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THE STAR,

And North Carolina Gazette,

PUBLISHED, WEEKLY, BY

THOMAS J. LEMAY.

TERMS.

SUBSCRIPTION, three dollars per annum—one half in advance. Subscribers in *other States* cannot be allowed to remain in arrears longer than one year, and persons resident without this State, who may desire to become subscribers, will be strictly required to pay the whole amount of the year's subscription in advance.

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LETTERS to the Editor must be post paid.

FOR THE STAR.

Mr. Editor,—To encourage, in every suitable way, the Southern institutions of learning, is most certainly the duty of every citizen of the South.

With this view, I lately, as a visiter, attended the examination of the pupils in the male department of the Raleigh Academy, now under the superintendence of Messrs. Joyner and Haywood; the results of which satisfied me that this Institution deserves high commendation and is pre-eminently entitled to the confidence and patronage of this community.

After listening attentively for two days (most of which time I was present) to a very critical examination, in the various branches of English education, as well as the Latin and Greek Languages, I must acknowledge, that I never at any Literary Seminary, witnessed more striking proofs of rapid and useful proficiency in the pupils.

The exercises did not appear to be conducted, as is too often the case, as if the design were merely external show, but rather to exhibit the real proficiency each pupil had made in the different branches of education.

We apprehend that no person, who rejoices in the progress of learning and wide diffusion of general information, could have failed to be edified.

To see young boys, not more than ten or twelve years of age, before the Black Board, solving statements in "Interest" & the "Rule of Three," with the readiness and accuracy of a skillful accountant, was what I had never before seen; nor, indeed, had I not witnessed it at the present examination, could I have believed it possible.

The students, we thought, appeared quite as well in their examination on the other English branches, and in the dead languages, as in Arithmetic.

On Tuesday evening, the exhibition of the pupils in the public speaking took place.—We expected on this occasion, to be agreeably entertained, but the exercises were far beyond what we had anticipated. The young gentlemen acquitted themselves with great credit. The pieces were judiciously selected, well committed, delivered eloquently, and with pleasing effect. The whole examination, in our opinion, was of a character calculated to reflect the highest credit on the industry of the students, and the talents and skill of the Instructors. We, doubt not the community will still continue to patronize and sustain the Institution.

NOTICE.

At the late November term of the Court of Pleas and Quarter Sessions of the county of Granville, the undersigned qualified as administrator upon the estate of the late Wesley W. Paschall, deceased, and requests all the creditors of the deceased to make known their claims within the time prescribed by law, or this notice will be plead in bar of recovery; and his debtors are desired to make immediate payment

JNO. P. LEMAY.

Granville county, Nov. 28, 1835 51 3t

PROCLAMATION

By the Governor of the State of North Carolina.

The Convention which met in the City of Raleigh on the fourth day of June last, having adopted certain amendments to the Constitution of the State, and having by an Ordinance, directed them to be submitted by the Governor to the people for ratification or rejection; and the said Convention having directed returns of the votes to be made to the Governor, to be by him opened in the presence of the Secretary of State and Public Treasurer, and that in case a majority of the votes given, should be in favor of the ratification of the said amendments, the same should be forthwith made known by a Proclamation of the Governor, and the said amendments having all been so submitted to the people, and returns of the votes having been made and opened, and the result ascertained according to the said Ordinance;

Now therefore, I, DAVID L. SWAIN, Governor of the State of North-Carolina, do hereby declare and make known to the people of the State, that a majority of all the votes so returned, was in favor of the ratification of the said Amendments, which said Amendments so ratified, are become part of the Constitution of the State, and will be in full force and effect from and after the first day of January eighteen hundred and thirty-six.

In testimony whereof I have caused the Great Seal of the State to be hereunto affixed, and signed the same with my hand.

§SEAL§ Done at the City of Raleigh, the third day of December, A. D. one thousand eight hundred and thirty-five, and of the Independence of the said State, the sixtieth.

DAVID L. SWAIN

By the Governor,

Wm. T. Coleman,

Private Secretary.

NOTICE.

Is hereby given to the Public, that the next Session in the MALE DEPARTMENT of the RALEIGH ACADEMY, will commence on Monday, the 14th inst. No more than 40 Students will at present be received.

L. S JOHNSTON.

Dec 5, 1835. 51 3w

STATE LEGISLATURE.

SENATE.

Monday, Dec. 7.

Mr. Cowper, of Gates, presented a bill to abolish the offices of county trustee and treasurer of public buildings in the county of Gates, which was amended, on the motions of Messrs. Bullock and Fox, by extending its provisions to the counties of Chowan and Mecklenburg, passed three times and ordered to be engrossed.

On motion of Mr. Waugh, the resolutions relative to the public domain, heretofore laid on the table, were taken up. Mr. Waugh then submitted the following amendment as a substitute for the second resolution: "That all the public revenues are collected from the people, directly or indirectly, and ought never to exceed the amount of expenditures necessary to an economical administration of the Government; and therefore whenever the proceeds of the sales of the territory, or public lands of the United States are not required (in aid of other revenues) for the legitimate purposes of the national Government, we believe it the duty of Congress to devise and recommend some safe method for distributing among all the States any surplus proceeds of the public lands, which may from time to time remain in the Treasury of the United States, after defraying its expenditures." Mr. Wilson called for a division of the question, and the question to strike out was carried. A motion was then made to adjourn, which was negatived 36 to 21; and after various other ineffectual motions, the resolutions and amendment were ordered to be printed and made the order of the day for to-morrow.

HOUSE OF COMMONS.

Petitions presented—By Mr. Kelly, of Jefferson Judd. By Mr. Jordan, of Solomon W. Nash. By Mr. Coor, of William Hines. Referred.

Bills presented—By Mr Hutchison, to incorporate the American Gold Mining Company, in Mecklenburg county. By Mr. Henry, compelling the Justices of the Peace of New Hanover county to attend the term of the County Court of said county, whenever a majority of the Justices of said county are required to be present. By Mr Dudley, for the relief of sick and disabled Seamen. By Mr Manly, for the better regulation of the town of Newbern. By Mr MacRae, to abolish the office of County Trustee in the several counties of this State. Read first time.

The bill to restore to credit Hiram Lovinggood was read the second time and rejected.

Mr. Dudley, from the Committee on Internal Improvement, reported a bill to establish a Turnpike Road from the South Carolina line at some point near the Block House in Rutherford county to the Core-Creek Bridge in Buncombe. Read first time.

Mr. Taylor presented a bill to reduce the Salaries of the Judges of the Supreme Court, which being read the first time, Mr Baker moved that it be rejected, which was decided in the affirmative 65 to 49.

The bill to regulate the practice of Hawking and Pedling in this State was read the second time. The question was on filling the blank in the bill with $50—being the tax in each county to be paid by Pedlars—which motion was negatived 65 to 56. Mr. Thomas moved to fill the blank with $25, which prevailed 67 to 52. Mr. King moved to amend the bill so as to exempt from its operations, native citizens. Negatived. Mr Guthrie moved that the bill be indefinitely postponed, which was also negatived 94 to 22. Whereupon, the bill passed its second reading.

SENATE.

Tuesday, Dec. 8.

Mr. Marsteller presented the petition of Margaret P. Spier, praying to be divorced. Referred.

Mr. Moye, of Greene, reported a resolution from the Committee of Claims, in favor of Leonard Buchanan; which was read three times and ordered to be engrossed. Mr. M. also reported unfavorably to the petition of James M'Donald. Concurred in.

On motion of Mr. Wellborn, the Judiciary committee were instructed to inquire into the expediency of amending the law for the punishment of vagrants, so that it may be put in full force.

Bills presented.—By Mr. Cowper, of Gates, a bill to alter the name of, and legitimate Quinton Robertson.—Read first time and referred. By Mr. Joyner, a bill to authorize the trustees of Williams' Church, in the county of Martin, to hold and possess one acre of land, on which said church is situated; and by Mr. Staley, a bill making compensation to talis Jurors in Randolph county; which were read three times, passed and ordered to be engrossed.

Received from the House of Commons a message, stating that the message of the Governor therewith transmitted, announcing the ratification of the amended Constitution, with the certificate and proclamation, has been spread at large upon the Journal of that House, and requesting that the same be spread upon the Journal of the Senate; which was agreed to.

The engrossed resolution in favor of Neill M'Alpin, was read three times and ordered to be enrolled.

The engrossed resolution relating to the public lands, was read the first time and passed; and, on motion of Mr. Mebane, laid on the table.

On motion of Mr. Little, a message was sent to the House of Commons, proposing to raise a joint select committee, to report what laws are necessary to be enacted at the present session, in consequence of the ratification of the amendments to our Constitution. The House having agreed to the proposition, Messrs. Bryan, Wyche, and Little were subsequently appointed to form said committee on the part of the Senate.

The Senate then entered on the orders of the day, and proceeded to consider the resolutions submitted by Mr. Waugh, respecting the public domain—the question still pending on Mr. Waugh's amendment, which was agreed to; and Mr. Reid then moved that the resolutions, as amended, be indefinitely postponed. Not a greed to, 3 only voting in the affirmative, viz. Messrs. Hill, Moore of S. and Reid.

The Senate then adjourned.

HOUSE OF COMMONS

Mr. Jacocks submitted a resolution that the House hereafter take a recess from 1 to 3 o'clock, and that no private bill be allowed to be introduced, after Saturday next. After a little conversation on the subject, in which it was stated that more business could be despatched in two hours before dinner, than in three after, the resolution was rejected.

Mr. Clarke, from the committee to whom a resolution on the subject of the Wreck and Pilot laws was referred, made a report and asked to be discharged from its further consideration. Granted.

The bill to legitimate John Oxerdine was read the second time and rejected.

Mr. Graham, from the Committee on the Judiciary, to whom was referred the bill allowing Lawyers residing in other States to practice in this, reported the same without amendment, and recommended its rejection, on the ground that the discretion of permitting such persons to practice is now properly vested in the Judges of the Supreme Court. Report concurred in and bill rejected.

Mr. Manly, from the same committee, to whom was referred a portion of the Executive Message relating to an exchange of law reports with other States, reported a resolution to that effect, which passed its first reading.

Mr. Guinn submitted a resolution instructing the Committee on Internal Improvement to enquire into the expediency of making an appropriation for opening a road in Macon county.

Mr. Manly wished to know whether the contemplated road would not run through the Cherokee lands, the Indian title to which had not been extinguished.

Mr. Guinn replied in the negative.

Mr. Clarke suggested to the gentleman from Macon, the propriety of establishing a separate Government for the Cherokee county, for it seemed, there never would be an end to the applications in that quarter for assistance.

Mr. Guinn replied, that they were not anxious to set up for themselves, but if they ever did, they certainly should not apply to Beaufort for a King.

The Resolution was rejected.

Mr. Carson submitted a resolution in favor of John Cooper. Read first time.

The bill to restore to credit John Masters, of Yancy county was read second time.

Mr. Byrd hoped the Hose would indulge him, while he gave a biographical account of the case. The farther of the petitioner, he said, was an awkward Dutchman, who died, leaving a large family, of which John being the eldest, was, of course, the principal stake in the fence. He had a hard time of it, working here to-day for half a bushel of meal, yonder to-morrow for a peck of salt, and the next day, some other place for a mess of potatatoes. Notwithstanding these difficulties, John grew to be a stout fellow, with so large a foot, that when one part of it was in Macon county, the other was in the Cherokee country. He lived 70 miles from the Court House, and of course, was as destitute of law knowledge, as a monkey in a cage. John, after a while married, and having no soil to plant his foot on, beat back into the mountains and built him a wigwam. There happened soon after in that region, a great scarcity of corn, and John having no money, made several trips into Tennessee to provide for himself and his pet. After toting several turns across the mountains, he thought of an easier way to get it. Like the prodigal son, he had a rich Uncle up the river, and he proposed to a neighbor to help themselves out of his barn and return it when crop time came. But the neighbor refused, and this was the first evidence against John. A few days after, John went with his empty bag to his Uncle's mill, and finding a bag of meal, poured the contents into his own, being more convenienter, he said, than corn. But the miller found the large track of which he had been speaking, and kew at once it was John's. Besides he found out, that yesterday, John had no meal, and today plenty and was paying borrowed meal to all his neighbors. And this was the second evidence, on which he was whipped. The case now comes up for re-consideration. If we try the petitioner by the rule of the law of righteousness—let him who hath sinned, go and sin no more—he is there raising out favor; for though eight years of scrutiny have rolled around, his neighbors say he never before, or since, has stolen any thing, and that he is honest, peaceable and steady.

The bill passed its second reading almost *nem. con.*

The bill to incorporate the Raleigh and Gaston Rail Road Company was read the second time.

Mr. Garey moved its referrence to the Committee on Internal Improvement. He said it had not been before any committee; it was a bill which excited great interest; proposed a road about which there was a good deal of rivalry between Norfolk and Petersburg; and it was the usual course to refer such bills.

Mr. Graham, who introduced the bill, said if the reference had been proposed at an earlier period, he should not have objected to it; but it would now delay the action of the House too long. As to the rivalry of certain towns in Virginia, he presumed the Legislature had nothing to do with it.

The question on referring the bill was decided in the negative.

Mr. Jacocks regretted that the friends of the bill had objected to its referrence. There were conflicting interests which might have been harmonized in committee. It was his wish that the planter who used this road to transport his produce, should, when it arrived at Gaston or Wilkins' Ferry, have the option of continuing it on to Petersburg, or, if he preferred, divert it to Norfolk. The bill was not worded so as to provide for this, and he therefore moved the following amendment:

"*Be it further enacted*, That nothing herein contained shall be so construed as to prohibit any road now incorporated, or which may hereafter be incorporated by the Legislature of this State, from connecting with, or crossing said road at any point they may think proper, provided the free passage of said road is not thereby obstructed."

Mr. Graham said he had no objection to the amendment, so far as it related to crossing, though being a common right, no legislative provision was necessary to secure it. But he objected to that part of it which proposes to give to other roads the privilege of connecting with this, and should move, therefore, to amend the amendment by striking out the words "connecting with or."

On this motion, a long and desultory debate ensued, in which Messrs. Jacocks, Dudley, Collins and McPherson opposed, and Messrs. Graham, Foreman, Hawkins, King, Williamson, Clingman and Manly advocated it.

It was argued for the amendment, that it would be the extremity of injustice, after the Petersburg Company had constructed this road, at an expense of a million of dollars to allow any other Company to connect with and run their Cars on it, without having contributed a farthing towards its completion. That North Carolina had nothing to do with the rivalship of Norfolk and Petersburg.—A number of individuals had applied for permission to construct a road through our territory, and the only proper enquiry for us was, will it injure the public interest? If it will, the franchise should not be granted—if it will not, the possibility that one town in Virginia may be benefitted at the expense of another, should not influence the action of the Legislature of North Carolina. If the amendment to the amendment failed, and the amendment itself should prevail, it would defeat, it was said, the bill; because no prudent Capitalist would invest his money in stock, to accomplish a work, all the benefits accruing from which, might be realized by others without any equivalent therefor. That it was exceedingly desirable this bill should pass unincumbered, as there was a certainty of the road being speedily commenced—that it would be the pioneer to a system of improvement throughout the State, and we should no longer have the credit of making Rail-roads—*only on paper.* That there was nothing in the Act to prevent the Norfolk Company from running a road from Weldon to Raleigh, within six inches of the line of this road, if they choose to do so. But it was again and again pronounced rank injustice, to countenance a provision which would enable this Company to connect with the proposed road, run in upon it, tap it, as it were, and carry off the produce to Norfolk or Portsmouth.

On the other hand, the amendment was opposed, because it left the North Carolina planter no election of markets, but forced him to send his produce to Petersburg, though it might command a higher price at Norfolk. That the arguments on the other side seemed predicated on the supposition, that the Petersburg Company would be the only stockholders in this road. But that it was a distinct and separate Company from that, and perhaps the Norfolk Company would take a considerable portion of the Stock. That to pass the bill, without some provision for other roads connecting with it, would be to grant a monopoly to the Company, and was legislating for the benefit of a particular market. Competition was the life of trade, but this bill, if constructed as proposed, would place the North Carolina planter entirely at the mercy of the Petersburg merchants.

The question on the adoption of the amendment, was decided in the affirmative, 80 to 58.

Mr. Jacocks then withdrew the remainder of his amendment, having been defeated, he said, in the purpose for which it was offered.

The question now recurring on the passage of the bill, its second reading,

Mr. Gary said he wished to propose several amendments to the bill, but as the hour was late, he moved that the House adjourn; which was negatived.

Mr. G. then moved an amendment, limiting the duration of the Charter to a term of 60 years.—He did it from no spirit of hostility to the bill, but it was usual in all charters to affix a limit.

Mr. Graham said he had no more objection to 60, than he would have to 20 years; but he thought it wrong to impose a limit at all on a corporation of this kind. It was not like a Banking Institution, where the effects could be divided between the Stockholders, at the expiration of the Charter; the road cannot be taken to pieces, and give each a share; but all is lost to them and their successors. The Charters of all Companies should be well guarded. Care should be taken, that they cannot abuse their powers, and then there is no necessity for any limitation.

The question on the adoption of the amendment, was negatived without a count, and the bill then passed its second reading.

SENATE

Wednesday, Dec. 9.

Mr. Wyche, from the committee on Finance reported that, in compliance with the acts of the General Assembly, passed in 1827, they had examined into the state of the Treasury Department, and found all the requisites of said act had been duly attended to by the Public Treasurer. They further reported that they had burnt Treasury notes to the amount of 3,100 dollars.

Bills presented. By Mr. Sharpe, a bill to amend the revenue laws. By Mr. Brittain, a bill regulating the times of holding one of the terms of Macon County Courts. Which were read the first time and passed; and the last named bill was subsequently read the second and third times and ordered to be engrossed.

Petitions presented. By Mr. Dowd, of Margaret Muse; and by Mr. Alexander, of sundry citizens of Tyrrell. Referred.

Mr. Polk, from the joint select committee on so much of the Governor's Message as relates to incendiary publications, reported a preamble, with the following resolutions, which were laid upon the table, and ordered to be printed:

Whereas, the proceedings of certain persons in the middle and eastern States during the past summer, have furnished clear proof of a determination to promote, by means the most unjustifiable and iniquitious, the abolition of Slavery in the States of the Union in which it now exists,—and whereas, as well from the wealth, number, and assiduity of the persons engaged in this criminal purpose, as from the means they have resorted to, to accomplish their designs, serious fears are entertained that our property, the peace of our country, and the Union of the States, may be endangered thereby,—this General Assembly feel called upon by a just regard for the interests and happiness of the good people of this State, and of the other States similarly situated, as well as by an anxious solicitude for the preservation of the Union, which at present so happily unites all the States into one confederated people, to declare the opinions, and set forth the purposes of the people of this State, in language at once firm, clear, decided, and temperate.

When the American Colonies first united for protection from the encroachments upon their rights and privileges, made by the King and Parliament of Great Britain, they assumed the character of sovereign and independent States—they united under an organization which was in substance, a league—leaving the direct power of operating upon the citizens of each State, with its own constituted authorities; and when the present constitution was adopted, though to all general purposes, it constituted the people of the States one people, with one government, having a direct legislative, judicial, and executive authority over the citizens, yet it declared by a specific enumeration, the powers intended to be granted to this government, and expressly declared, out of abundant caution, that the powers not granted, belong to the States respectively, or to the people. At the time when this constitution was adopted, as well as at the time when the confederation was formed, each of the States recognized the right of its citizens to hold slaves. The constitution contains no grant of a power to any department of the government, to control the people of any State, in regard to its domestic institutions—certainly not in regard to that now in question. It is clear, therefore, that the whole power of regulating this subject within the State of North Carolina, is vested now in the authorities of this State, as fully as on the day the Independence of the States was declared; for though much difference of opinion has existed as to the principle upon which the grants of power in the Constitution are to be interpreted, no one has ever had the temerity to assert, that the General Government may assume a power which is not granted in terms, and is not necessary as an incident to the proper exercise of a granted power.

We have, therefore, an undoubted right to regulate slavery amongst ourselves, according to our own views of justice and expediency—to continue, or abolish—to modify or mitigate it in any form and to any extent, without reference to any earthly authority, and solely responsible to our own consciences and the judgment of the Governor of the universe. No other State, and no other portion of the people of any other State, can claim to interfere in the matter, either by authority, advice, or persuasion; and such an attempt, from whatever quarter it may come, must ever be met by us with distrust, and repelled with indignation.

Upon the other states of the Union, our claim is clear and well founded. If they were foreign States, it would be a violation of national law in them, either to set on foot themselves, or permit their own subjects to set on foot, any project the object or tendency of which would be to disturb our peace by arraying one portion of society against another. The constitution which unites us, and by virtue of which we have ceased to be foreign States in regard to each other, and have become bound in the closest Union and the most intimate relations for the promotion of the common defence and general welfare, cannot be supposed to have lessened our mutual obligations, or to have made an act harmless which would have been gross wrong, had we continued in respect to each other, as we now are in respect to other nations, in war enemies, and only in peace friends. It is evident, on the contrary, that every duty of friendship towards each other which before existed, is by our Union, heightened in its obligation, and enforced by motives the most exalted and endearing. Whatever institution or state of society we think proper to establish or permit, is by no other State to be disturbed or questioned. We enter not into the inquiry, whether such institution be deemed by another State just or expedient. It is sufficient that we think proper to allow it. To protect us from attempts to disturb what we allow, and they approve, would be to support not our institutions, but their own opinions—to exercise a supervising power over our legislation, and to insult us with a claim of superiority in the very offer to discharge the duty which our relations authorise us to require. As our right is indisputable, to regulate exclusively, according to our own notions, the interior relations of our own people, the duty of preventing every attempt to disturb what we have established, results from the simple fact, that we have established it. And the propriety and impropriety in the view of others, of such regulations as we have pleased to make, can never either enhance or lessen the duty of such prevention.

We do full justice to the general sentiment and feelings of our fellow citizens in other States, and are fully aware that the attempts to injure us, are made by a small minority—composed, probably, of many misguided, and some wicked men; and that these attempts meet with no favor, but on the other hand, with marked disapprobation, from the large majority of the communities in which they are made. Still it must be recollected, that from the nature of the means employed, the danger to us is the same, whether these means are put into activity by a contemptible minority, or are sanctioned and adopted by the whole body of the people. An incendiary pamphlet performs its office of mischief as effectually when issued under the patronage of twenty, as of twenty thousand persons. Its efficacy depends upon its circulation, the weight of authority which supports it.

While, therefore, we are justly sensible of the sympathy for us, and the indignation against those who seek to disturb our peace, expressed by large and intelligent assemblies of our members and sacred brethren, we cannot not know that these expressions do in no way diminish our danger. While the abolitionists are allowed to pursue their course with no other check than the disapprobation of their fellow citizens, that disapprobation will little affect them, and bring no support or consolation under the evils that are likely to befal us. We ask not sympathy, for we feel not, from the institutions we possess, that we suffer injury. We ask protection, not to maintain our authority by force of arms, for to that we know ourselves entirely adequate, but we ask protection from the necessity of resorting to such force for that purpose. We ask not assistance, to put down insurrectionary movements among our slaves, for should such occur, we are fully able to put them down ourselves. But we ask, that our slaves and ourselves may be relieved from external interference. Left to themselves, we believe our slaves a labouring class as little dangerous to society as any in the world. But we do ask, and think we have a right to demand, that others shall not teach them evil, of which they think not themselves; that they should not be stimulated by the base and violent of other lands, to deeds of bloodshed, of which the evils to us will be temporary—to the slaves themselves dreadful and lasting; that we may not be compelled, by a factitious necessity, to adopt measures of rigor, which such necessity only could justify. By some it seems to have been supposed, that the practices of the abolitionists cannot be put down by legislation, consistently with the constitutions of the states in which they live. If this were true, it would furnish no answer to our just complaint, and afford no excuse to those states for permitting such practices to continue. The duty, the performance of which we invoke, is binding upon those