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STATE CONVENTION.

DEBATE.

Thursday, June 11.

e Convention having resolved itself into mittee of the Whole, Judge Daniel in white of the resolution relative to Borepresentation-on the amendment by Dr. Smith to abolish it in tate, and amendment to the amendment, moved Dockery, to except the towns of eville, Newbern and Wilmington, after entlemen whose remarks have already published, had delivered their views-M'QUEEN said, like the gentleman Rowan, (Mr. Fisher) he came here dis-to exclude borough members, and the hose who sent him here, entertained views. But we should beware of the minate application of any general nle. He had been convinced, since day, of the danger of precipitancy and ec saity of deliberation in so momen. a work as now engaged their attention. not a thing to be done to-day and unto-morrow, but would last through all and entail its consequences on posterity. the most solemn reflection, he had to the determination to vote for the ation of borough representation in He did not know how it might affect home -- that was a small matter, comwith his convictions of duty. But he that his constituents had liberality gh to sustain him in any course he might e, from a desire to advance the common re of the country. They did not wish to stand with his hands and feet bound

e any great interest sacrificed. gentleman from Wake, (Judge Scafor whose talents he had the highest tle respect, had stated that the gentlerepresenting counties, in which these ughs are shusted, were in favor of abolthe right. Had he reflected for a mothe tones of eloquence which have d our hearts on this floor, would have need him such was not the fact. Salisand Hillsborough had magnanimously dered their claims, because the interif the State demanded it; but in Fayille, in Newbern, in Wilmington, the was essentially different. They had a et and important interest which require be watched with a guardian eye .-claim to representation on this acore, ngthened by the large amount of taxes pay and the number of their voters. It inciple of our government, to establish our fathers bled and died, that taxaand representation should go together. organization of the Senate the landed est will be protected, and the more popbranch will represent the personal erty. Indeed, with the exception of

Why they were admitted, he did not know -but there were towns certainly entitled to the distinction -towns, whose interests re-quired that they should be represented by individuals closely identified with them in sympathy and feeling But it is said the wants of these towns will be provided for by the county representa-tion. He would say, if the representative of the county was a faithful organ of the inter-ests of those wine elected him; he would have county duties enough to perform, without being embarrassed with town interests. Bebeing embarrassed with town interests. Besides, it was a fact not to be disguised, and he stated without disparagement to either party, that there is an inherent jealousy ex. sting between town and country. Why did such a prejudice exist in Orange county against the University of the State, located within its limits, evidence of which may be found in two repeated attempts made to co-

erce the Faculty and Students to bear arms and work on the roads. He alluded to the claims of Fayetteville, he people of which, upon the broad grounds of political justice, were certainly entitled to be heard in the Legislature through their representative. He was informed by a gen teman on that floor, for whom he entertained the most unbounded respect, that at the last election in Fayetteville more than 400 votes principles of political justice? Your Attorfor defending the interests of the State in the courts of Judicatory. Shall we refuse the petty sum that it would take to pay for services of a representative, to protect the interests of a whole community? Even sir, the Universities of Europe have their representatives in Parliament, And why? Because they have distinct interests. That the system had evils, he admitted, but it was inseparable from the nature of our insti-Even the sun dispensed its warmth tutions. and light as well upon the murderer as upon the honest farmer -upon the unjust, as well as the just. The Mariner's compass guided

as well the pirate in his course, as the enterprizing seaman. Will the benefits to flow from extending this privilege, overbalance the evila? This sir, is the true question. Gov. BRANCH could not see any good rea-on why, if the three boroughs alluded to, were retained, the whole should not be. He was

etained, the whole sharld not be. He was willing to shallsh the whole, but would not consent to any monopoly in the business. A great deal had been said about protecting the com-merce of the Cape Fear and Nease, but the rich trade of the Roauoke and Albemarle Sound had been overlooked. Was this equal and impar-tial justice? He believed that it would be a relief to the citizens of Halifax to be distranchised, but did it tollow that it would be correct to to so. The commerce of the Athemarte and Roanoke is most extensive. Shall we then neglect that interest and have a care only for th

Cape Fear and Neuss? He hoped not. Mr. WILSON, of Perquinona, said he was certain that every gentleman had come here disposed to legislate for the good of the whole, and not for any particular section, and their whole aim should be to produce a system of Constitutional law which should operate equally. With what semblance of justice, then, he would ask, was a member to be allowed to the towns of Fayetteville, Newbern and Wilmington, whilst Washington, Plymouth and Elizabeth City are to be debarred that privilege! Is it because they make a few more barrels of tar and turpentine? Is this the reason? How long before these smaller towns may outstrip the old-er ones in the career of enterprize? The commerce of Washington, he expected, was almost equal new to that of Newbern. well the localities of the country, and we find thriving towns growing up, we should, in the exercise of a sound discretion, take care of them as well as older ones. The gentleman from Halfax (Judge Daniel) had gone yesterday into the origin of this bo-rough system, and shown satisfactorily to his mind, whence they derived their existence. The monkey was not the only imitative animal men were equally so. Our forefathers scarcely toushed this soil, before they begun to exercise this imitative faculty. They brought the virtues as well as the defects of the Parent stock, and both were engrafted into our system. seen, sir, little Misses dressing their dolls and Boys switching their stick horses. Like them, in the exercise of imitative powers our fathers, to ape Great Britain with her Manchester, her Birmingham and her Liverpool, gave the right of representation to Halifax, to Edenton, to oro', &c. If it be true that this right of representation essential to the protection of their interests, try has not the fostering care of the Legislature for more than 50 years been able to preserve them from sinking into ruin? Halifax, sir, is gone-Edenton is going -and Newbern is not by behind. He denied that the prejudices between town and country existed to the extent which had been asserted, and as a proof of it oited the fact that there was hardly a town in the Siste, having a population of 500 persons, from which delegates had not been sent to this Convention. If there be noy prejudice of this kind, the moment an occasion occurs which makes it the interest of the people to choose nen of superior ability and information, that moment the prejudices vanish.

But if the gentleman meant West Iudia vessels, he could scarcely visit Newbern, and no one would be more pleased than himself to see him there, without finding a foreign vessel. While up, he would cemark, that the gentle-man from Wake (Judge Seawell) in speaking of his having been restrained from voting by conscientious scruples on the Convention Ques-tion, made a remark, which though probably, not intended acamed to reflect on him not intended, seemed to reflect on his Judge SEAWELL rose and disclaimed any such intention

Judge GASTON was perfectly satisfied with he believed. He lelt however not the slightest

od, and asked indulgence for the desultory man-ner in which a few remarks would be briefly into judgment. submitted.

three distinct interest are separately represent-ed The Commercial interest by the borough

tred follow, and the buyer and seller to 23. ties beyond the limits of the town, and vention adjourned about 4 o'clock.

gislature, it is clearly seen, that the in- of free persons of color, terests of those two classes of society

ed The Commercial interest by the borough members; the Landed, by the representatives jects of taxation; their pursuits are of the Shires; and the Literary, by the mem-different; and they frequently come bridge. Commerce, Agriculture and Literature, have each its own representation to make der and vendee. It is well known known its wants, to protect its rights, and to that this jealousy exists, and hostility revent unjust emberrassment. The great object of Government is to promote the happiness of man and to advance the pros-perity of the county. Republican institutions establishes the fact. Believe not, that the tappiness of man and to advance the pros-perity of the county. Republican institutions establishes the fact. Believe not, that the tappiness of man and to advance the pros-perity of the county.

the happiness of man and to advance the pros- gislative experience in this State Jully poincy to anopt such a contact as non-perity of the country. Republican institutions establishes the fact. Believe not, that have a tendency to conciliate the most must be grafted on the affections of the people, these feuds and dissentions grow out respectable portion of the colored pop-Justice must be the basis of every fundamental of a icalously felt by the inhabitants of ulation, and thereby give them a stand-

passed in Convention, in whelm its influence.

secure the election of his man, it matters not whether he lives within an hundred miles of the borough which returns him. Is there any thing like this here? It may be right to exclude Halifax, Hillsboro', Salisbury, &c. —but there were towns certainly entitled to the distinction—towns, whose interests rearise. fraud is imputed, envy and ha- tee refused to amend by a vote of 103 service like other persons, who were not subjects. The Crown cannot

assume the character of antagonists. Mr. Hogan now moved a reference make subjects. It can make what are Those who pursue Commerce are col- of the Resolution and amendment to called denizens. No one can say that lected in the towns, and invest their the Committee of 25 appointed on the a coloured man was ever naturalized, capital in lots and improvements, and subject of the basis of Representation. or called upon to take the oath of allea goods, wares and merchaudize; the The motion prevailed, and the Com- giance. They have been employed to Agriculturalists reside in the coun- mittee rose and reported and the Con- fight, but were never made citizens-

are dispersed through a widely ex-tended territory, and invest their cap-ital in land and negroes. Whenever self into a Committee of the whole on merchandize, the Revenue bill is revised by the Le- the resolution in relation to the suffrage

Judge DANIEL moved a resolution ters. Suppose two respectable neighare separate and distinct. On these to extend the right of voting for mem- bours had each a song that one of them occasions, the members representing bers of the House of Commons to free had 50 acres of land, perhaps not worth this assurance: but, as what was said there went this assurance: but, as what was said there went him, holding the official station he did, to pro-eeed with his explanation. The Act of Assente ceed with his explanation. The let of Assem-bly under which they were convened, proposed estain antendments to the Constitution in re-lation to the Judising of North Carolina three itants now even towns, their inhab-be believed. He let however now the effective of the effect tation of the seven towns, their inhab. Senators. The qualification proposed to why will you allow one to vote, and itants now complain of the inequality authorize free persons of color to vote not allow the other? If any qualifica-

the committee would excussion; but but is the very different the community, representation; the community, representation; the community, representation is description is deeply interesting to the county venting usurpation and encroachment; taily important to a portion of its inhobiants — we aspire only to the means of being the discussion at this peri-heard, when our interests are brought all except his master, and such as may What, said he, can we do with these

act under his authority, any other per- people? They are amongst us. We It is supposed, that the members son using voilence towards a slave, have no Moses to undertake their We derive (asid Mr. T.) many of our notions representing the counties in which the may be indicted and is answerable to his cause. He supposed they must remain of law and of liberty, and many of our fundamental towns are situate, can represent the owner in damages. Free persons of with us. It is doubtful whether our principles of Government, from that country interests of the towns. But here color are secured from injury by any southern country interests of the towns. interests of the towns. But, here, are color are secured from injury by any southern country can ever be cultivatwhence our ancestors migrated. In the popular interests of the towns. But, here, are color are secured from injury by any southern country can ever be cultivat-branch of the Legislative body of Great Britain, found separate classes, having distinct one, having the same remedies for re- ed by white ment or that the vast interests. They own different sub- dress as the white man. They cannot quantity of our Swamp lands can ever

knew that this State was especially Agricultural, and spring from the nature of man. persons of color rendered effectual ser-presentation in the Senate, and a numerous re-Think not, that the voice of your vice in the ranks of the army. He also Mr. B. was willing to disfranchise the presentation and overwhelmning preponder-towns will be heard in your County foresaw, that a prosperous Agriculture would build up towns and create Commerce; and they resentatives of the county; no, the ex-West Indies, and of the probability designated six towns to be represented in the cess of population in the county will that the French would follow their ex-House of Commons, each by one member. To stiffe the voice of the town, and over-this number they subsequently added one other other of the town, and overty of our South Western States to to the most intelligent and deserving those Islands; and spoke of the policy portion of the freemen of colour. He of cultivating a good understanding was unwilling to part with the free-with the most respectable portion of hold qualification. He admitted that our free persons of color, who might be age makes a man; but he thought propvery serviceable to us, in case of any erty ought also to be considered. combination for evil purposes amongst floating population, however aged, their brethren in bondage. Judge D. said, that the Resolution which he had offered, was ucarly a copy of one entered into by the New gether, but for the mutual interest York Convention, and hoped it would which binds us to each other. be agreed to. ed gentleman from Halifax had turned this class of our population ought not his attention to this subject. It was to be cut off from voting, and no man not to be taxed or made subject to the two or three hundred voters of this depayment of any impost or duly, with- scription, and should their Delegates, out the consent of themselves or their on their return home, be under the Representatives in General Assembly, necessity of telling them that the Confreely given." If this article bears vention had wholly abrogated their upon our cubored freemen, equally right of voting the information, he with the whites, it would appear found, would not be well received. wrong, while we continue to tax them. He hoped, therefore, a different result to deny them a vote for members of would be come to. Assembly. He should be glad of Mr. WILSON, from Perquimons, more light on this subject. He said rose to offer an amendment to the prethere were many free men of color who paid taxes besides those who are freeholders. Ought not they to be rep be elevated, their colour alone would resented in the Legislature also? Judge DANIEL replied, that the bill of rights did not apply to men of mulatto obtains a like property, and bill of rights did not apply to men of mulatto obtains a like property, and color. It embraced only free white men. The Legislature had a right to tax any species of property. He was in favor of allowing the colored men of some property and standing to vote for members; for, from an observance of Resolution, in order to settle the questheir conduct for thirty years past, he tion at once? He moved to strike out could say, that they uniformly voted all the Resolution now before the for men to represent them of the best Committee, except the word "Resolvcharacter and talents. Commercial towns and cities is still exhibiting its former usefulness and its pristine splendor. Mr. BRYAN wished some informa-tion on this subject. He asked whe-ther free persons of colour could be for members of the Senate or House ther free persons of colour could be considered in the same light as free white citizens? They are not looked upon generally, as enjoying like privi-leges. An act of Assembly prohibits free persons of colour from going from one State to another. If they are citi-tore state is in the monter of a managed one State to another. If they are citic zens, their citizenship is of a mongrel kind. He would be glad to hear more on the subject. Mr. WILSON consented. Mr. MEARES then moved the fol-

they made no part of the political family; the negroes were originally imported in the way of trade like other

The President said, he did not approve of the land qualification for ve-

Gov. BRANCH observed, that no doubt the Convention had a right to Justice must be the basis of every fundamental these reduces and thissentions grow our respectable portion of the convention has a right to principle. If wrong be done to any portion of of jealously felt by the inhabitants of ulation, and thereby give them a stand-the community, the oppressed will not suffer in the country at the enjoyment of the inig distinct from the slave population, and afford them an opportunity of some interced, the feelings of the injured will be attended, and public commotions may fulof a difference of pursuits, of habits and The Judge stated, that during our be continued, abridged or abrogated. The framers of our existing Constitution interests in these two classes of society, Revolutionary War, a number of free The gentleman from Warren thinks could not be relied upon, they were He thought his colleague had given Mr. EDWARDS was glad the learn- some strong reasons why the whole of ed." and insert "That free negroes

distinct interest which these boroughs there is no interest in the government is overlooked.

ake the farming interest, and for no pur while had he higher respect, and we find dependent of the protection before al-d to, provided for in the very nature of natitutions. Four-fifths of our voters farmers and our Representatives are in the same ratio. Look at the comnt elements of our Legislatures, and does not perceive how effectually the ng interest is protected. This is not ally safeguard. There can be no danger passage of any law to injure this in-, and for an obvious reason; because other interest is so linked with, and ted in it, that a principle of self pre tion would forbid it.

ke another great interest -- the Clergy you will find that they are abundantly ided for. No law can be passed to bear them oppressively, because a majority e Legislature are always connected some religious profession, and all were inced that religion was the great source ppiness to the human race.

medical profession too were provided or being justly considered as temporal ians of the people, there was no dan hat their interests would be endangered gislation.

e the profession of the law. In ever awn from that class of persons, and he never known lawyers to be accused of g blind to their own interests. Of course, w could be passed to oppress them. as Judiciary too, of which, sir, you are

nored member, was as well providas any other interest. Every memof the Legislature will be for rellyound it. The abortive efforts to reduce shries of the Judges show that the Leharies of the Judges snow that the pre-ture is impressed with the value of those mals to whom is confided the preserva-of our lives and property, and will not st they

then all these interests are provided why should not Commerce have its retative! Will we turn an ear as deal grave, to the application which is now to admit it to be represented in the erative councils of the country? Comare, and the latter cannot receive its apte reward unless the former is pro-

ed. We should guard against precipi-y in this matter. Not only will our de-m affect the opulent merchant, but also humble tradesman. Shall they be foren in arranging this matter? They are erons and constitute an important part e strength of our commercial towns, and due to them, that they should be pro-

he gentleman from Orange, (Dr. Smith) yesterday remarked that the system of igh representation was a remnant of the a boroughs of England. He hoped the maxim, borrowed from the fountain of ortal truth, that no good thing cometh of Nazareth, would not be applied to this r. If there are still some of the boentitled there to representation, let to make the proposed exception. The there are worse than the worst here. We a it is true, occasional feuds and bickerbut there any wealthy individual can

If it be true, that every interest should be represented, why not extend the right to the Mining interest - a pursuit which requires equal--a pursuit which requires equaling interestly as much skill and capital to carry it on as

the manufacture of tar and turpentine. Another interest requiring much skill to manage it judiciously, was the Fishing interest. Ought this not to be protected as, well as that, which is confined to the sale of bacon, lard, Ought this not to be protected as well as that which is confined to the sale of bacon, lard, whorlieberries, &c. Suppose an East India traiter were to sisit Newbern, and go to the market and through the principal streets, and ace in one place a bale of cotton and in another a flitch of bacon, and should be informed that these traders were a class of men, whose interest being a *distinct* one, required to be protect-ed by representation-would he not sneer at us? Sir, the commerce of Newbern has decreased out to nothing. When has a European vesacl visited her shores? Not in a dozen years.

But, sir, it is said that there are mysteries about this trade and commerce which only mercantile gentlemen understand. Why then, sir, do they not send Merchants instead of Lawers or Doctors? It was said important matters frequently came before the Legislature, in re-lation to these towns, which required the vigilan the Legislature, in reattention of these borough members. He was himself in the last Legislature, and he believnimselt in the tast Legislature, and he believ-ed the only important subject which was en-vased, in which Wilmington was concerned, was a controversy about the sponintment of a Justice of the Pence! And Newbern, sir, rhough like Wilmington well represented, brought no important matter before the Legisla-ture bet a partition about the set of the Legisla-

but a petition shout the inspection of woo He had no idea if Borough representation was aboliahed that our talented men would be laid abolished that our talented men would be laid upon the shelf. Not so, sir. The people are honest sud discerning, and if their rights are about to be invaded any way, they will call forth their men of intelligence, whether living in town or country, and this Convention afforded a practical illustration of it.

town, by an ordinance passed in Convention, in the year 1788. The House of Commons is now composed of 130 members, representing Agri-culture, elected by the counties, and seven and Massachusetts, have, within a

ery sloud, what doth all this greatness swail, ered to their fathers, is embalmed with "while Mordeeai the Jew sitch in the King's tears of gratitude. One he would gale.

Our Commercial pretensions, 'said Mr. T. are ridiculed, and it is declared we have no com-merce. Let this proscriptive denunciation be merce. Let this proceptive denunciation be silenced, by referring to the Cotton, Tobacco, Flaxseed, Wheat and Flour purchased in Fay-etteville for exportation; and by the Rice, Na-val Stores and Lumber shipped from . Witning-ton. He would not speak of Newbern, as others around him were better informed as to her trute. Look at the report of the Secretary of the Treas-ury of the United States, made to Congress at its last assion; see there the tounge owned by the merchants of Wilmington, the shipping which left that port within twelve mobths, and mark

the duties arising from Commerce, received within the year, at the different ports of the State. It is said, we have no right to regulate Commerce, or to legislate upon that subject; that the power has been delegated to Congress. It is true, that the Constitution of the United States

other craft havigate your Sounds and Bays? Do not steam boats ascend the Roanoke to Weldon, and other craft to Milton. Do not steam boats ascend the Cape-Fear to Fay etteville, and other cruit to Haywood? Is not the General Assem-bly frequently engaged in legislating upon the subjects of Pilotage, Inspection and Quarantine? How long is it, since your legislature had to set upon the subject of Bills of Exchange, and to upon the subject of Bills of Exchange, and to

upon the subject of Bills of Extensing, and to regulate and preacribe the dismages on protested Bills? Have you no Banking Companies in your Commercial towns? Have you no maviga-tion Companies to make eansis, clear out streams, and remove obstructions from your rivers?-Have you not Rail-road Companies incorporat-ed, and two now is the full tide of experiment? Is not the spirit of internal improvement awaken-ed; and is not our State pride aroused? What Patriot does not predict brighter prospects, an cherish anticipations of future greatness?

The principles of justice and of cor-

we no internal trade? Do not steam boats

rect legislation inculcate the necessity of having every distinct interest in the ed; and they are arrayed against each the negative.

South-Carolina, Virginia, New-York, members, representing Commerce, elected by few years, revised their Constitutions 7 towns. The Scoate is exclusively Agricultu- and still reserve their borough repre-ral, and the House of Commons having an Agrisultural superiority, in the proportion of 130 to sentation. Let us not servilely imi-7. In this attitude of public affairs, has the Ag- tate the actions of others: but let us ricultural any thing to apprehend from the derive benefit from their experience Commercial interest, either in case of compari-tion or collision? Whence, then, all this jest- and wisdom. For himself, he was underive benefit from their experience ousy? Commerce is only armed with the willing to depart from ancient usages, power of making known her wants, and of sup-plicating the aid of the legislative councils of the without urgent reasons. -- Has not country Yet, this still small voice is to be hush-ed, and her representation, at one fell awoop, is been of a clearacter to add lustre to to be swept 'rom our halls of legislation. We your legislative annals? Some of those ask not an increase of power: we are willing to your legislative annals? Some of those submit to its curtailment, but depresate its anni-who live, and now fill conspicuous your borough representation, bitherto, hilation. Our jealous neighbors, possessing places, it is our delight to honor. The strength, and monopolising honor, answer our memory of others who have been gath-

> advert to, who "gloriously fell on the field of his fame, nobly struggling in the service of his country.

> He trusted that the prejudice creat ed by the repetition of the odious term Rotten Boroughs, would have no afluence on the decision of this question. The wheat may be separated from the chaff, although it be in the proportion of two grains to the bushel. Let those towns having distinct interests from the counties, and interests of sufficient importance to be

protected, retain their representation. Fayetteville pays into the Trea-sury of the State a tax above \$12,000, true, that the Constitution of the regulate Commerce being levied on its stores and town tors, gives Congress power "to regulate Commerce being levied on its stores and town tors, with foreign Nations, and among the several and has a population exceeding \$000; States, and with the Iodian tribes." But have and the pursuits of its inhabitants are almost exclusively Commercial. The spirit of Reform which was first a-wakened in this country, and now illumines the Eastern Hemisphere, has produced the abolition of the representation of some of the rotten boroughs in England, but the representation of the Commercial towns and cities is still

Mr. King moved that the Committee rise and report progress. Negatived.

The question on Mr. Dockery's amendment, (excepting Fayetteville, Newbern, and Wilmington.) was then put and decided in the negative.

The question reviving on the amendcommunity represented in the coun-cils of the country. Although Agri-culture and Commerce are, in theory, tirely, Mr. Morehead called for a di-closely allied, yet, in practice, colli-sions occur, animosities are engender-taken on striking out and decided in

than other gentlemen. He would say, liege to vote for Senators or members of the