension of the law itself.

Suppose Congress were to pass a law for the establishment of a national bank (which Mr. W. now thinks to be unconstitutional,) suppose the people of this country, or any considerable portion of them, were to form a combination, that they would not only never deal with it in any shape or form, but they would never vote for any one who did—would this be establishing an "authority" for the "suspension" of a law?—Let Mr. Wise answer, for the case supposed is directly in point.

Mr. Wise proceeds with the Virginia declaration of rights. He refers to the 8th section, which provides "that no man shall be deprived of his liberty, except by the law of the land, or the judgment of his peers." Mr. Wise says, liberty here does not mean mere personal liberty but his franchise of any sort; and asks, "If a private and secret tribunal has a right to impose qualifications for office, and enforce their laws by test oaths, so as to deprive any one of his liberty to be elected." For the sake of the argument, I will let him state his proposition in his own way; and I answer No!

The constitution alone can define qualifications for office. No secret "*tribunal*" has any power to enforce laws in this country—thank God for it. And the Know-Nothings don't intend to allow any such to be established in this country, if they can help it. The hierarchy of Rome have established such tribunals, wherever they have had the power, and with the rack and the stake they have inflicted the penalty of resistance to their behest. Although it does not affect the merits of the question, yet Mr. Wise is wrong in supposing that the term "liberty" does not mean mere personal freedom from restraint or duress. The same language is used almost *verbatim* in all our constitutions, both Federal and State. It has a historical significance. It also is taken from the English bill of rights. It was intended to guard the English subjects against the tyranny practiced during the reign of the Stuarts, in the issuing of general warrants, and the power assumed by the privy council of imprisoning the subject without admitting to bail, or even mentioning the cause to arrest. This right to "liberty" belongs to the foreigner in England, where he has no franchise, either of voting or being voted for. It belongs to the free negro in Virginia as well as to the proudest citizen.

But even if it did mean the "liberty to be elected," as Mr. Wise insists, the Know Nothings are not disposed to interfere with it. They do not object to others voting for foreigners or Roman Catholics if they choose; but if they do not see fit to vote for such themselves, have they not a right to pursue the dictates of their judgment?

Mr. Wise asks further, if the Know Nothing organization is not in conflict with the 14th section of the Declaration of Rights, which says that "no government separate from, or independent of, that of Virginia, ought to be erected or established within the limits thereof?" He answers the question himself in the next sentence, for he says, "It is not a government." "But," he goes on to say, "will it not govern the portion of the people belonging to it differently from what the portion of people not belonging to it are governed by the laws of Virginia?"—Certainly not. They have no legislative power over the law; therefore they cannot make the operation of the law on themselves and others different.

They have not, and do not claim, any power of suspending the laws, as has already been shown. If Mr. Wise means to ask whether their rules and regulations for their own government as an organization, are not different from those of the statute law of the State, I answer yes; and so are those of the literary societies of the colleges of Virginia.

It is a little remarkable, that every one of those provisions in the Virginia Declaration of Rights, which were intended to be in favor of the liberty of the citizens to restrain the power of the constituted authorities, and to leave that power with the people, Mr. Wise construes as a curtailment of popular rights. According to his doctrine, the Democratic party has for the last twenty years been acting in direct violation of all those provisions of the Declaration of Rights, to which he has referred. According to his doctrine, the Democrats who meet in secret caucus, and resolve to prevent the election of Whigs to office, thereby claim for the Democratic "set of men" "to be entitled to exclusive privileges from the community as against" Whigs."

According to his doctrine, "when the laws say" that, according to the qualifications for office, Whigs, in common with all others, "shall be tolerated and allowed the privileges of citizenship and eligibility to office;" and yet the Democrats resolve, in secret council, that no Whig shall be elected—they (the Democrats) thereby "have organized a secret power to suspend these laws and prevent the execution of them." According to his doctrine, when the Democrats resolve in secret caucus that no Whig shall be elected, they thereby "annul that part of the eighth section of the Declaration of Rights, which says, "no man shall be deprived of his liberty, except by the law of the land or the judgment of his peers," if, as Mr. Wise says, "liberty means the liberty to be elected;" and if, as I suppose he will hardly deny, Whigs are entitled to this liberty as well as others. This, mind you, is Mr. Wise's argument, not mine.

Mr. Wise treats an effort on the part of the people to influence the policy of the government, or to operate on public opinion, through the peaceable and orderly method of the ballot box, as a seditious movement on the part of a faction to interfere with the action of government, or to thwart the operation of the laws, by violent and unconstitutional means. The right of suffrage is the private individual property of the citizen, for the proper exercise of which he is under high moral responsibility, but for which he is accountable to no human being.—After the people have made their organic law, and put the machinery of the government in motion, it is only though the ballot box that they can make their power and influence felt at all. But Mr. Wise's doctrine, carried out to its legitimate consequences, would destroy forever the efficacy of the ballot-box as the great controlling power over public opinion, as the great corrective of evil political tendencies.—The great and prominent fiction of representative republican institutions is that the people have a right to know the opinions of those who aspire to represent them—and to have their own views reflected through their representatives in the administration of the government.

Freedom of speech, and freedom of conscience, are among the greatest blessings known to a land of liberty. Our constitutions have guarded these rights against the danger of all pains and penalties under the law; yet, for his thoughts and opinions, no matter how honestly entertained, a man is responsible in his representative character. Even if the people err, in pronouncing judgment on a public man, it is their right to err—I do not mean their moral, but their constitutional right.

Mr. Wise says, "when our constitutions forbid the legislators to exercise a power, they intend that no such power shall be exercised by any one." If Mr. W. means by the term "power" any affirmative action, invested with the means of binding others—any functional exercise of authority, I agree with him. But he cannot mean that. From the context, the whole tendency of his argument has reference to the motive of the voter. And that motive, I insist, the Constitution has left untouched.

The constitution proscribes no one for his opinions. All are equal under it, no matter how variant may be their opinions, either political or religious. And yet every individual voter has an unquestioned right to vote against, and to persuade his friends to vote against, and to unite in an organization for having defeated whomsoever may differ with him in opinion.—And what would the right of suffrage be worth, without this free, independent, and unquestioned exercise of it? The constitution does not forbid any man to be elected for hating southern slavery with all the intensity of his soul, and yet that same constitution allows Mr. Wise to vote against such man, and to concert with others either in public or private for preventing his election. The constitution, in prescribing the qualifications for President, "forbids" the idea of his being ineligible on account of his being a Whig; and yet, does Mr. Wise think it forbids the people of the country from voting against him, on that ground?

These cases are put, by way of illustration, to show the fallacy of Mr. Wise's argument.—The law making power cannot add any disqualification for office, other than that mentioned in the fundamental law; but, yet, the people, and every one of them, may, in the exercise of an unquestioned privilege to vote as he choose, practically impose a disqualification for mere opinion; whilst at the same time, this freedom of opinion is secured against pains and penalties, by the same organic law which confers on the voter the right to disqualify one for place on account of it. If this be not so, then the exercise of suffrage is a mere idle and unmeaning ceremony.

Here I will stop for the present. I will resume my review of Mr. Wise's manifesto hereafter.

With much regard, yours sincerely. R.

To ———, Esq., ——— Virginia.

☞ We learn that agreeably to an appointment made some time since, the Hon. Kenneth Rayner delivered an address to the Know Nothing Order in Ashland Hall, on Thursday night. Rumor had it that Mr. R. came on purpose to counteract the influence of Mr. Wise and keep the party straight—but this appears to be erroneous; Mr. Rayner declares (as we are informed) that he did not hear Mr. Wise's whereabouts till he arrived within the neighborhood of Norfolk. The Know Nothings say Mr Wise answers their purpose very well, and that it would be idle pastime for them to employ a special orator to reply to him.

*Norfolk Herald.*

BEAUTIFUL.—We had the following beautiful anecdote in the editor's table of the January number of Graham:

"We know a beautiful little blue-eyed girl, of some three years old, who was nestled in her mother's arms, at twilight, looking out at the stars.

Mother, said she, it is getting dark.

And what makes it dark. Caroline? said her mother.

Because God has shut his eyes, replied the little poet.

*Dr. Robert M. Graham*, convicted of the manslaughter of Col. Loring, at the St. Nicholas Hotel, N. Y., in August last, and sentenced to the State Prison for seven years, has been conveyed to Sing Sing, where, it is understood, he will be placed in the medical department of the prison as assistant physician.

## STATE LEGISLATURE.

### SENATE.

FRIDAY, January 5, 1855.

Memorials were presented by Messrs. Freeman and Fisher.

Mr. Drake, from the Committee on Claims, reported favorably upon the following resolutions, which passed their second and third readings:

A resolution in favor of William Thompson

A resolution in favor of Samuel W. Chadwick.

Mr. Fisher, from the Committee on Internal Improvements, reported favorably upon the bill to incorporate the Salem and Clemmonsville Plank Road Company and the bill to improve a road in Wilkes County, and the bill to amend the charter of the Ashville and Greensville Plank Road Company, which passed their second reading.

Mr. Wilder introduced a bill to amend an act entitled an act to incorporate the Neuse River Manufacturing Company at the great falls of Neuse River, which passed its three readings.

Mr. McDowell, from the Committee on Corporations, reported favorably upon the bill to incorporate the Newbern Mutual Insurance Company.

Mr. Hoke from the Committee on the Judiciary to whom was referred the memorial of citizens of Hillsboro, reported a bill for the better regulation of the town of Hillsboro, which passed its first reading.

Mr. Fisher introduced a bill to incorporate the Scotch Ireland Lodge No. 11 of Ancient York Masons in the County of Rowan.

On motion of Mr. Graham, the bill to incorporate the McIver Copper Mining Company was taken up and read the second and third times and passed.

Mr. Biggs, from the Committee on the Revised Statutes, reported a number of bills which passed their three readings.

The following engrossed bills were read the first time:

A bill to amend an act to incorporate the town of Plymouth.

A bill to authorize the collection of arrearages of taxes in the County of Jackson.

A bill to amend an act passed at the session of 1852 entitled an act for the better regulation of the town of Wilson in Edgecombe County.

A bill to amend the charter of the Western Plank Road Company.

A bill to prevent the ranging of Stock from any other State in Yancy County.

A bill to number the Western regiments in Madison County. Read second and third times.

The engrossed resolution in favor of Warren Winslow was read three times and passed.

Mr. Mitchell introduced a bill to appoint commissioners to view and alter the road from Wilkesboro to Trap Hill in Wilkes County.

The hour of twelve having arrived, the special order, being the bill to lay of and establish a new County by the name of Vernon, was taken up and made the special order for 11 o'clock tomorrow.

The bill to amend an act entitled an act to define the duties and powers of turnpike and plank road companies was read the second time and passed.

A Message was received from the House of Commons, stating that the House had passed the bill concerning criminal proceedings with an amendment.

On motion, the Senate disagreed to the amendment.

The bill to regulate the floating of timber on Roanoke river was read the third time and passed.

Mr. Wilder introduced a resolution appropriating $4,000 for the repair of the Governor's House, and enclosure of the lot, which was referred to the committee on Public Buildings.

On motion, the Senate adjourned.

### HOUSE OF COMMONS.

FRIDAY, Jan. 5, 1855.

The House came to order at the usual hour and the journal was read.

PETITIONS AND MEMORIALS.

Mr. Walser: a memorial concerning Internal Improvements, which was read and referred to the committee on Internal Improvements.

Mr. Rolen: a memorial concerning the extension of the Western Turnpike road, which was referred to committee on Cherokee Lands.

Mr. Shipp: a memorial to re-establish Polk Co. Read and referred.

Mr. Sharp: a memorial in favor of Graham Co.

REPORTS FROM STANDING COMMITTEES.

Mr. Lyon, from the committee on Corporations, reported favorably on a bill to incorporate the town of Henderson.

Mr. Settle, from the committee on Claims, reported favorably on a resolution in favor of John B. Debnam, with an amendment.

Same committee reported favorably on a resolution in favor of Thomas N. Alexander, Sheriff of Mecklenburg Co., with an amendment, which was adopted, and, on motion of Mr. Myers, the rules were suspended and the resolution passed a second reading.

Mr. Dortch, from the committee on the Judiciary, reported unfavorably on a bill authorising Executors and Administrators to sell the property of infants. On motion, it was laid on the table.

RESOLUTIONS.

Mr. Norment: a resolution authorising the Literary Board to loan one thousand dollars to the Robeson Institute. On motion of Mr. T. H. Williams, it was referred to the Committee on Education.

Mr. Shipp: a resolution of inquiry to the Committee on Banking. He proceeded to remark that he did not think this Committee had done its duty. He wished to hear from the Committee on the various bills to establish new banks, some fifteen or twenty in number.

Mr. Steele said he was a member of that Committee, but yet agreed with the remarks of the gentleman from Rutherford, (Mr. S.)

Mr. D. F. Caldwell followed, expressing the same sentiments, but said Mr. Steele was mistaken in saying that he understood it to be the intention of this Committee to report favorably on every bill for the establishment of a new bank.

Mr. Myers made a few remarks in explanation.

Mr. Rolen: a resolution in favor of Neil M. Colvard, of Cherokee county. Referred to the Committee on Claims.

BILLS AND RESOLUTIONS.

Mr. A. H. Caldwell: a bill authorising freeholders of Salisbury to hold stock in the Salisbury and Mocksville and Western Plank Road Companies. Referred to the Committee on Corporations.

A bill from the same gentleman to amend an act for the better government of the town of Salisbury, with same reference.

Mr. Selby: a bill concerning the transfer of certain lands to the Literary Board for the benefit of Common Schools. Read first time and referred to the Committee on Education.

Mr. J. G. Shepherd: a bill for the better regulation of public roads, streets, bridges and rivers. Read first time and referred to the Committee on Propositions and Grievances. On motion of Mr. Waugh, the bill was ordered to be printed.

Mr. Patterson moved to take up the unfinished business of Friday last, viz: a bill to extend the time for the payment of money on public lands. Adopted. Bill passed a third reading.

SPECIAL ORDER OF THE DAY.

A bill to incorporate the Wilmington and Charlotte Railroad Company.

Several amendments were proposed by Mr. Steele, and adopted.

Mr. Steele addressed the House on the merits of the bill. He explained the nature of the project. The proposed road is to run through a country fruitful in useful commodities, cotton and naval stores. It is a North Carolina work, the object of which is to develope the resources of the State, carry produce to our own markets, and build up manufactures in our own State.—It does not conflict with any other work of Internal Improvement, and, instead of contributing to build up the market towns of other States, it will keep our produce in our own markets. Wilmington is the best grocery market south of the Potomac, and with its cheaper wharfage than Charleston, and continual intercourse with New York, it will be an inducement to merchants to bring their goods to that city. Furthermore, it tends to the advancement of the people of the State, which, in the present age, is a very desirable object. The appropriation asked from the public treasury is only $8,000 per mile. It may be objected that times are hard and money scarce, but such will not always be the case; by the time the Treasurer will be called on to endorse the first bond, some eighteen months will have elapsed. Times must get better. The export of specie from the country is decreasing. The export last month was only $3,700. No bond will be sold at less than par value. He said he came from the border of South Carolina, from a county which had always toiled for the benefit of that State, while loving North Carolina as much as any people within her borders; and that people ask some assistance to enable them to benefit their native State. He showed the destructive effects on the monetary condition of the State by exporting our produce, and the beneficial effects which result from improvement in our markets and protection to home trade. He spoke again of the devotion of the people of his district to the State of North Carolina, notwithstanding the opposition which he, their representative, had often met with, and appealed to the generosity of the State to return such devotion, by granting the assistance which they pray for, in order that they may, together with other portions of the State, subserve its interests.

Mr. Shipp proposed to amend, by striking out Charlotte, and inserting Asheville, and made some few remarks in its support.

Mr. Whitlock desired an explanation from Mr. Steele, concerning the 42d section. Mr. Steele explained, and remarked that the amendment offered by his friend from Rutherford (Mr. Shipp,) was rather embarrassing.

W. F. McKesson offered to amend by inserting "Swannona Gap" instead of Charlotte.

T. A. Norment spoke in support of the bill; it asked little, did not increase the taxes any where in the State, and it was an act of justice to pass it.

On Mr. Shipp's amendment, the ayes and noes were called by A. H. Caldwell, of Rowan. Ayes 21; Noes 78. Amendment lost.

Mr. Mebane offered an amendment, to the effect that the endorsement by the Public Treasurer shall not exceed sixteen hundred thousand dollars; which was adopted.

Mr. McKesson remarked that in giving his vote, he did so with a good deal of unaffected embarrassment; that he felt a great interest in the State at large and particularly in that portion of it from whence he came. He therefore could not omit any opportunity of sincerely urging its interests upon this liberal house, this house composed of North Carolinians,—not Eastern, Western or sectional members,—members knowing naught but the good of the State. He said: As greatly as I venerate the old Key stone State, that gave me birth, I am a friend, and trust to God I ever may be a true friend, to North Carolina, and as such, Mr. Speaker, I tell you, we want proper means for the communication of intelligence and for the transportation of our resources from East to West, and from West to East. Rail-roads are all essential in peace and doubly essential in war. Suppose we now were engaged in war with a foreign nation, how long would it take our hardy mountaineers to reach the sea-shore, and with all due deference, Mr. Speaker, to that party, to which you have the honor to belong, we will soon be thus engaged, as your party is travelling onward towards *Cuba*,—Cuba, right or wrong. I am frank to admit I am rather Cuba myself, unless the great Leviathan of the other wing, who will soon be clothed in his imperial purple by the Know Nothings of the Country, impede you in your progress. He would, however, vote for the bill, with an assurance that the friends of the Wilmington and Charlotte road and the friends of the East would not forget the main trunk, the Western Extension. His Ex-Excellency, the other day, in his message, recommended the erection of two small monuments in Capitol Square. He meant no disparagement to that gentleman.—*He* would recommend two other monuments, the Eastern and Western Extensions. Such monuments are calculated to develope the resources of the State and add to her honor and prosperity.

W. K. Martin moved to strike out all of the bill after the 36th section.

Messrs. Shipp and Patterson made a few remarks. On Mr. Martin's motion the ayes and noes were demanded. Ayes 45; Noes 55.—Amendment rejected.

On the passage of the bill on its second reading, the ayes and noes were demanded by S. A. Williams:

Those who voted in the affirmative were:—Messrs. Amis, Baxter, Black, Bogle, Bryson, D. F. Caldwell, A. H. Cansler, Chadwick, Cook, Davenport, Dunn, Furr, Garland, Gentry, Gilliam, Gorrell, G. Green, J. H. Headen, A. D. Headen, Horton, Humphrey, Johnson, Jones, Jordan, Lancaster, H. Leach, Mann, McKesson, Mebane, Myers, T. J. Neal, J. W. Neal, Norment, Oglesby, Patterson, Patton, Phillips, Regan, Rolen, Rose, Russell, Shepherd, Shipp, Sharpe, Sherrill, Simmons, Stubbs, Steele, Sutton, Turner, Vance, G. M. White, N. B. Whitfield, Whitlock, Wilkins, B. F. Williams, T. H. Williams, Yancy—59.

Those who voted in the negative were:—Messrs. J. Barnes, A. Barnes, Badham, Blow, Bryant, Bullock, J. B. Bynum, Cotten, Craven, Daniel, Daughtry, Dortch, Flynt, M. Green, Hill, Holland, Jarvis, Jenkins, J. M. Leach, Long, Lyon, March, Martin, Outlaw, Rand, Selby, Settle, Shaw, Smallwood, Thornburg, Tomlinson, Walser, Waugh, Whitaker, Winston, T. A. Williams, C. W. Williams, D. Williams, Wright—39.

The House took a recess till 3 o'clock.

### AFTERNOON SESSION.

BILLS ON THEIR THIRD READING.

A bill to incorporate the Cape Fear and Wacamaw Lumber and Canal Co. Passed.

A bill to prevent obstructions to the passage of fish in Blunt's Creek. Passed.

A bill to incorporate the Yadkin Institute. Passed.

A bill to amend the Statute concerning widows. Passed.

A bill to incorporate the Chatham Rail Road Company.

Mr. Outlaw inquired if this bill were not perpetuating the corporation.

Mr. J. H. Headen: Yes; but if the gentleman wishes to amend the bill, he can do so.

Mr. Outlaw said he would propose to amend by restricting to sixty years; and there was another point he wished to amend—that of exempting the company from taxation. He moved to strike out that portion of the bill.

Mr. Headen said the liberality of the Legislature was in great danger when such an amendment came from the gentleman from Bertie, and when he voted as he did on a similar measure this morning. A small favor was asked to put this company under way, to put a Railroad in operation which will be so important to the commercial prosperity to the State, and it is objected to!

Mr. Outlaw replied. He said he was accountable to no one but his constituents for any vote he might give. When the time came, he would show this House, and the people of the State, that his vote this morning was a reasonable and proper one.

Mr. Headen, in reply, said he meant no personal disrespect to the gentleman, but he was surprised at his hostility to a measure which asked so little from the State.

Mr. Outlaw moved to amend the first section concerning perpetuity, and substituting ninety years. Adopted.

Mr. Headen moved to amend in several unimportant particulars which were adopted. Mr. Outlaw proposed another amendment.

Mr. Turner opposed the amendment, and, in the course of his remarks, said he was very sorry to differ with his friend from Bertie, who was generally right. This bill only asked that the company be exempt from taxation for fifteen years, which was asking very little in his estimation.

Mr. S. A. Williams said since it would afford a precedent for other Railroads, he would call for the ayes and noes.

Mr. Barringer said he thought his friend from Bertie, (Mr. Outlaw,) had gone too far in his amendment, and would inform the g