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ADDRESS

On amending the State Constitution.
The People have a right to assemble together,
consult for the common good, to instruct their
representatives and to apply to the Legislature for
redress of grievances.
[1833 Bill of Rights of N. Carolina.]

To the Freemen of North Carolina.

Happily we live in a country where no
apology is required for addressing a free
people upon subjects connected with their
own government. It is an office which
any citizen may assume without just reproach
or fear of censure. A recurrence to the
proceedings of a meeting held in Raleigh
during last winter will exempt us from the
imputation of vanity in addressing you,
and explain the character in which we
appear before you. A large portion
we believe a majority of the people of
North Carolina are dissatisfied with the
Constitution of the State. They com-
plain, we believe with justice, against evils
proceeding from causes which the
people alone can remedy, and therefore
they have through their representatives,
determined to call for an expression of the
public will upon their complaints. By
the 18th section of the "Bill of Rights"
the right of the people to instruct their
representatives is distinctly declared, and
the friends of a reform of our State Con-
stitution, feel confident that a voluntary
declaration of opinion by the People "for
and against a change of the Constitution"
will be received as instructions and must
influence the General Assembly to ac-
commodate in some way, the unhappy
divisions of the State, and provide a re-
medy for the evils of a most unequal and
expensive government. In order to re-
move the objections of some, to defeat the
pretences of many, and operate as a re-
commendation to all, the advocates for re-
form have put forth for discussion the
changes which are demanded. If the
subject could claim that attention which
its importance merits and no feelings of
party animosity were mingled with its
consideration there would be no difference
of opinion.

UNEQUAL REPRESENTATION.

By the present constitution, the people
of each County elect two members of the
House of Commons and one Senator—
and seven Borough towns are permitted
to send each one member to the General
Assembly. Were each county of equal
population and did the people of each
contribute alike to the support of govern-
ment, this mode of electing the Assembly
would be fair and just. Were there any
near approach to equality of population
and taxes in the several counties, there
would not be so much room for just com-
plaint. Surely a decent respect for the
"fundamental principles" of all popular
governments will not allow us to argue
that one-third of a community who pay
no more than one-third of the taxes, can
rightly make laws and execute them,
impose taxes and expend them, for the
other two-thirds. Yet such is the real
condition of this State. Those whom it
affects may choose to deny it. We con-
fidently affirm the fact and challenge them
to a fair, manly, and candid investigation
of the subject. We may do no more than
invite a careful examination of the last
 Census and an honest perusal of the Re-
venue list made out at the Treasury of the
State, and ingenuity itself may be defied
after this, to produce even a plausible ap-
pearance of equality in our Representa-
tion. The white population of the State
alone being taken as a basis of calcula-
tion, one-third govern, and tax two-thirds.
Assume the Land tax for a basis and it
will bring us to the same result. Take
for a basis the public taxes of all kinds
and the conclusion is not more favorable
to our present system. Let all or any of
these be combined and it will stamp upon
our county representation the same marks
of inequality and injustice. The whole
white population of the State is about
472,000. Thirty-three counties contain
156,000 and the other thirty-one counties
contain 316,000, and yet these thirty-three
counties elect a majority of the General
Assembly. These thirty-three counties
pay annually a land tax of 8000 dollars
only, while they exact from the other
thirty-one a similar tax of 17,000 dollars!
These same thirty-three counties—this ruling
minority pay for taxes of all kinds
24,000 dollars only, and yet they levy taxes
from the other thirty-one counties to
the amount of 5,000 dollars annually!
The expenses of our State government
(including none but such as are necessary)
being about 80,000 dollars per year
and the State being divided into 64 coun-
ties, the proportion of each county in this
expenditure is \$1250. These same thirty-
three counties—this ruling minority
therefore do not contribute their own ex-
penses to the government unless their tax-
es amount to \$11,250 and how is this
fact? They pay no more than 24,000
dollars and pay one-half of them do

not contribute taxes sufficient to pay their
own members of the Assembly! What a
majority of two-thirds of the people taxed
by one-third to pay the minority for exer-
cising this control! Incredible as it
might seem to be—it is true. There are
40 counties in the State which do not con-
tain an average population, and more than
40 whose people do not pay taxes equal
to their average share of public necessary
expenditures while they elect nearly two-
thirds of the General Assembly! One of
the least counties in this State contains a
white population of 2,700—the largest
contains 17,600, and while the former
pays a tax of 600 dollars, the latter is re-
quired to pay 2000 dollars! yet both these
are alike represented. Another county
with a population of 3,300 and an annual
assessment of only 430 dollars, elects the
same number of representatives to our
General Assembly with a fourth county
whose white population is 16,000 and
whose taxes are 2,307 dollars annually.
And another county with a white popula-
tion little exceeding 3,000 who pay no
more than 300 dollars for taxes is allowed
to send the same weight into our councils
with a sixth county whose white popula-
tion is 13,000 and whose taxes exceed
2000 dollars. Comparing these six coun-
ties together what will be the result?
Forty-six thousand six hundred people
who contribute a tax of 6,600 dollars are
allowed no larger share in a free govern-
ment than nine thousand members of the
same community, who pay a tax of only
1,300 dollars. The smallest number, and
they who contribute least to the support
of our government are invested with all
its powers. There are in the state twelve
counties whose people pay a tax of \$5,400
collectively—the compensation of the re-
presentatives they elect, exceeds this sum
more than 2000 dollars! These counties
partake equally with others of all the
benefits of the government and they elect
nearly one-fifth of the General Assembly,
yet they compose but little more than one-
tenth of the population and pay very little
exceeding one-thirtieth of the public
expenses! They pay 5000 and cost 15,000
dollars! These things are so. But is it
just—Is it equal? Is it republican that
they should continue? Must they be en-
dured forever with no better reason for it,
than that they are evils which a patient
people have already submitted to for
many years? Are the maxims of freedom
reversed and shall usurpation establish
right?—long usage justify oppression?

The interest of the whole State requires
and her necessities demand reform in our
Legislature.

The General Assembly is bound by our
present constitution to meet annually—
When the Constitution was ratified the
State was divided into 36 counties and the
General Assembly was composed of no
more than 115 members, but the number
of counties is now increased to 64 and
the members of the Assembly to 199.—
The annual expense of the Assembly al-
one is now 40,000 dollars and this sum
falls very little short of what the whole
government of the State once cost the peo-
ple. By the proposed amendments to the
constitution it is suggested that the assem-
bly shall not be required to meet oftener
than once in two years, and that their
number shall be reduced from 199 to 127.
In the early period of our independence,
before the States of America had formed
their "more perfect Union" before the
people had become settled into habits of
self-government, the annual meeting of the
Legislature was both wise and necessary;
but in our day it is a most unnecessary
tax upon the public, and a serious obsta-
cle to wholesome permanent legislation;
for the people are barely informed of the
acts of one assembly before the succeed-
ing law-makers have repealed or mod-
ified them. The reform that is here pro-
posed will diminish the expenses of the
State more than 25,000 dollars annually.
A clear saving of 25,000 dollars per year
is equal to a reduction of the taxes one-
third, and yet some have put their resis-
tance to a reform of the constitution upon
a real or pretended apprehension of an in-
crease of the taxes. It is astonishing
with what tenacity, men will sometimes
adhere to power in opposition to their own
interests as well as against the just rights
of others. The minority are now striv-
ing to maintain it in North Carolina while
its exercise is subversive of the rights of
two-thirds of the people and costs that
minority infinitely more than it is worth.
Under the influence of some cabalistic
party phrase they are deceived into appre-
hensions that this majority are demanding
their rights for the mere purpose of practis-
ing oppression on others. But it is im-
possible that this majority in a state shall
oppress the minority of the people by
taxation. If two-thirds impose a burden
of one hundred dollars on the minority,
it will be a tax on themselves at the same
time of two hundred dollars. And a re-
form of our constitution must diminish the
expenses of the government and of neces-
sity reduce the public burdens of the
people.

We wish an intelligent people to mark
these facts: that for 25 years, our General
Assembly has cost 40,000 dollars per year.
Here is an expenditure of one million,
when half the amount, might have been
saved—that for 25 years to come, this
expenditure must again be incurred, and

yet, a prudent foresight will enable us to
diminish it one-half; that the Treasurer
of the State in his last annual report states,
"that for many years, the ordinary public
revenue of the State, has not been ade-
quate to the purpose of defraying the ne-
cessary expenses of the government, but
the deficit has varied from 12,000 to
17,000 Dollars per year; that the sources
which have supplied this deficiency, have
been fluctuating and temporary in their
nature, and of late, are nearly disconti-
nued." What Statesman? what intelli-
gent man will say, that this can be pru-
dently allowed, or safely continued in a
State? But it has been allowed, and must
be continued, unless the expenses of the
Legislature are decreased or the taxes of
the People increased. We may leave it
for you to determine which course is to
be preferred. Unless the people shall do
to the one, their Representatives must do
to the other. Policy may induce them to
put this burden on the people in some dis-
guised form, and to conceal the application
of their only remedy for the disease that
has been hidden for so many years, but
that it must be imposed, is inevitable, except
by a reform of the Constitution. The ne-
cessary expenses of a wise government,
should be met by her ordinary revenue.
A people who are properly vigilant of their
rights, cannot permit it to be other-
wise. Assuming that these many years
include no more than 25; then what have
been the fruits of our thriftless policy?
We have consumed over and besides the
whole ordinary revenue, 400,000 dollars
in the necessary expenses of the govern-
ment. Had we adopted this reform
25 years ago, the funds of our State Treas-
ury, would now exceed a million of dollars!
Defer it 25 years longer, and the end
of that period will find the State yet
more depressed than she is. We are not
complaining of extravagant compensation
to our public officers; they are faithful
workmen, "worthy of their hire." The
true evil is that the laborers of the vine-
yard are too many—The work of the peo-
ple may be better done, and much more
economically performed by 127 laborers
than by 199. The responsibilities of Leg-
islatures for this State, are too much di-
vided to be felt properly, and the honor of
successful public exertion is unwisely di-
minished by a partition among 199.—
Who has not heard complaints, that our
laws are fluctuating, that our General As-
sembly sets too long, and our public ex-
penses are increased? These evils exist,
and have been falsely attributed to a want
of virtue in the present generation, and
a defect of talent among those who serve
them. We have no hesitation in saying
that they will be removed by diminishing
the number of representatives, establishing
a fair basis of equal representation, and
making the Assemblies less frequent.

In the 32nd Article of our Constitution,
there is an obvious

RESTRICTION UPON CONSCIENCE.

By excluding from public trust, all persons
who deny the protestant faith. We
are protestants, and therefore we can have
no personal interest in the abrogation of
this restriction. But will it be expected
of us at this day to offer arguments in favor
of religious toleration, we hope and believe not.

It is a disgrace to any free people, to
tyrannize over the consciences of others.
It is gross oppression, and an undesired
imputation against the patriotism and
public virtues of the Catholics of North
Carolina, to preserve any longer, this
badge of our fathers' prejudices. The ar-
ticle itself, is in conflict with our Bill of
rights, when it declares "That all men
have a natural and unalienable right, to
worship Almighty God, according to the
 dictates of their own consciences."

The friends of reform, here also pro-
posed an amendment to the Constitution,
which will put the election of GOVERNOR,
into the hands of the People.

The Executive chair of this State,
ought to be the highest post, that the peo-
ple can offer to the most patriotic of her
citizens? It is not so esteemed. But
make the station independent, by putting
the election with the people, and we shall
have done much towards it. Custom has
now made it a reproach to the Govern-
or, not to be re-elected after his first ap-
pointment, and hence, the high indepen-
dence which properly belongs to a co-ordi-
nate branch of our government, is sacri-
ficed to a desire for popularity among
the members of the Assembly. We do
not affirm that it is always so, but it has
that tendency; for he must be more or less
than a patriot, who is not afraid to incur
public disgrace. Is the office of Govern-
or, oftener coveted for its own honor's
sake or as a stepping stone to other
ambitions, in the gift of the Leg-
islature? Does it comport with the dig-
nity of the office, that the incumbent shall
be forced to win it by personal electioneer-
ing, among the members of Assembly?
Our fathers have wisely thought, that the
"executive and legislative departments of
the government, should be kept separate
and distinct," and what evil can arise, from
not observing this fundamental principle,
that has not been felt in our own State?
Moreover, the time of the Legislature is
unnecessarily consumed, in canvassing
for the office and the harmony of our
councils is disturbed by the frequency of
this contest. And why may not the Peo-
ple elect their own Governor? He is their
servant, and should be directly account-
able to them for the faithful execution of
his trust. They have not clothed him
with patronage, that he can use to corrupt
their elections—they have not invested
him with power, the independent dis-
charge of which can be, in any way, in-
compatible, with their right to pass upon
his course.

In obedience to the real, or supposed
wishes of the people, they have been al-
lowed to assume the right of electing their
Sheriffs and Clerks, and why should they
be refused the power to elect their Govern-
or? No good reason can be assigned for it.
It is further proposed, TO ABOLISH
BOROUGH REPRESENTATION.
This privilege is no blessing, but rather
a curse to the towns which possess it, or
to most of them. It is a public burden,
from which the people derive no corres-
ponding benefit. And it is grossly unjust
that a hundred people, because of the more
circumstance, that they reside within the
bounds of a village, should be permitted
to send a Representative to the Assembly,
who may out-vote the organ of thousands
residing in the country. Commercial cities
may have a population, that would, when
taken in connexion with their peculiar in-
terests, justify this exclusive right. But
in some of the Borough towns there are
not many more than 100 voters, and as
they enjoy no commerce, they cannot lay
any claim to its peculiar rights.

Experience has demonstrated that some
mode of AMENDING THE CONSTI-
TUTION, should be pointed out by the
Instrument itself.

Similar to those which induced our sister
States to revise and reform their Consti-
tutions, and do we find that we are more
happy, more prosperous, more free than
they are? Alas! it is but too melancholy
a truth, and but too evident to the senses
of us all, that WE ARE NOT.

They are evils which a MAJORITY
of the PEOPLE have a RIGHT to
REMOVE.
To deny this right is to argue against
the very foundation principle of all popu-
lar governments. It is retained in the
front rank of our own Declaration of
Rights, and in that of every other State
in the Union, that in the concerns of this
life all power and sovereignty reside and
ought to reside in the People. They can
alter their government when they please,
whenever indeed the happiness and
prosperity of the large number imperi-
ously demand a change. Herein they
are the sole rulers and sole judges. No
limit has been set to their authority but
that which the Almighty has imposed,
that they shall exercise it in Justice and
Equity. This may be denounced—but it
is the doctrine of free American Insti-
tutions. It is the doctrine of the Revolu-
tion—it is the Republican doctrine of
this country. Whenever the People shall
consent to repudiate it they will cast away
the great check they have retained a-
gainst the usurpation of their rulers. Let
us not be misunderstood or misrepresented.
Whilst we earnestly maintain this
"fundamental principle" we heartily de-
precate licentiousness, we would rather
invoke a speedy co-operation of all par-
ties in our beloved State to settle the
causes of agitation which alone can pro-
duce it, but which are now too justifiable to
be contended, and too potent to be harmless.
And why may it not be hoped for? We
profess to venerate the fathers of the
Revolution and the principles they estab-
lished, and shall that great leading principle
of the Revolution that "representation and
taxation shall go together" be excluded
from the charter of our own govern-
ment? We have demanded of Congress
an abandonment of the Protective tariff
system, because it infringes the great
principles of political Justice, and shall
we be deaf to the calls of a majority of
our people for Justice at home? We tri-
umphed at the advancement of free prin-
ciples when the question of Reform in
English parliament—of a reform of the un-
equal representation of the people, was
sanctioned and sustained by the KING of
England against his House of Lords; and
can a demand for equal representation in
North Carolina be denied? When Ire-
land had won a partial restoration of her
rights by the removal of an odious res-
triction upon her Catholic people we wit-
nessed a flow of generous gratulation
from the hearts of North Carolinians; and
will they turn from us with indifference
when we remind them that the same hat-
ed tyranny over the consciences of Catho-
lics is sanctioned by the very charter of
their liberty?

Unless we choose to indulge a degree
of suspicion that is alike dishonourable
to ourselves and subversive of all those
principles of action which arise from ob-
servation and experience a remedy for
these evils is neither difficult nor danger-
ous. By your votes at the Elections in Au-
gust, pronounce your determination upon
the question "whether a change is needed
in the Constitution"—that expression of
your will being sent to your Representa-
tives, they will be bound to provide a
remedy or to pass a law by which you
shall be enabled to effect it yourselves. If
this obligation does not arise from that ar-
ticle in the Bill of Rights which secures
to you the right of "petitioning the legis-
lature for redress of grievances" then it is
a privilege far too trifling to be refined
in a solemn charter. This expression of
your will, will be instructive to your re-
presentatives and if they do not obey it,
then indeed a period has arrived in the
history of the Institutions of this country,
when the People are bound by the Consti-
tution and their servants alone are exempted
from its obligations. But you need
not fear such a result. The right of re-
presentation—a fair and equal representa-
tion of the People has become in our
day, but another name for civil freedom
and success has crowned the exertions of
those who have struggled for it, in the
other free States of America. Their is
no less republicanism, nor less JUSTICE,
nor less liberality among the
North Carolina than all

the voice of a deaf
who work for persons and others. Let but
the purchased majority speak and
nothing is done. It is not possible for
the most zealous and eloquent partizan to
force from the minority of North Caroli-
na a denial of the great democratic repub-
lican principle that a majority must govern.

The general practice of the States has
determined that the most ordinary and
remedy for Constitutional evils (where
the existing constitution contains no pro-
visions for its amendment) is through the
medium of a State CONVENTION, au-
thorized and in its incipient steps regula-
ted by law. Whether this convention
shall be limited and to what bounds, is a
mere question of expediency for the pre-
vious determination of the people. We do
not stop to argue with those who feel or af-
fect to feel great fears of a Convention

without limit to their powers. The
friends of reform are not the advocates of
revolution or disorder—they are as solici-
tous to maintain the great principles
of the old Constitution as any others, they
only desire to see a change of our system of
Representation which in the lapse of
more than 50 years has come in conflict
with these principles—to restore to the
people—the right of electing their Govern-
or—to diminish the expenses of the Leg-
islature down to that standard of econo-
my which is commended by the practice
of our fathers,—to reconcile the Consti-
tution with our declaration of Rights, and
to establish a safe plan of future re-
form. Hence they meet their objections
on this point with a distinct avowal that
no unlimited convention is asked. If a
convention shall be deemed expedient, let
it be limited to these subjects and the
advocates for reform ask no more, let
them be even restricted to these specifi-
cations and the friends of reform will
be satisfied and the people will be so like-
wise.

CONVENTIONS MAY BE LIMITED.
They possess no inherent power, they
exercise that only which is delegated;—
they are servants of the PEOPLE, who
only are sovereign, to whom alone all
power belongs, who, and who only shall
confer power at their pleasure and to the
extent they may will it. A Convention is
nothing but an assemblage of delegates
elected by the people, and how can it be
affirmed that a sovereign may not create
a limited delegation? Have the whole
people less power even than each individ-
ual? A man may create a limited au-
thority for the transaction of his business,
and must the people, necessarily, create
their agents with "a power" for the per-
formance of their business?

The General Assembly, is composed of
Representatives, to whom certain powers
are delegated by the people, and their
limits are prescribed by the written con-
stitution under which they assemble—
this is their power of Attorney, and they
are sworn to maintain it. Experience
has proved that this affords a reasonable
security to the rights of property and
of persons. So the People may create
any number of their Delegates, define
the boundaries of their power, and im-
pose on them the same solemn sanctions
for their strict observance of them. The
Constitution derives its authority from the
people, it is expressly declared in that
charter, "that all political power is vested
in, and derived from the people only."
They therefore created, a limited dele-
gation, when by that charter, they set
the General Assembly with the power of
making laws, and unquestionably the
same sovereign power may originate in
any other body, with any other delega-
tion of power their discretion may suggest,
and their wisdom approve.

To argue that it must of necessity
be unlimited, is to contend that the sov-
ereign power itself, is limited, which is ab-
surd, and is to affirm that the General As-
sembly was not rightfully constituted.
The fact that our first and earlier con-
ventions were not usually limited, implies
nothing against our position. For let it
be remembered, that the people were then,
without any organized government, and in
electing Delegates to deliberate on the
subject, and to devise the best forms, they
might not have believed it expedient to
limit them. The aim they had, was to
avoid anarchy, not merely to correct gov-
ernments, but even if they had desired to
instruct or limit their delegates, it was
not conveniently practicable, to impose a
limit, for the want of a body of repre-
sentatives, through whose intervention it
might be marked out for the sanction of
the people. Does any one deny that it
comes within the province of a Legisla-
ture, to prescribe the means of enabling
the people to call a Convention? Upon
what principle is this, except that they
may, as the people's representatives,
make recommendations for the sanction
of the people? If they are to be sanc-
tioned, then by what authority? It is
demonstrated, that it is not expedient
to bestow unlimited power. The friends
of reform they are specific and urge that
the Legislature has a right to set to the
people, a Convention to be called by the
people, if they refuse to do so.

All persons who come to the
convention, shall be sworn to support the
Constitution, and to execute the laws
thereof, and to defend the same to the
last. After it, they recommend a Con-
vention, with power only, to abolish the
Article of the Constitution, and this re-
commendation is confirmed by the peo-
ple, and a convention accordingly assembled.
Can there be a doubt, that the Consti-
tution is strictly limited, and that they will
not—cannot exceed their bounds? But
that those who penned this recommenda-
tion, timid and jealous of power, super-
added that upon the questions submitted to
the Convention, their vote shall be final,
but if they shall attempt to do more, then
no act of theirs shall be valid and binding
without the subsequent ratification of a
majority of three-fourths of the people, or
even the unanimous assent of the polls,
duly taken by a vote at the polls within 30
days after the adjournment of the Con-
vention? Where, and what is the danger of
such a Convention. But we are not left
without the light of experience to guide us
on this interesting subject. Since their
governments were formed, and the means
of conveniently providing a limit have

been found, and the means of conveniently
providing a limit have

been found, and the means of conveniently
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