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STATE CONVENTION.

DEBATE.

Monday, June 15. of this day's debate on the resolu-

Gov. BRANCH said if he knew him-

ended. The question submitted to to 7; New Hampshire, 12 to 230, or without a division. e people was "Convention or no 1 to nearly 20; in Massachusetts, 50 mittee for striking out the words one hundred and twenty from the resolution prescribing

at as Chairman of the Committee it borne by a million of people? assign him. The Committee had all who desired it, in the Convention ast been favored with the views of the or out of it. entleman, in support of his motion, nd he (Gov. S.) would now proceed consider them, and the Report, in order prescribed for him.

He would say, with perfect sinceriy, that if he knew his own heart, no entleman in this Convention came its deliberations, with less of party sectional feelings, or more anxious terminate forever, the differences tween the two sections of the State, an he. He trusted, indeed he was We have sonvened, said Gov. S. quired to adopt, is the substitution of vote accordingly.

Assembly, which defines and limits as the basis of the House of Commons. Our powers, and he did not hesitate to say, that he differed entirely from the gentleman from Halifax with respect to its construction and the con actual wrong. The situation of bill, or of any intermediate numbers tleman from Greene. Last is different from that of the between these and 50 and 120. Un-est; we are called on to surrender less his opinions underwent a great willing to accept the compromise tenver; is it not the duty of gentlemen change, however, he would not yield dered by the Legislature, and sanc-show that they are entitled to it? his assent to any numbers which did tioned by the people, if the duties of

the Committee to assign the reasons considered to have been settled on by wisely performed. It was the interest ich brought them to the conclusions the charter under which they acted. of both sections of the State that this veloped in the report? What right He believed that the lowest numbers should be done, and thus terminate that gentleman to call for reasons prescribed would not meet the con- forever a bootless controversy which m other persons, before he himself currence of a majority of the people, convulsed the Colonial Assembly of that would each be deprived of a member wiven any? The proportion of re- and though he would cheerfully sub- 1746, and has been the bane of legisesentation, under the old Constitu- mit to the determination of a majority lation ever since. d the Senate is two for one. He had self under very different circumstances more than himself, the idea of an unlimited ver heard this complained of. Have when he should be remitted to his convention. But he assured gentlemen, that if, by any arrangements of larger countries in both sections of the State, or, if from any cause growing out of the peculiar principles? Is it sufficient that the Act the gentleman from Halifax erred in Assembly gives the power? Surely supposing that his construction of the large from the idea of an unformted Convention. But he assured gentlemen, that if, by any arrangements of larger countries in both sections of the State, or, if from any cause growing out of the peculiar principles upon which this Convention is constituted, injustice shall be done to any large principal of the community, the idea of an unformted Convention. But he assured gentlemen, that if, by any arrangements of larger countries in both sections of the State, or, if from any cause growing out of the peculiar principal of the community that is constituted in particles and the injustice shall be done to any large principal of the community that the community is a state of the injustice shall be done to any large principal of the community and the injustice shall be done to any large principal of the community and the injustice shall be done to any large principal of the community and the injustice shall be done to any large principal of the community and the injustice shall be done to any large countries. At all events, the Act was not Act was a reflection upon the wisdom portion of the community, the struggles in ligatory.

The gentleman from Buncombe of the Constitutions of our sister States sense of injury, will impel the people as one ntends that we must maintain the recognized a much greater disparity of man, to rend asunder the cords which bind portion recommended or act in numbers between the two branches the body politic, and stand forth here, in unfaith. It was certainly not his of the Legislature than had been as- shorn might and majesty. sh to do so, nor did he think that sumed by the Committee. In Maine, strike out from the resolution fixing the y imputation could rest on those the proportion of the Senate, to the number of which the Senate was proposed to vote against the numbers recom- popular branch, was as 25 to 186, or 1 to consist, the word fifty, and negatived

sue: he therefore did not consider 10 to 72, or 1 to 7; in Virginia, the the number of the House of Commons. e act obligatory. It was very far proportion was about 1 to 4, and in the om his desire to place the decision new Constitution just adopted by this question on sectional grounds. Tennessee, 1 to 3, It was scarcely regretted to see sectional views so necessary to swell examples. If number of the House of Commons. The President (Mr. MACON) rose and delivered his sentiments pretty much at large on the subject; but from his distance from the Reporter, and owing to the low tone of voice in which he spoke, he was very len introduced here; it was cal-bers gave weight to the decisions of imperfectly heard. In referring to the comlated to produce evil, and could do the Commons, gravity, dignity and promise which it is understood was made by good. We had met as brethren wisdom would impart it in no less deconcede as much gree to the determinations of the Sen-

entleman from Wilkes (Gen. Well- Greene, that 50 was not too large a of any plan of Internal Improvements in was patriotic and was concern- number for the Senate, but he differed which the government was to take any part. for the condition of the State. He entirely from the opinion, that princi- to be the work of individuals, as they could ally rose to say that he should de- ples of economy demanded a propor-always have it done at a cheaper rate than art from the proportion recommend- tionably smaller House of Commons. In noticing a remark which had fallen from some member, derugatory to but in so doing, did not feel that It was said to be a bad rule which was acting either unjustly or unfairly. would not work both ways. If you the character of this State, he said for his Gov. SWAIN said, that he was reduce one, reduce both. Neither had rather live than in North Carolina, nor ry far from supposing that the gen-curtailment is necessary. In 1820, any, where the people were in general more man from Greene was disposed to the population of this State was happy. There might not be so many two rink from a discussion of this ques- 639,000; in 1830, 738,000; in 1850, and four-horse carriages amongst them, but n, with him or any other gentle- a proportionate increase would yield there were plenty of good horses. Nor so many splendid houses, but the people generally had comfortable dwellings and good how different many splendid houses, but the people generally had comfortable dwellings and good n, with him or any other gentle- a proportionate increase would yield ry different motive. too numerous a representation of a plantations. The term Farmer, he said, was To the gentleman from Halifax million of inhabitants? Would the seldom heard in North Carolina, and he was Bov. Branch) he must be permitted expenses incident to a Legislative glad of it, as, it always indicated to him a

as his duty to explain and sustain Gov. S. said that he was aware that e Report. It would be recollected discussions here should begin and end plan of amending the Constitution, and read wever, that immediately on its in- with the Act of Assembly, under a resolution which he said he wrote at home powever, that immediately on its in- with the Act of Assembly, until or the subject, but in so low a tone that we oduction, before any opportunity of which we were called together. The could not distinctly hear it. We believe it tplanation was afforded to him, its gentleman from G erae however has proposed to refer the whole subject to comwrence to a Committee of the attempted to show that a compromise hole, accompanied by a notice that maile by the General Assembly, was the nest General Assembly. We presume this morning he would propose neither liberal nor wise. His argu- he is opposed to biennial sessions of the Les strike out 120 and insert 100 in the ment will go forth to the people, who gislature, as he quoted the following maxim cond article, was made by the gen- will ultimately decide this question, end, tyranny begins." eman from Greene. The high o- and it is proper that it should be acnion which he entertained of his companied by the views of those who bility to do justice to any cause he dissent from his opinions. For him- verament were from better to worse. vocated, had admonished him, not self he was disposed to conceal nothshly to thrust himself into the front |ing here or elsewhere. Every view he en the contest, but quietly endeavor to tertained, as to the relative advantages wintain the ground which the gentle- which would be derived by each sec- this motion would not be agreed to, the the Legislature, but there was a Roanoke, a an from Greene had been pleased tion of the State, was at the service of word ffry having been retained in the propo-

He said he doubted whether the

ment was perfect protection to persons in one branch and to property in the other. The great contest in the Virntident, that a correspondent feeling ginia Convention was upon this prinaffluenced the great body of the Conciple, and those who maintained it rise and report progress, in order that the continuous and yet he was not without prehensions as to the result. The that most aristocratic State. Indition and circumspection viduals more democratic than himself. most caution and circumspection viduals more democratic than himself, 100 and some other number for the House vere indispensable to a happy ter- but perhaps not less so than some of his of Commons, would have upon the several nination of our labors, and if passion constituents, demanded white population are permitted for a motion as the basis of representation in both Houses. The only objection he the decision of the question; that every mem-

sequent obligations which it imposes consideration of a single fact. If reupon us. Every provision in it is obgard be had to the imaginary line, so
which was the utmost limit of the act, he sanot be allowed to remain in arrears longer ligatory, not simply because the Le- long regarded as separating Eastern was in favor of voting for 120 in the House fale, who may desire to become subscribers, gislature enacted it, but because the and Western interests, there will be of Commons Had the Senate been fixed will be strictly required to pay the whole as people had ratified it. If a fair confound \$7 counties constituting the forstruction of the Act, as it appears of mer and 28 counties the latter section. have preferred 40 members in the Senate and record. justified and required the pro- Divide the amount of taxation for 1833, about 110 in the House of Commons. Asthere portion between the Senate and the paid by each section of the State by corresponding numbers between the two It use of Commons which the Com- the number of white souls it contains. Houses were those which had been fixed upmittee had assumed, it was idle to agreeably to the census of 1850, and on by the parties who were instrumental urge that individual members did not it will be found that each white per- passing the law under which the Convention so intend. Other gentlemen must son in the Eastern conuties pays into upon without opposition. construe the obligations imposed by the Treasury something more than 14 the Act and by the Oath, for them cents, while in the Western counties, his motion for striking out the words one selves, but for one, he should regard the proportion is less than eleven cents. hundred and twenty, for the purpose of ina substantial departure from the re-lative proportions it prescribed, as a proportionate control in the distributions which he adduced, that 100 lative proportions it prescribed, as a proportionate control in the distribu-I he would not take an advantage violation of the compact. He believed tion. Under the old Constitution, be a more untable number than 120 and that my portion of the State, in the adtment of this question, even if it would be best subserved by the adop- 14 cents, they abstract more than 16, number of members for that House within re possible to obtain it; because it tion of the number proposed by the and hence, the justice and necessity unless the Convention would agree to fix the s bad policy, to say nothing of the Committee. It was our solemn duty of a change. It is true that the vices number of 120 members for the House of propriety of it. He had always however, to settle this controversy, of the community will influence the C mmons, 50 having been agreed upon for night honesty was the best policy, and he was prepared therefore, if such ratio of representation, but as Billiard the Senate, the West would not accept of ting on this principle, he was pre- should be the will of the majority, to Tables are found only in . Eastern red to concede as much as possible acquiese in the selection of 34 and 90, counties, the objection might be urged kind would prevent him from performing o part with every thing not involv- the lowest numbers recognized in the with more force by others than the gen- what he believed to be his day. He would

The question was put on the motion to

which passed the act celling the Convention. s possible, manifesting a spirit of ate.

He agreed with the gentleman from promises and concealments. He disapproved All improvements of this kind, he said ought the character of this State, he said for say, that he was perfectly aware, body of 170, be too grievous to be Planter, which conveyed to his mind more of

independency and plenty.

Mr. M. did not approve of the proposed nittees to be appointed in each county by

In the course of his remarks, Mr. M observed that he believed all changes of go-

Gen. WELLBORN said, the question before the committee was, on striking out the words one hundred and twenty, for the purpose of inserting one hundred. He trusted sition fixing the number of members for the number of one handred and twenty, reporttleman, were on the whole as favora- at the last session, which were fixed upon by the State. ble as those adopted by the General As-Western members. The numbers were not among men, for the protection of life, but it was all that the Eastern members were moss liberty and property. His notions of willing to accede to, and was accepted by the heau ideal of representative govern- the West. This number of one hundred and twenty for the House of Commons, he believ- exercised a judicial as well as a legislative ed, would suit both the Eastern and Western members better than any other. He hoped therefore it would be agreed to.

Judge DANIEL wished the committee to

had, to the principle which we are re- ber would make his own culculations

sat, he hoped the numbers would be agreed

Gen. SPEIGHT advocated at some length the Constitution. He took this occasion of take the consequences of his course, be

gentleman from Surry (Mr. Dohaon) if the Convention were now about to firm a new Constitution, but it ought to be recollected as it not the duty of the Chairman not preserve the proportion which he this Convention, should be justly and that we are about to sme d a Constitution which has fixed the habi s of the people, and that these feelings ought to be every step that is taken. If 120 was fixed as the number of the House of Commons, he could enumerate upwards of twenty counties This was not all. They would have no repre-

sentative in the Senate.
Gen. 8. observed, that it had been remark ed by the gentleman from Buncombe, in the which many of the governments of the States are formed, that their Senates consist of a smaller number of members than that fixed upon by this body for our Senate in future Does not the gentleman know that most of these States are not like our Legislature, but merely exercise revisory powers, and are Ju dicial Pribunals in the last resort. There is not therefore the same necessity that exists with us for a large number. Our form of government differs from most of the govern ments north of the Potomac. In the North they have small Senates and large Houses of Representatives. In the South, the number he Senate is much larger, and possess al the legislative powers of the other House.

Some remarks had been made in relation o the present degraded condition of North Carolina, which had been very properly noticed by the venerable President of the Convention. He asked in what respect had the State been degraded! He had always felt proud, whether at home or abroad, of being alled a Nor h Carolinian-here he wished to live, and here to breathe his last. Look at our Judiciary, at our laws, at our University, which stands on a footing equal to any other institution in our sister States. He could see no reason, therefore, why any gentleman, representing the interests of North Carolina should thus speak of her. He look ed on such representations with disgust.

The gentleman from Wilkes had spoken of the great emigrations which take place from this State. If he was correctly informed; they are equally great from South Care Gen. S said he could tell the gentleman what caused these great emigrations -It was the sales of the Public Lands which produced them And the gentleman and his friends may make what loternal Improve ments they please in the State, they will have no effect in stopping emigration while the land sales continue.

With respect to Internal Improvements, no individual was more desirous of encoursging judicious improvements than himself, e was against engaging in any large and ex ravagant scheme for this purpose, by the government. It was impossible that this State could vie with the State of New York in improvements. Nature has thrown obsta cles on our Sea coast that cannot be over come. It is true, we have a good harbor at Beautort; but to make a Rul Road from thence to the mountains would be incurring an expense that could never be repaid by the intercours between these distant portions of the country. There might, in the course of time, be large quantities of produce and goods of different kinds carried on the roads but there would be but few passengers, and it is well known, that without these no It il Road can be sustained

Nor d'd he think that the proposed amend ments to the Constitution would be the means of effecting the Internal Improvements which gentlemen seem to expect. He could tell them what had principally prevented improvements from being successfully car ried on in this State. We had constantly at-

tempted to do too much. On this ground it was, that he opposed the sys em He was well aware, that there was not only an Eastern and Western interest in Cape Fear, and a Neuse interest, so that whenever any public improvement was pro-Senate, it would be proper to confirm the posed in one section of the State, if could not be carried without consenting to introed for the number of members in the House duce projects in other paris. It was this principles of compromise, which would of Commons. These numbers were the high- species of log rolling that had prevented any have met the concurrence of the gen- est prescribed in the act of Assembly passed thing from being effectually done to improve

Gen. S. concluded his remarks, with calculations in justification of the number which sembly. Governments were instituted thought sufficiently favorable to the West, he proposed for the future House of Com-

Gov. SWAIN was perfectly aware that some of the Senates in the Northern States power; but he could see no reason why, on this account their bodies should be less no merous than others who had not that power.

He noticed the inconsistency of the arguent of the gentleman from Greene, wh had said that he was in favor of fifty, the largest number proposed for the Senate, because it came nearest to the present number of that body; but when the number of the House of Commons came to be fixed, he was opposed to 120 members, (the largest num-ber proposed) in that House, though that of course came the nearest to the present num-

ber of that body. The gentleman also complained, that if the

Gov. S. went into a variety of calculations the strong, power to to show the propriety of fixing the number shear the weak. of the House of Commons at 120, in prefer. Much had been said in this body, and much ence to any other number, as the number of sputtle be said in the next Legislature, shout the the Senate had been already fixed at 50.— delects of the old system of representation. If To adopt any smaller number for the House, a stranger had been present To adopt any smaller number for the House, a stranger had been present yesterdey, and would desirely the proportion that had here-tof re-been agreed upon by gentlemen in a spirit of compromise, and which ought not up be juvaded. If gratiened wished to dethe Union. The gentleman from Wilkes, to be invalid. If gentlemen wished to de (Gen. Wellhorn,) a seems, sometimes goes feat the purposes of the friends of the Consecution, he mentioned several ways in which see—the State where such evidences of public they might do it. But he trusted, that if improvements are to be seen—fine roads and

that he should not be driven from any mea- Carolina possesses as much Commerce, and the sure which he deemed proper to take in behalf of his constituents, by any threats as to the consequences that might ensue.

A motion that the committee rise and re-

tion, which might as well be met at once. It he are board to the West, that the mountains could not be get round, and he saw no benefit world be converted into rich fields and blooming which was to result from delaying an examination of a. This difficulty is what to do with the worly disappointed in his calculations. But surplus members, after apportioning one to cach be was really obliged to the gentleman for county. So far as the according of 63 members showing his band, it turns out now, that the goes, the task is simple enough; but the

a express language, if the number 50 be taken talent than those usually sent. as the basis of the Senste, then 120 shall be ta-ken for the House of Commons. He would ask, then, where was the obligation to conform to then, where was the obligation to conform to the superstand his determination never that the power of agreeing upon any particular vote for a system, the inevitable effect of who numbers was discretionary? There was a direct would be, to array the smaller equation against the conformal that the power of agreeing upon any particular numbers was discretionary? There was a direct variance between the words of the Act of Assem bly and the position now assumed, and, according to his construction of that instrument if any other number could be agreed on, calculated, in the estimation of members, to produce a genter amount of benefit, they were at perfect liber-

ty to adopt it. The autiquity of this sectional bickering had been enquired into, for what reason he was at a loss to perceive. We had been told that the sectional strife originated in 1745, and had con-tinued ever since. Why then was the violventinued ever since. Why then was the vonven-tion eaffed in 1776? Was it not to settle the rievances complained of in 1746? Why then

was this oncient matter introduced?

We have been told, sir, again and again, that the true form of Government was repres members, with a surplus of 3,000, and the scennel to be in the possession of so little sat to 2 members, with an excess of 2,500. But motion. The renerable grutleman hom V in point of practice, how would this rule work? Why Orange, having the largest excess would take the surplus of Rockingham, and thus be since January last, to diminish its objectionable leatures, or alter the principle so schemently inveighed against by Western gentlemen? He for one, as a citizen of North Carolina, would say, that he was unwilling to deprive any portion of free men of the right of representation, whether they were in the East or the West, the North or the South. If the great object of the West was to remedy this grievance, what have we gained by agitating the elements, if the same inequality is will to exist—not in the East or the West, but in every portion of the State? Will not such hijustice static the indignation of that may be see against it. Thus perfice of the summarity which is opprassed?

any such purpose existed, there would be found a decided majority of the Convention in favor of carrying into effect, in good faith, the provisions of the Act of Assembly.

Gen SPEIGHT replied, by entering into a justification of the course which he had taken. Said he had no wish to disturb any compromise that had been entered into, but that he should not be driven from any mea-. Caroling nassesses as much Commerce, and the general face of the country is as prosperous as that of her neighbors. In some favored sections of Virginia, pgrhaps, she excels North Carolina, but take the whole face of the State, and the port progress, being made and carried, the Convention adjourned till 40 morrow.

The salary have 16

convention adjourned till 20-morrow.

The Convention being perioded itself into a committee of the Whole, on the Articles reported by the General Committee, in relation to the number of Members in each House; and the question pending being on Gen. Speight's motion to stell and 12h, as the number to constitute the House of Commons.

Me. WILSON, of Perquimons, said, there was one great difficulty to be encountered in the sijustment of this question of Hepresentation, which might as well be next at once It the seasoned to the West, that the mountains to the got round, and he are no benefit would be enverted into rich fields and blooming

sounts. So far as the according of 63 members goes, the task is simple enough; but the ferveluen labor is to appropriate and breate the residue. The phraeology of the Act of A sembly is different as respects its application to the Scaate and Hause of Commons. In the Senate, the excess of tastion is to be carried to the adjoining counties to make a convenient flatticity in the House of Commons. In the Senate and counties to make a convenient flatticity in the House of Commons the excess is to be appropriated to containes or districts, or both On no question can greater difficulties are e, than how to distribute this excess. Various project lave been originated and doubtless have been originated and doubtless have been originated and doubtless have been obtained which is free ad difficulty. The adject of every one was to produce the best system of the shoot, but it is exceeded to the bablis of our people, and whole, in its operation, would work the losat injustice. A good deal had been said in this board and the best system of the same of the sastemby, we are the surprise of the foundation of this assembly, was before. The Legislature has testion, if came from the House of Commons is the Senate with a range of numbers from 90 107. At is now customary, the members were in the habit of discussing these matters in their romas. To the surprise of the feath of the continuent of the sastemby, was before. The Legislature and their romas. To the surprise of the feath of th

Mr W. concluded by stating, that his object had been to show that the arms inequality which is now complained of, would still continue to exthe because ones

Mr. BILY AN remarked, that it was with much reluctance that he rose to obtrude himself a been introduced into this discussion, in his constituen's were intimately and deeply con-cerned, and he therefore felt himself bound to make a few remarks. In doing so, he should be brief, and, with a single exception, should con-fine himself to the immediate subject under con-

Mr. B. said he had been sent here from an extreme Eastern county, whose representatives in the Legislature had generally voted with the West. Whether in so doing they had truly represented the views and feelings of the people that the true form of Government was repre-entation of property in the Senate and of persons the adoption of a course of conduct, for the wit-ment prevailed hitherto, under our old Consti-tation? If not, what is to be gained now by changing the system? He had heard of a pro-position on the subject, which had been men-tioned, plausible on the face of it, but the direct effect of which would be to strengthen the of Carteret, it was not for him to my -that wa effect of which would be to strengthen the sufficient that they had naterially sided the West strong and diminish the energies of the weak in bringing about this compromise. Whether It was in substance this: Taking it for granted, the great body of his constituents were la favorable that 12 towards be adopted for the Horse of the strength of the Solutionia, or cot, was a Commons, each county will be entitled, of very different question. He believed that they county which has a larger surplus, to entitle it, if practicable to an additional member, entitle it, if practicable to an additional member, the surplus of Occasional Region of Occasional Region of Constitutional expression of opinion. For instance: the counties of Ocauge and Rockingham, if 6,000 of federal numbers be agreed upon as the ratio, would be entitled, the first to this discussion, and about which the Convention He wished to say a few words in regard to our

motion The renerable gentleman hom Warren

(Mr. Macou) had expressed the opinion, that in-consequence of Cape Hafferss, Cape Lookout, and the general character of our seaboard, it was entitled to 4 members, whilst Rockingham dangerous in approach one coast, and that we would have but 2 Again, in the Elenton had no port whence our great agricultural pro-District, composed of the counties of (anden, ductions could be shipped intendiately to toroign District, composed of the counties of Canden, ductions could be shipped intimediately to foreign Pasquotank, Curvituck, Chowan, Gates and Perquimons, a similar result, is produced—
Camden has a surplus of 700; Pasquotank 1 500; Curvituck 900; Chowan 500; Gates 600; Perquimons 4:00. Here the effect would be to give Pasquotank two members—thus allowing her the whole weight of all the excess of the other counties—so that one individual in Pasquotank in Beaufort, a town which too the salubrity of its except and the counties—so that one individual in Pasquotank in Beaufort, a town which too the salubrity of its except and the counties. will have nearly twice the weight in the Legisatmosphere, a town which for the saturary of the
lature that Gates or Chowan have—he would cellence of its inlet, was not surpassed by any
say nothing of the small county of Perquinous south of the Chesapeake. Old Topsail Inlet,
which he represented. If he understood the which is the means of access from the ocean to West correctly, the constant burthen of their song had been, that population was not equally represented—that Pasquotank had twice as much weight as Barke, &c. Now was this a grievance or was it not? if it was a grievance or was it not? if it was a grievance or was it not? if it was a grievance or was it not? if it was a grievance or was it not? and the subjectionable incurres, or after the principle so telegrants.