Burke thinks the provision for calling a convention was designed, would involve an overthrow of that very provision as well as all others and would throw us back upon the original elements of social organization; and being revolutionary in its nature would not be likely to regard the barriers against the popular will, by requiring a vote of *two thirds*.

Another objection to changing the constitution by legislative enactment, is its great convenience, which will render it habitual and thus destroy the confidence of the people in the stability of their institutions. This is the trying ordeal through which the people of the several States of this Union are now passing and from the destructive evils of which nothing but the conservative, cohesive character of Anglo Saxon institutions can preserve them. Constitutions or rather the elementary principles of constitutions, should be permanent. I am one of those who have no faith in the adaptability of certain defined fundamental principles of what is commonly termed liberty to the wants and conditions of any and every people. France for the last sixty years has given us the best practical illustration of the utopianism of constitutional tinkers.—The best constitution for any people is that which secures most happiness to the citizen consistently with the power of the government to make itself respected and to preserve its stability. When the great Athenian lawgiver was asked if he had given his countrymen the best possible system of laws—he answered that they were the best the Athenian people were then capable of enjoying the blessings of. Solon showed his wisdom as much, by adapting his laws to the peculiar wants and conditions of his countrymen, as in the intrinsic excellence of the laws themselves. Where any people are sufficiently enlightened, or where its enjoyment has accustomed them to its blessings, civil liberty will of course enter more largely into their happiness than any other element of government and when a constitution secures this, the only change to which the people should accustom themselves to look, is a mere adaptation of its machinery to the wants and developements of the age. In this lies the strength and power and harmonious working of the English constitution. From 1688 to the present time, its great cardinal landmarks and elementary principles have in the main, continued the same. It has from time to time, been merely modified to adapt it to the exigencies of the spirit of the age, and only then with the most extreme caution and deliberation. Nothing is better proven by experience than that permanence and stability are necessary in order to secure the affection of the people for the government and to insure peace and quiet and contentment in the community. Industry and enterprise have no stimulus to exertion without it. All the impulses of a patriotic ambition, all the high and noble incentives to professional fame, to scientific and literary renown, all the social ties of kindred and home, best flourish and prosper under the consciousness of stability and firmness in the institutions under which we live. Consequently, the public mind instead of being accustomed to look to constant changes in their fundamental law, as the panacea for every temporary ill, should rather view with jealousy every attempt to unsettle its long established principles; and if, as in our case, it be the work of an illustrious ancestry, instead of being derided for its antiquity, it should be venerated on account of the associations which marked its formation. I fear if we now set the precedent of changing the constitution by legislative provision, that the character which North Carolina has so long enjoyed for conservatism and stability—will be gone forever. Fault-finding is one of the commonest ingredients in man's nature. Every moral, social and political evil will be traced to some defect in the organic law—the General Assembly, instead of attending to the duties for which they were chosen, and of striving to promote the honor and character of the State, will be session after session, engaged in solving constitutional problems, and endeavoring to show how much wiser they are than were our fathers—until that venerated instrument, which has so long been our boast and pride, will have finally disappeared forever.

I suppose I need scarcely insist on what will be admitted on all hands, that all changes or modifications of the fundamental law should be free from the baneful influences of party spirit. In such a work of wisdom as that of making or revising a constitution under which posterity is to live, the minds of those engaged in it should be divested of not only partisan jealousy and bitterness, but of all those other distracting and unhappy associations, which must necessarily attach to those selected for the business of ordinary legislation.—The various questions of a local character, the agitating subjects of State policy, the conflicting interests of rival sections, together with all the other exciting elements that enter into the ordinary contests of the hustings, are calculated to disturb that spirit of harmony and compromise, and to prevent that calm and dispassionate consideration, so absolutely necessary in affixing the land-marks of the constitution. This is a matter better understood by the great body of our people, than some gentlemen seem to suppose. Call a convention to revise the Constitution and Delegates will be selected with an especial view to that object alone. Men will be selected with reference to their wisdom, their experience, their patriotism. Can this be expected of an ordinary legislature? Agitate any question of constitutional amendment as much as you may, and yet can you expect the elections to turn upon it alone? In these times of high party excitement, can you expect to elect a legislature that will readily sacrifice party allegiance to the public good? In most of the counties, the election of members of the General Assembly turns upon party politics—in some upon questions of State improvement. Can you expect a legislature thus elected, to reflect the popular voice upon an abstract question of constitutional reform? This method, then, of amending the constitution by legislative enactment, is not only anti-republican, inasmuch as it is calculated to prevent a fair expression of the popular will—but the very influences which usually prevail in the elections of members, are calculated to prevent that calm, unbiassed, and patriotic action, requisite in so important a work.

I do not wish to allude to the circumstances under which this proposed amendment of the constitution, first came to be agitated, or to the influences which have thus far marked its progress—lest I might be considered by some as violating that rule which I have laid down for myself, not to introduce party in this discussion. I indulge in no partisan crimination, when I say, that the history of the agitation of this subject is calculated to alarm every conservative North Carolinian, more especially, if the project now on foot succeeds—Violent as have been our party contests heretofore, yet the constitution has escaped the contagion. With one accord we had all agreed to leave to popular opinion and the developements of time the regulation of the organic law. The provision complained of had existed, without complaint, ever since the first establishment of free government among us. The people were satisfied with it, no demand for change proceeded from them. But in a heated political canvass, one of our candidates for Governor in this State, nominated by a party convention as the organ and exponent of a partizan creed, introduces this new weapon of political warfare. The people are told that their revolutionary fathers, in pretending to frame for them a system of free government, had cheated and deceived them: That jealousy, on account of power, no matter for what good reasons withheld, which is a striking characteristic of man, is appealed to, and the people of all sections and all parties are called on to rally around "the poor man's friend." And *because* he who was the hero of this movement has, owing to a peculiar train of circumstances, been finally elected, we are now called on in the common parlance of the time, to carry out the popular will. By the way, do not gentlemen of the dominant party here see the absurdity of their position? In one breath they tell us, that the gubernatorial election in this State turned upon this question, and say that is a reason why we should make the change.—And then again, we have it said, and echoed by the party press that the election was the result of a change in the public mind in regard to party politics—and hence they claim it as a party triumph. But it is not on account of the party relations of this question, that I look on it with such misgiving. It is the precedent likely to be set by it. Our constitution is to become the mere football of party. Constitutions are limitations upon those exercising power. In republican governments, the people put restraints upon themselves. Every one knows how easy a matter it is, by appealing to the weak and the bad passions of man's nature, to make a generation dissatisfied with the limitations, a preceding one may have put on their exercise of power. This has been the business of demagogues from the days of the Gracchi to the present time. If we countenance this attempt to make the constitution the mere stalking-horse of party, where is the matter to end? As soon as this question shall have answered its ends, some other Solomon will discover that the people have for 75 years, been sleeping over other grievious wrongs—and just as often as the ordinary appliances of party can not avail for success, some other provision of the constitution will be held up as the relic of feudal tyranny, or some new amendment proposed as a cure for all social ills. Carry out this movement by legislative enactment and a horde of demagogues will overrun the land. Yes, that pestiferous brood—whose calling ever is to delude the unwary, for their own selfish ends ever now keep in retirement many of the best and purest patriots in the land. But consummate this measure in the spirit in which it was commenced, and the reign of these harpies will, I fear become interminable.

There is a palpable inconsistency in the purpose professed by those who favor this amendment of the Constitution by legislative enactment, and the means by which they propose to accomplish their purpose. This extension of the right to vote for Senators to all qualified to vote in the Commons is advocated as a great principle of popular liberty. If this really be so—if this is a privilege which the people have a right to demand—and the withholding which is in conflict with republican institutions—then, of course, the change should be made as speedily as the frame-work of our government will possible admit of. If the freemen of the State have, through either the design or the oversight of those who have heretofore been entrusted with the modeling or remodeling of the organic law, been defrauded of their rights, then, in the name of liberty, in the name of justice, repair the wrong at the earliest possible day, yes, at the earliest possible hour. By the method proposed, how long will it be before the people obtain their rights? In the first place, the proposition must obtain the votes of three-fifths of the whole number of both Houses at this session. Suppose it to receive this vote now, which is a matter of very considerable doubt, it must again be submitted to the next Legislature, and must then receive two-thirds of the whole number of the members of both Houses, and must still further be ratified by a majority of the people at the polls. It must be subjected to all these hazards and all this delay, even supposing it pass safely through such a trying ordeal. This great and precious boon, which the professed advocates of popular rights affect to have so much at heart, can not, even under the most favorable circumstances, be enjoyed before 1854—If we are to wait for the slow and tedious process of amending the Constitution by legislative enactment. Whereas, by the passage of my bill, the people will be first consulted, and that within a few months, as to whether they desire the change; their delegates will soon assemble, and it will require but three or four days to make the alteration; the matter will be accomplished, and at the very next election for members of the General Assembly in 1852, all persons will alike vote in both Senate and Commons—instead of having to wait till 1854. Why, sir, if this be a matter of as much importance as some gentlemen pretend, then I say they are trifling with the people, mocking and insulting them, thus to dally with them, and subject to such risk and delay, their rights as freemen.

We are told the people will have time to reflect and pass on this question in the next election for members of the Legislature—and the gentleman from Burke (Mr. Avery) asks, what is the difference betwixt consulting the people then, and consulting them now—for, says he, the people can then elect their Representatives with reference to their views on this subject. How can gentlemen use such an argument as this, when they see that year after year our elections turn mainly upon party politics, and not on questions of State policy.—This is one of my strongest objections to amending the Constitution by the Legislature. You cannot obtain a reflection of public opinion upon the merit of any specific proposition; because there are so many other more exciting elements that enter in the contest. Party politics; internal improvements, pecuniary views in regard to southern rights, and numberless questions of a local nature are calculated to divert the public mind from one isolated question. How little will the public mind of this State be prepared to decide upon a great question of constitutional reform, at the polls in 1852. We shall then be in the excitement and confusion of a Presidential election; our minds thouroughly agitated and inflamed by all the issues involved in such a contest. Is it reasonable to suppose, under such circumstances that we are likely to obtain the quiet and reflective judgment of the public mind on the question of free suffrage? But pass my bill—and call upon the people to elect Delegates to make the proper change in the Constitution, and there will be but one naked question presented for consideration, unencumbered and untrammelled by any conflicting issues. The public decision can not be mistaken, for it will be narrowed down to but one object. And of all questions on which the representatives of any people are called on to pass, that of amending their constitution should be in accordance with the unprejudiced judgment of the popular mind.

The gentleman from Burke, (Mr. Avery,) says that those who support my amendment are evidently opposed to free suffrage. That the gentleman merely assumes to be so; but if it were true, the being reminded of it is no argument against the propriety of my bill. So far as regards the choice betwixt my bill and the bill before the House, it is not the merits of free suffrage, that is in issue—but the question is, shall this Legislature undertake to decide upon what sort of a Constitution the people need, or shall we consult the people as to what sort of a Constitution they desire. The question is, shall the Legislature from time to time dole out privileges to the people, or shall we make the legal provision for the people to elect their own delegates to make effective their own will. Suppose it to be true, as suggested by the gentleman from Burke, that I and those who concur with me, are opposed to free Suffrage—yet how much better friends to popular freedom do we show ourselves to be, than he and those who act with him! We are opposed to free suffrage (as assumed by the gentleman,) in principle; but yet, recognising this as a free government, where the people have a right to alter their institutions if they desire it, we are willing to consult the people, to leave the decision of this matter to them, and if they decide against us, we are willing to submit.—But the gentleman and those who agree with him are in favor of free suffrage—they desire to see the change made—but they are not willing to leave it to the people; being in favor of it and being members of the Legislature, they insist on carrying out their own wishes, without first ascertaining whether it will be agreeable to the people or not. I am not in the habit of dealing in professions of great love for the people, and am now led to make these remarks in reply to what we have so often heard here about the people's rights being withheld from them. Now let the gentleman from Burke reflect and consider, who is the greatest friend to the people—he, who is for carrying out his views, without consulting the people, or I, who am willing to submit the question to the people and to acquiesce, if they decide against me?

As to my own individual opinions in regard to the merits of Free Suffrage, as an isolated question, I have no hesitation in avowing them, although that has nothing to do with the question now under consideration. If this were an original question, if we were now engaged in making a new constitution, I should not object to the principle of free suffrage. I do not believe that the Senate is any more conservative in its character, by virtue of the election of its members by the fifty acre holders—although it was no doubt so designed to be, by those who originally made the constitution. My objection to making the change now is, first, because of the circumstances under which it was first brought forward.—It was introduced as an element of party strife, to prop up a minority party and a weak candidate. And if we succumb now, if we yield to the behest of party, that which should have been demanded by public opinion, in order to entitle it to respect; we set a precedent, the evil consequences of which no one can foresee. If we yield now to the clamor of party rage, we are but encouraging every demagogue in the land, who may hereafter attempt to divert the public mind from the party issues of the day, by presenting himself as the great champion of some constitutional reform. *Obsta principiis*, should be our motto. When the progress of mind and the developments of time, prove some change in the fundamental law to be necessary, and that change is demanded by a conservative and patriotic public opinion, every friend of republican government should quietly yield, if he cannot conscientiously concur. But when an effort is made to make the organic law the mere plaything of faction, to identify great questions of constitutional law with the discords and tumults of party strife, every friend of liberty should resist it at the threshold. The evil is not so much in the change itself, as in the temptations offered for still more violent and radical reforms. It is cheapening the constitution to allow it to become an element of party. I object to this change at this time, in the second place, because it is entirely delusive in its character. It affects to bestow equal privileges on all, when in fact it does no such thing. In what consists the value of the right of suffrage? It is not the mere privilege of depositing in the ballot-box a strip of paper, with the name of A or B or C on it. That of itself confers no substantial power and but for the results that are to follow, is a mere idle and unmeaning ceremony. The value of the right of suffrage does not consist in voting for A to please a friend, or in voting against B to spite an enemy. This would be converting a high and solemn duty into the mere gratification of private feeling. The real value and importance of the right of suffrage consists in the extent of the power exercised, in selecting those who are to control the government and to direct its operations. Suffrage then, to be uniformly equal, must be so regulated as to give every voter in the State an equal power in government of the State, at least in its legislative branch. Will free suffrage do this? Certainly not. Suppose you allow every man to vote in the Senate, does that make every man's power equally felt in the Senate?—Certainly not. In the County of Hertford, some 600 men would elect a Senator. If equality of power is what you desire by free suffrage, are not every 600 men in Guilford also entitled to elect a Senator,—and in the latter County it will still require some 2500 men to elect a Senator. Is it not perfectly apparent then, that all this talk about free suffrage is not to give any man more real power in the Government than he has now, but to delude the ignorant with the idea, that the right of suffrage has answered all its ends, when a slip of paper has been deposited in the ballot-box, by which a friend has been gratified or an enemy punished, or the purposes of party been accomplished? Sir, it is an insult to the understanding of the people, it is a mockery of their privileges, it is a slur at free government itself, to suppose that the people look upon the right of suffrage, not as a great privilege secured to them by their fathers, by which their influence in the government is felt—but as consisting in the mere ceremonial of the ballot-box and the indulgence of personal feeling.

My bill is objected to by some because it proposes to limit the action of the convention, if called, to the sole object of amending the constitution so as extend to all voters in the Commons the right to vote for Senators. And we have been told that such a limitation is based on a distrust of the people, who have the right to frame their fundamental law just as they desire. This inference is by no means a legitimate one. I admit the people of North Carolina have the right to amend their constitution as they wish, provided it is left republican in its character; but then, the Legislature, on whom devolves the duty of taking the initiatory steps of providing for the legal and constitutional assemblage of a convention of the people, should follow, rather than attempt to lead public opinion on all questions of constitutional reform. I mean, of course, in reference to those great cardinal principles of popular government which appertain to the nature of free institutions—and not to those slight and immaterial changes, which time and experience have proven to be necessary in carrying on the mere machinery of the government, which as I have already said, it was the design of the convention of 1835, to leave to legislative enactments. The limitation contemplated by my bill is not imposed on the people by the legislature as contended for by some; my bill simply proposes to put the question to the people whether they will themselves call a convention limited to this one object. If the people call the Convention, *they* impose the limitation, and not we. But it is asked, why not consult the people, as to whether they desire a convention without limitation? For the reason that this question of free suffrage, as it is called, is the only one which has been generally agitated, & on which the public mind has been generally excited. I presume it will be admitted by all that it is not the part of wisdom, for the legislature to put itself in advance of popular opinion on the great matter of constitutional reform. It is a very easy matter for agitators and mischief makers to inflame the public mind and to render the people dissatisfied with the institutions under which they live. If the people are wronged, they are apt to find it out soon enough. I do not think any one on this floor, can say conscientiously, that there is any other great question of constitutional amendment, that has been sufficiently agitated as to leave it doubtful whether a majority of the people of the State desire a change. I dare say there are many questions on which active politicians might produce discontent and the desire of change; but "sufficient unto the day, is the evil thereof."—On other questions the popular mind is now quiet, and I for one am not disposed to disturb it. On this question of free suffrage, the public mind has been agitated, it is doubtful on which side the majority inclines, and I am willing to leave its decision to the tribunal of the ballot box. I occupy the true republican platform on this question. I shall not attempt to lead public opinion, in regard to altering the constitution; neither will I attempt to carry out my views, regardless of the wishes of the people; but I am willing to leave it to them, and no matter what may be my view as an individual, yet I am willing to submit to the decision of the majority of the people.

These remarks about "distrust of the people," "imposing conditions on them," &c., &c., I had hoped not to have heard on this grave and important occasion. It might be tolerated on the hustings, and even then it would be unfair—but here it is neither dignified nor in accordance with the action of our government. Constitutions are made by the people, if not directly, yet by those selected with especial reference to the views of those they represent. The very idea of a constitution involves a distrust which the people have of themselves. Constitutions are based on the erring and frail nature of men, and are designed to counteract the temporary and fluctuating impulses of the public mind. The limitations they contain are limitations imposed by the people themselves, for under our republican system, they are submitted to the people for ratification, before they go into operation.

But says the gentleman from Burke (Mr. Avery,) suppose the Convention when assembled, disregard the limitation, and go on to make other alterations in the constitution, for, says the gentleman, some men in the State contend that the limitation will not be binding. Well, suppose it does. Why, it would be no convention at all, except for the express purpose for which it was called. According to the provisions of my bill, the people in calling the Convention, would prescribe an oath to be taken by the members, that they would not touch the Constitution in any other particular. Until they took the oath, they would not be a Convention; if they proceeded to business without taking it, their acts would have no more binding operation, than those of a public meeting of the citizens of Raleigh. If they took the oath and then disregarded it, they would be guilty of perjury; and in either case, no one would pay any sort of attention to their doings, and the machinery of the State government would still move on under the present state of things. Such I doubt not would be the decision of the Supreme Court on the first question that would arise under such a cause as supposed: and such would no doubt be the opinion of a grand jury before whom any member of such a convention might be presented for perjury. I understand very well, why this intimation has been thrown out, not only here but in a portion of the public press of the State—that a limited convention if called, will, when assembled, disregard the restrictions imposed. It is to frighten the friends of free suffrage in the east to vote against a limited convention, under the idea, that when the convention assembles, it will disregard the limit, and proceed to rearrange the basis of representation. Such an appeal to eastern members, is a poor compliment to their intelligence. The same power and authority that would call the convention would impose the limitation—and it is absurd to say that if a majority of the people of the State vote for a convention limited to a specific purpose, that in the calling the convention their act would be *pro tanto* void, but in affixing the limitation, it would be inoperative. I say such an argument is too absurd to need reply, for let it be recollected that my bill provides that every one voting "Convention" shall be understood as expressing his opinion in favor of the limitation. If the argument alluded to be correct that a limited convention may disregard its restrictions when assembled, then it comes to this that the general assembly may in the plenitude of it wisdom and its love of the people, make an amendment of the constitution, limited to one object, but that the people themselves can not do it in convention. A pretty doctrine this truly—more especially as coming from those who are so grievously affected at the idea of the people being deprived of their rights.

We have but one precedent in the history of our State, in regard to amending the Constitution—I allude to the Convention in 1835. Although our original Constitution, which had never been altered before 1835, contained no provision as to the manner in which it was to be amended, or in regard to the calling a convention, yet the Legislature, as the law making power, as the only authority that could *legalize* a vote of the people in regard to a change in their Constitution, submitted to the qualified voters of the State, the proposition, whether they would call a convention, limited to certain specified alterations of the constitution. According to the provisions of the law the people by the very same act, called the Convention, and yet restricted its action to the consideration of the subjects proposed. So that it was, in fact, the people and not the Legislature that imposed the limitation. Let gentlemen examine the debates of the convention of 1835, and they will find that on the day of the assembling of the convention, the question was moved, as to whether the members were bound to take the oath, limiting their action, which had been submitted to the consideration of the people by the law and ratified by the people at the polls. And on discussion many of the ablest and most prominent men of the body concurred in the opinion, that by the decision of the people at the ballot-box, until the members had taken the oath prescribed, they could not be organized as a legal convention.—The body with great unanimity adopted this view of the question, and the members were qualified accordingly. But suppose they had not taken the oath, and had proceeded to amend the constitution. Then their acts would have had no validity, because it would not have been such a Convention as the people had called. So far then as precedent goes, we have but one precedent in our history; and that precedent thoroughly sustains my position, that the Legislature, in taking the initiatory steps towards legalizing the assemblage of a convention may consult the people in regard to a convention either limited or unlimited; and if the people decide to impose limitations, their decision must be binding upon those whom they elect. The question is not whether it appears absurd and inconsistent for the people to impose limitations on their own power, but the question is, can they lawfully do it. If they could do it in 1835, under a constitution which had no provision for the calling a convention, through the initiatory action of the Legislature, or course they can do so now, under a constitution, which expressly provides for the calling a convention by the General Assembly. If there be any truth in the logical truism that the major proposition includes the minor—two thirds of the Legislature having the power to call an unlimited convention without the sanction of the people, of course two-thirds can call a limited convention with the sanction of the people.

But I am willing to take issue with those who contend that it is absurd and anti-republican for the people to impose restrictions on their own action. The very idea of a Constitution presupposes restrictions upon those who are the depositories of power—whether it be one man or a million. "Know thyself," was a cardinal maxim of an ancient philosopher of Greece. This knowledge of human frailty is as necessary to the statesman, in providing for the welfare of a nation, as to the individual in regulating his private life. The more wisdom and virtue that exist among a people, the more are their institutions founded upon the distrust that their framers have of the wild impulses and unchecked excitements of the human mind. Popular governments are sometimes as tyrannical as those swayed by a single despot. In order to secure liberty, the oppression of majorities must be provided against. Look at all our Constitutions, our State and Federal—what are they but barriers against the encroachments of majorities, or those representing majorities? The wise men who framed them, knew well the infirmity of human nature—that even with the best intentions, the people might be induced either through bad counsels or excited feelings, to sacrifice their own dearest rights and liberties—and thanks to our fathers in the purer and earlier days of the republic, they resolved to save their posterity, if possible, from the folly of injuring themselves. And where is the man, even in this carnival day of demagogues, that has any respect for the opinions of virtuous and good men, that will say that those restrictions thus imposed upon popular action, are absurd and anti-republican? And where is the difference between imposing these restrictions, in the first instance, and limiting the power of abolishing those restrictions?—Here is the great beauty, and in this consists the harmonious action of our Anglo Saxon institutions. Here is the secret of Constitutional government, which the Celtic and Scandinavian races can not understand. Our institutions are based on the principle that the primary source of all power is in the people—but still as a great conservative element of liberty, the people must protect themselves against themselves by imposing limitations on their own power—and further, that these limitations can not be altered or modified, no matter with what unanimity desired, or with what clamor demanded, except in the manner pointed out and provided for by the organic law. A change effected in any other manner, whether bloodless or not, is revolution. This is something that France after sixty years trial at republican government has never yet been able to learn.

The gentlemen from Burke, (Mr. Avery,) expresses some surprise at, and rather attempted to treat with ridicule, the idea of going through all the trouble and expense of calling a Convention, merely to strike three lines out of the Constitution and insert five others. Really I was surprised to hear a gentleman, belonging to the legal profession, use such an argument as this. Does not the gentleman well know that in all governments, where the majority of the law is recognized, that absurd as it may seem to the unlearned, the refinements and technicalities of language are the conservative instruments of freedom?—Does he not know that the rights of property, liberty, life even, frequently depend upon the propriety of a single word? Does a law passed by this General Assembly, derive its gravity and importance solely from its length?—Does the gentleman estimate the merits of a speech by the number of mere words contained in it? According to his argument, the sturdy old Barons of Runymede were engaged in a childish business, when they dictated terms to a tyrant king, and laid the foundations of English freedom, in a few sentences of that Great Charter, the history of which adorns one of the brightest pages of history. Does the gentleman think the English people were guilty of folly in driving a bigot from his throne, and convulsing the nation in civil war, merely to establish the Bill of Rights? The writ of *Habeas Corpus* so dear to every American as well as British freeman, consists of but a few lines; and yet it is more important to our rights and liberty, than all the acts which this Legislature is likely to crowd in a thousand pages. Look at the Declaration of Independence—the manifesto of freedom to the civilized world—does its value, its importance, its glory, consist in its length?—Not at all. But in the immortal principles of liberty therein condensed in so short a compass.—If the gentleman's argument were worth any thing, I would use it as testimony against himself. I would ask him, if he was willing to consume two weeks of the time of this Assembly at its present session—then agitate this question before the people to be passed upon by them in the election of members to the next General Assembly—and then again consume two more weeks of the succeeding session—at such an expenditure of money, and to the neglect of public business—"merely to strike three lines out of the Constitution, and insert five others?" If it is so small a matter, why does the gentleman so pertinaciously insist on it? If he thinks it of so little consequence, why does he not abandon it, when he sees his method of making the change so earnestly opposed?

Another objection to adjusting this question by a Convention, in case the people desire it, is the expense that will be incurred by it. Now let us examine into this objection. If the people decide in favor of a Convention at the polls, I presume that a Convention when assembled, would proceed at once to make the change, for as this one question would be alone presented, there could be no mistake in regard to the wishes of a majority of the people. To effect this one amendment only, and that too, where discussion would be out of the question, would not require more than three or four days, or a week at farthest.—My bill proposes to pay the members of the Convention only $1.50 per day, and only one half the mileage allowed to members of the General Assembly. Let any gentleman make the calculation; and he will find, that making this change by a Convention, if a change must be had, will, in the end, be much less expensive than if done by legislative enactment. I presume no one will deny that this session will have been prolonged at least ten days by the agitation of this subject, and kindred questions necessarily growing out of it—to say nothing of ten days consumed by it at the last session. Even if the measure is carried by the requisite majority of three-fifths at the present session, it must still go through the same ordeal of protracted debate and strenuous opposition at the next session. If it should fail then, when it will require two-thirds of both Houses, the whole question must then be commenced *de novo*: and it may be for years and years to come, that the General Assembly will consume a week or ten days, in the discussion of this subject. But suppose it is disposed of at the next session—let any one make the estimate, and he will find that this method of legislative amendment will in the end, be much most expensive.—But behold the inconsistency of the advocates of this method of amending the Constitution. They first tell of the great importance and inestimable value of the principles involved—and of what grievous wrong the people are laboring under.—If this be so, ought the expenditure of a few thousands to be allowed to postpone the enjoyment by the people of this important right? Yet, these dear lovers of the people tell us in the next breath, that the people are so sordid and narrow-minded, that anxiously as they desire the change, they are not willing to contribute the small amount that must necessarily be expended in effecting it. I do not know however, whether there is so much inconsistency in it after all. For this whole movement from the beginning, seems to be based on a contempt for the understanding of the people.—The advocates of this system of Constitutional amendment treat the people like a spoiled and petted child, whose babbling has to be stopped, whose fancy has to be amused, and whose favor has to be gained by some worthless toy, captivating in its appearance, but valueless in the enjoyment. Yes, sir, this free suffrage as it is called, is delusive in its character. It will confer on no class or section of the community any real substantial power. It is like that Dead-Sea fruit of which we read, handsome in outward appearance—but turning to ashes and bitterness on the lips. I hope, sir, that my position on this question is now understood. Without reference to my own private individual opinions on the merits of free suffrage—I ground my action on the great and elementary principles of our free institutions. I insist, that in adapting this fundamental law to their peculiar condition and the requirments of the age, the people are fully competent to the protection of their own rights, and the understanding of their own wants. As a mere legislature, it is our province to follow, rather than to attempt to lead public opinion upon a question of this sort. In regard to the amendment of this fundamental law, the people, who are the original source of all power, should be consulted; and if they desire a change they should make the change by their own agents, specially chosen for that purpose, and elected free from those disturbing influences that are calculated to defeat the calm and deliberate purpose of the mind.—This, I contend, is the true, conservative, republican doctrine of constitutional freedom.

I am aware, that many of my western friends, who are pressing an open and unlimited Convention, think I have already committed myself so far, that I can never retreat. From the evidences I can see and hear around me, I am aware that they think my argument estops me from opposing the proposition to consult the people in regard to an open Convention; and that my advocacy of the right of the people to amend their own Constitution in their own way, applies as well to the alteration of the basis of representation, as to any other provision. I am sorry to have to dispel these illusions of my friends, but my regard for my own consistency, my duty to that section from whence I come, and the interest which I feel in the peace and harmony and general welfare of the State, compel me to do so. I fear, before I take my seat, some of my conclusions will be as unpalatable to many of my western friends, as my premises seemed agreeable. I am asked by gentlemen from the West, why I do not extend the provisions of my bill, and consult the people in regard to the rearrangement of the basis. I will answer, first, because this latter question has not been agitated, except locally. We have no reason to suppose that there is any thing like a general desire for any such change at this throughout the State—in fact, there are reasons which make me doubt whether this desire is general even in the extreme West. There are several gentlemen here from that section, who so far from urging, seem disposed to discountenance such a movement. What did we hear from the gentleman from Burke, (Mr. Avery?) He informed us, that whilst he advocated free suffrage, yet throughout his County, on the stump, he took ground against any change in the basis of representation. And yet that gentleman was elected, and that too by a constituency opposed to him in politics. With this evidence before me, can I believe that in the west even, this desire for a change in the basis is so general, as to leave it at all doubtful whether there is a majority of the people of the State in favor of the change. And let it be recollected, that I have contended throughout, *that as a Legislature*, we should follow, rather than attempt to lead the public mind, in regard to amending the Constitution.

But I do not rest my objections here. I am opposed to submitting this question of the basis to the decision of the ballot box in the second place, because the arrangement of the basis of representation, in our constitution does not rest on the same grounds and is not to be sustained by the same arguments, as those other general provisions of that instrument for the security of popular rights and republican principles. Let it not be forgotten that my argument in favor of deferring to, and abiding by the wish of the majority, had reference to the modification of those general questions involving popular liberty, which are not local but co-extensive with the limits of the State, affecting all sections, classes and interests alike. The basis of representation does not come within this category. It is purely a question of compromise, of agreement, of contract. It may be said that all the other provisions of the constitution are matters of compromise and agreement. True, but then according to the theory of social compact the parties to such compromise were the people in their individual characters; and as a majority established them, the majority can change them at pleasure. The same parties that make a contract, can of course modify the terms of the contract. But the arrangement of the basis of representation, was not a compromise by the parties to what may be called the social contract in this State, (in the sense of the law writers) in their characters as individuals, without reference to sectional considerations. It is in the nature of a compromise between conflicting sectional interests. It is in the nature of a contract for valuable consideration—the parties to it were, and still are, the people of the eastern counties on the one part, and the people of the western counties on the other part; each party yielded, and each party gained certain equivalents in the adjustment of this compromise—and according to all settled principles of law and equity, it ought not to be disturbed except by the consent of both parties. I do not pretend to say that any change of this compromise, if effected according to the plan and requirements of the constitution, would not be valid. I admit that it would be, no matter by what sectional violence opposed—for the manner in which the constitution is to be amended is also a matter of compromise binding on every man in the State. My object is to show that the basis of representation being a compromise between sections, either section may rightfully and consistently oppose any alteration without violating any great principle of popular liberty. And if the people of the east are justifiable in opposing any change in the basis by a majority of the people in mass, upon the ground that it was the result of a contract between two sections that were, and still are the parties to it—they are equally justifiable in opposing all initatory measures designed for such an end. I have not discussed the merits of the compromise involved in the present arrangement of the basis, nor do I now design doing so. That issue is not now pending. My object is to explain my reasons and to do justice to the views of those I represent in opposing the proposition, to submit the question to the people of the State, whether they wish any change in the basis of representation.

Mr. Speaker, I regret that this question of "White basis" has been introduced here at this time; and I still more regret to hear some of the arguments advanced in its favor. There are certain considerations growing out of the relations of the North and the South, that render the present time most inappropriate for such a course. It can not be denied, that the representation of our slaves, according to the federal basis, in our national Constitution, is one of our strongest guarantics for the protection and security of our slave property.—Is there a member in this General Assembly that would be willing to see that provision in the Federal Constitution stricken out? And would our Western friends, inflict on their Eastern brethern, what the South would regard as such a wrong on the part of the North?—Would they tax our slaves as property, and not allow them to be represented as persons? Will they lend encouragement to Northern fanaticism by using the same weapon in their warfare on our State Constitution, which these incendiaries are using against the Federal Constitution? With what encouragement or consistency, can our Representatives in the national councils contend for the Compromises of the Federal Constitution—if we here at home ignore that same principle of compromise in our organic law? But I will not dilate upon this subject. I regret that I have even had to allude to it.

When this question of free suffrage was first agitated in the East, the people were told, and by myself among others, that it was all a delusion, that it was an appeal to what was considered the ignorance of the people, that it was a mere trick to prop up a feeble candidate by dragging down our venerable Constitution into the mire and filth of party. The people were told that free suffrage alone could extend no substantial power to the people, but that if pressed earnestly, it would only prove an entering wedge to still greater inroads on the Constitution. They were told that in a short time the basis of representation would be assailed, and sectional strife and discord again distract our councils. Our warnings were met with clamor, crimination, and insult. What was prophecy then has become history now. Yes, sir, the truth must be told, it is the Democratic party of the Eastern Counties, who have brought this mischief upon us, by sustaining these popularity mongering appeals to popular credulity. They have sown of the wind, and are about to reap the whirlwind. They now see the approaches of the storm, when it is too late. They have heedlessly unlocked the doors of the cave of Boreas, and are now seeking for shelter before the drivings of the blast. I do not say this by way of recrimination. I do not wish to excite any partisan feeling, on this subject. I dare say the great majority of the Democratic party of the East, acted from honest and conscientious convictions. I am only stating facts. I now wish to appeal to the patriotism of the Democrats of the East, to come up to the support of my bill, and elevate this question of Constitution Reform above the sinks and sewers of party. Although I am not responsible for the dangers and difficulties which now threaten us, yet in the adjustment of this question, I will know no such thing as party; but will unite with any and all who are disposed to settle it in the most summary, convenient and economical method, and in a manner most in accordance with our free republican system. Our consultations here will be productive of but little good so long as sectional discord and local jealousy shall bias our feelings and warp our judgments. Let the House decide as it may. I shall feel that I have done my duty—and for consequences, I shall not be responsible.

The Rail Road is now in fine order, about 120 miles having been re-laid with T iron, and the balance of the road being in progress. The Company have several new passenger cars, constructed with the modern improvements, and the ease and rapidity with which we were hurried along, almost tempted us to exclaim, in the language of the miser to his son in reference to making money, "make railroads—honestly, if you can—but make them."

We also visited the workshops of the Company in Wilmington, and went on board of one of their steamboats. We were truly gratified to witness the order and regularity observed in every particular, and had no idea that the Company possessed such ample means for manufacturing and repairing the various articles required for use. The business of the Company appears to be rapidly on the increase, and the day is doubtless near at hand when the road will amply remunerate the owner.

The thrifty appearance and expanded dimensions of Wilmington also agreeably surprised us. We had not been in that town since 1823, and although we had frequent intimations of its rapid improvement since the completion of the Railroad, we little expected to see in it so many spacious and elegant public and private buildings, and such a go-ahead spirit of activity and emulation in its citizens.

In addition to the above, we were somewhat astonished at the numerous towns and villages springing into existence, as if by magic, on the line of the Railroad. Goldsboro' and Wilson, are increasing rapidly; and at almost all of the depots, stores and private buildings are being erected. We were absent only a few days, and we can heartily commend a trip to Wilmington, as an antidote to the depression of spirits so frequently besetting those engaged in monotonous pursuits."—Tarboro' Press.

The Baltimore Sun states, on the authority of a gentleman intimate with the family of Mr. Rogers, the engineer of the Atlantic, that the statement of Mrs. R.'s derangement is entirely unfounded.

THE STAR.

NORTH CAROLINA.

Libertas et natale solum.

RALEIGH, MARCH 26, 1851.

We would call the attention of the friends of Common Schools, those who wish to see them improved and their benefits more widely diffused to the people of the State, to an article in another column, from the Old North State. The county of Pasquotank has done nobly, taking the lead of every county in the State, in manifesting her devotion to the true interests of the masses of the people, and her determination to extend the blessings of education to every child in the county. We repeat, she has done nobly, and her example is worthy of imitation by every county in the State. The Old North State well remarks that if this example should be followed, "ten years would remove every blot of ignorance from our escutcheon," the "good Old North State," directed in its councils by an educated consistency, would take a prominent position among her sisters of the Confederacy. Cannot something be done to excite other counties to emulation in giving the like vigorous support to Common Schools? What says Guilford? What say Cumberland and Craven? They have done well heretofore, but they must bestir themselves, or they will be left behind. What is Wake doing? Can she not be roused by this action and exhibit a firm determination to emulate and excel this good example set her? If *all* the counties will take this matter in hand seriously and earnestly, and determine to make the common school system a blessing, they will accomplish more for the real good of the State than the past twenty years of legislation has done!

Senator Douglass, of Illinois, passed through this place on Thursday last, on his way to Rockingham county in this State.

NEW SCHOOL BOOK

"We are pleased to learn that C. H. Wiley, Esq., the polished and popular writer, is engaged in editing a new school book; to be arranged in two parts. It is designed to be an acceptable reading manual for North Carolina schools."

We clip the above from one of our Western Exchanges, and chronicle it as the commencement, we hope, of the writers of our State to supply our people with home books. Our schools of all grades, from the University, and the highest classical schools, to the unpretending "old field" school, have all been dependent upon the North for the books which they use. It is time that southern parents and teachers should pay a little more attention to the character of those books which are put into the hands of children when they first go to school. Probably nothing has more influence in forming the character and in moulding the views and directing the opinions of the young, than those primary Readers which are first placed in their hands. Those that are now in use,