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DAVID OUTLAW, Editors.
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PUBLIC LANDS.

REPORT OF THE COMMITTEE

To whom was referred the Reports and Resolutions of the Legislatures of Maryland and New-Hampshire, and the proceedings in the Senate of the United States, relative to the appropriations of Public Lands, for the purpose of Education, made to the Legislature of North Carolina, Dec. 1831.

The committee, to whom was referred that part of the Governor's Message which relates to the Reports and resolutions of the Legislatures of Maryland and New-Hampshire, and the proceedings in the Senate of the United States, relative to appropriations of public land for the purposes of education, respectfully Report:

That they have given to the subject all the attention and consideration which their time and opportunities would admit. Your committee are deeply impressed with the importance of education and the general diffusion of knowledge. In a government which depends on the public will, where the sovereign power is vested in the people, and where, by the frequent recurrence of elections, our citizens are periodically and frequently called upon to delegate certain portions of that sovereignty which is inherent in them, it is almost as important that they should know their rights, as that they should possess them. Without this knowledge, they too often become the dupes of intrigue and the unconscious instruments of faction.

Your committee view with pride the rapid progress which North Carolina has, of late, made in knowledge and science. Within the last twenty years, academies have been established by individual subscriptions and individual exertions in almost every county in the state. At these seminaries, by the generous exertions of their founders and patrons thousands of youth, of both sexes, are instructed in the subordinate branches of science, and qualified for the ordinary business of life.

Our University, too, is annually sending forth graduates, who generally embark in the business of instruction, or in some of the learned professions. Many of them are now distinguishing themselves in their several callings, and some are doing honor to the legislative councils of the state. The effect of the establishment of these institutions has been to give to the people of the state a more expanded and liberal view of her policy.

The subject of Internal Improvement, once thought to be impracticable and visionary, now meets with a friend in every man of intelligence. The question now is, how shall we best render navigable our rivers, and open and improve our roads? How shall we lessen our dependence on the adjacent states, and best avail ourselves of the advantages which nature has given us? Our criminal code, once sanguinary and bloody, has become mild and just—our citizens have become more civilized and refined, and North Carolina begins to have a just sense of what is due to her own character and standing as a member of the Union.

Your committee regret, while advantages have been thus afforded to men of property and fortune of educating their children, that the State, on her part, has not made corresponding efforts to establish primary schools, where the poor could have an opportunity of educating their children. The number who have the means of sending their children to an academy, or to the University, is comparatively small; and your committee apprehend, that while the efforts of the liberal and the more wealthy to establish these seminaries may have given to their children advantages which they did not before possess, that it may have had the contrary effect upon the poorer classes of the community.

The population of North Carolina is so thin, that in most parts of the state, it requires the whole of a neighborhood to find employment and afford the means of paying neighborhood teachers. Where the means exist, as those who are most engaged in the cause of education generally send their children to some Academy, or to the University, the balance, not so justly appreciating the importance of the subject, suffer it to remain neglected for the want of suitable persons to give an impulse to their exertions. The establishment of primary free schools, where the poor as well as the rich can have an opportunity of instructing their children in the rudiments of an English education is certainly "a thing devoutly to be wished for" by every friend of his country.

Your Committee, however, in the present embarrassed condition of the

country, would despair of this State, without any fund at its disposal, except what is collected by taxes from the people, being able to do any thing effectual upon this subject, were it not for the claim which North Carolina has upon the general government for an appropriation of public lands for the purposes of education. This claim is not a new one on the part of North Carolina. The subject was brought before the Legislature at a former session, which, by a joint resolution of both Houses, instructed their Representatives, in Congress from this State to urge the right of North Carolina, to participate in the appropriations of Public Lands for the purpose aforesaid, in just proportions to what had been granted to the new states. This claim the Senate of the United States thought it inexpedient to grant. Your Committee are, however, gratified that the subject has of late been much canvassed by the old States; particularly by Maryland and New-Hampshire, and that there is reason to believe that they are disposed, through the medium of their representation in Congress, to assert their rights to share in the benefits of these appropriations.

Your committee do not consider it important to enter minutely into the discussion of the question made in the Maryland, and assented to in the New Hampshire Report, whether previous to the several sessions which have been made to the general government, the non-ceding states were in justice entitled to participate in the extensive back country which then formed a part of the states, which have since made such large sessions to the United States: because they cannot see how it can be made to have any bearing upon the main question. If, however, they were to express an opinion, it would be unfavorable to the claim then set up by the minor states.

The war of the revolution was a war of defence, not of conquest. The States, from a sense of individual weakness, associated together for their mutual safety, in the character of State, having certain chartered limits, which were recognised as their respective boundaries, for the purpose of protecting the persons and property of their citizens from the exactions of arbitrary power, and of defending the unalienable rights of man. It never was understood, or even contemplated, that the war was to be waged for the acquisition of territory. No such motives ever actuated the citizens of the United States.

It is a novel idea to your Committee that two or more States, engaged in a war on the same side, impelled by the same motives, because they are successful, can be said to be entitled to any portion of each other's territory by right of conquest. The victory which is achieved is over the common enemy, but the conquest, it seems, is over each other. Under the articles of confederation, the States were sovereign to all intents and purposes. The consideration was only a strict alliance for purposes of mutual safety and defence. When, therefore, Great Britain acknowledged our independence, it was as separate, sovereign and independent States.

Again, conquest implies the acquisition of territory. No one state in the Union acquired any territory by the war. Each remained within its former chartered limits. The larger States, however, have now parted with any right they formerly had in the lands they have ceded, and the other states, through their representation in Congress, have admitted that the right was in the ceding States, by accepting their sessions upon the conditions and qualifications contained in the several session acts. In 1789 the General Assembly of North Carolina passed an act, ceding all that tract of country, which now constitutes the State of Tennessee, to the United States. As it regards the claim of North Carolina to the territory over which she then, and previous to that time, had exercised jurisdiction, there can be no question. Her boundaries had never been defined by any charter subsequent to her own; her claim, there, rested upon as firm a basis as the claim of Maryland to the territory over which she now exercises jurisdiction. The act of session has the following preamble: "Whereas, the United States, in Congress assembled have repeatedly and earnestly recommended to the respective States in the Union claiming or owning vacant Western Territory, to make sessions of part of the same as a further means as well of hastening the extinguishment of the debts as of establishing the harmony of the United States; and the inhabitants of the said Western Territory being also desirous that such sessions should be made, in order to obtain a more ample protection than they have heretofore received. Now this State being ever desirous of doing ample justice to the public creditors, as well as the establishing the harmony of the United States, and complying with the

reasonable desires of her citizens: Be it," &c. Which shows very clearly, the temper of the people at that time. It was soon after the close of the revolutionary struggle, when the States, having each their quota of public debt to pay, and having no surplus fund, that is to say, the smaller States, when public and private confidence were in a great measure shaken, the creditor was apprehensive of the loss of his debts, and the people were oppressed by the burthen of the taxes imposed to defray the ordinary expenses of Government, and borne down under the weight of debts already contracted.

These circumstances gave rise to much discontent and complaint, and, no doubt to the pretended claim on the part of the minor States, to participate in the Western Lands belonging to other States. It was certainly generous, and may have been politic, in those States to make large sessions to the Union, for the purpose of securing the payment of the public debt, and restoring harmony to the people of the different States; and gratifying the wishes of a part of their respective citizens, who were anxious to set up for themselves. It is no less certainly the duty of Congress to see that this magnanimous act of generosity be not abused, and the fund which was intended for general, applied to local purposes. The act also contains this provision: "That all the lands intended to be ceded by virtue of this act, to the United States of America, and not appropriated as before mentioned, shall be considered as a common fund for the use and benefit of the United States of America, North Carolina inclusive, according to their respective and usual proportion in the general charge and expenditure, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever." Language could not have expressed the intention of the Legislature more plainly, or placed the claim of those states, which have not yet received appropriation, upon a firmer basis. The acts of session of other States contain similar provisions.

Your committee have too exalted an opinion of the Congress of the United States, to believe that however much they may doubt "the expediency of making appropriations for the benefit of the old, corresponding with those already made for the new States;" they can hesitate for a moment to redeem the pledged faith of the nation, and perform the very conditions upon which the sessions were made.

Your committee give no additional force to the reasoning contained in the reports to the Legislatures of the States before mentioned, to shew the justice of the claims of the non-ceding States to be allowed appropriations proportionate to those already granted to the new States; and they admit the claim of those States which have made the largest sessions, are placed, by the several acts upon the subject, on the same footing except perhaps, that there may be more equity in the claim of the ceding States, inasmuch as they have made the contract, and paid the consideration upon which the benefit of the stipulations contained in the several session acts, have been guaranteed to them. There can be as little doubt of the right of all the States to share the advantages which have resulted from the purchase of Louisiana, and the Indian title to the Public Lands as they were paid for with money drawn from the Treasury of the United States, in the proportion that they have contributed towards the same: as that might be a difficult matter to ascertain, perhaps no better mode can be devised than the one suggested by the Maryland Committee, the ratio of square miles.

Your committee are satisfied that the statement and calculation made in the Maryland report are correct. That the amount of unappropriated Public Lands is four hundred millions of acres. The total amount necessary to do justice to those States, which have not yet had any appropriation made in their favour, is 9,570,760 acres, or something less than 2 1/2 per cent. upon the whole amount.

That the amount already appropriated for literary purposes, and which will be appropriated, if the system heretofore followed should be adhered to for the benefit of the new States and Territories, is 14,576,369 2/3 acres. North Carolina is entitled to an appropriation of 980,666 acres, which, at two dollars per acre, would amount to the sum of \$1,961,332. Two dollars per acre being something less than the average price for which government lands have sold it would be fair to estimate the claim of North Carolina at \$2,000,000; the interest upon that sum would be \$120,000 per annum, which divided equally among the counties in the State, would make the sum of \$1,933 70 per annum, to each county. \$120,000 per annum, divided among all the different counties in the State, according to their respective population and wants, judiciously managed, would enable the Legislature to establish schools to a considerable extent, in each county. The means of obtaining education

would thus be brought home to the doors of every individual, and the poor, as well as the rich, could avail themselves of the advantages of a fund so wisely appropriated.

Your committee applaud, rather than condemn, the appropriations already made, and all they ask, is, that Congress will make them general, not partial; that, which is expressly stipulated to be a common fund, for the common benefit of all the States, shall not be applied exclusively for the benefit of any particular State or section of country.

Your committee, from every consideration which they have been able to give the subject, cordially concur with the sentiment expressed in the Maryland Report, "that in whatever point of view the public lands are considered, whether as acquired by purchase, conquest or session, they are emphatically the common property of the Union. They ought to inure, therefore, to the common use and benefit of all the States, in just proportions; and cannot be appropriated to the use and benefit of any particular state, to the exclusion of the others, without an infringement of the principles upon which sessions from states were expressly made, and a violation of the spirit of our national compact as well as the principles of justice and sound policy." They also agree perfectly in opinion with the sentiment expressed by the Legislature of New Hampshire, "That those states for whose benefit such appropriations have not yet been made, will not be true to themselves, if they do not make known to Congress, who alone possess the power to make them, their request for such appropriations, not as a matter of favour, but of right." They, therefore, respectfully recommend the adoption of the following resolutions:

Resolved by the General Assembly of North Carolina, That each of the United States has an equal right to participate in the benefit of the public lands as the common property of the Union; and that the States in whose favor Congress has not made appropriations of land for the purposes of education, are entitled to such appropriations as will be in just proportion with those already made in favor of other states, and in accordance with the principles upon which sessions have been made by States to the United States.

Resolved, That his Excellency the Governor be requested to transmit copies of the foregoing Report and Resolution to each of our Senators and Representatives in Congress, with a request that they will lay the same before their respective Houses, and use their endeavours to procure the passage of an act to carry into effect the just principle therein set forth.

Resolved, That his Excellency the Governor be also requested to transmit copies of the said Report and Resolutions to the Governors of the several states of the Union, with a request that they will communicate the same to their respective Legislatures, and solicit their co-operation.

All of which is respectfully submitted.

SAMUEL HILLMAN, Ch'm.

STATE CONVENTION.—SURPLUS-REVENUE.

There needs no better evidence of the growing popularity of the people's cause, and the certain triumph of liberal principles, than the zeal and enthusiasm manifested in all parts of the state, in appointing delegates to the Utica Convention. Our fears that the people would not be sufficiently aroused at the present alarming crisis in the affairs of the country, are completely dissipated. We are now convinced that a spirit is awakening throughout our land, that will inevitably overthrow our present rulers and tyrannical oppressors. A great deal depends upon the sound discretion of the State Convention. If they conduct their deliberations with wisdom and sagacity this State will unquestionably give a majority, and a large majority, against Mr. Van Buren.

Without the most distant idea of pointing out, for the consideration of the Convention, any business, but such as will naturally come before them, we would nevertheless respectfully invite the attention of the public to a subject of greater magnitude, and of infinitely greater importance to the country, than any that has ever before engaged the attention of the people. We have reference to the Surplus Revenue.—In the public moneys, every person in the State is deeply and immediately interested. Every dollar in the national treasury, unappropriated, belongs to the people; and they have a right to demand it, whenever they please, and require it for public purposes. That there is a deep laid scheme to defraud the people of this money, is now placed beyond all doubt.

A few irresponsible persons, of notorious character, at Washington, have conspired to deprive the people of more than thirty millions of dollars. Mr. Van Buren, Amos Kendall, Mr. Woodbury, and Reuben M. Whitney, have now got possession of this enormous amount of money, and no one acquainted with the character of these men, will, for a moment, believe that it can ever be peaceably obtained from them. They are determined to hold

it or perish in the attempt. It, therefore, only remains for the people to apply for it in the ordinary forms of legislation. When this fails, the alternative will present itself, whether it will be better to suffer under oppression and public robbery, or take strong and legal measures to redress the wrongs of an abused and enslaved people.

There are innumerable works of internal improvement in every section that ought immediately to be constructed. Canals, rail-roads, and other public improvements, in almost every county, might be advantageously made, if the people only had the means to complete them. The question then presents itself to the farmers and mechanics of the country, whether they will suffer their own money to remain in the hands of stock gamblers and brokers, or whether they will take it for their own use, and for the lasting benefit of the country at large. This is the true issue made by the Van Buren party, and forced upon the people by the Albany Regency. Our Legislature have, in effect, declared that the people shall not have their own money. The same party, in Congress, have also declared against the people, and in favor of Reuben M. Whitney & Co. We now appeal to the people themselves.

Perhaps no body could, with so much propriety, call the attention of the people to this subject, as the Convention about to assemble at Utica. If they should think proper to recommend a Convention, early in September, of the friends of internal improvement, agriculture, education, and the mechanic arts, and in favor of taking their shares of the surplus revenue to effect these great objects, the recommendation would be responded to by the acclamations of the people. Let each county and town send as many delegates as they might deem expedient, and we would soon see whether Reuben M. Whitney & Co. or the people are to govern. We have not the shadow of a doubt that the people of this State will decide against the Albany Regency by more than twenty thousand majority. We shall shortly refer to the many subjects that might properly come before such a Convention.—N. Y. E. Star.

PROFESSION AND PRACTICE.

The following is extracted from the Speech delivered in the House of Representatives by Wm. C. Rives in support of Economy, in 1828, when the whole expenses of the Government did not exceed thirteen millions. It was recalled to our recollection the other day, when in looking over the ayes and noes in the proceedings of the Senate, we found the name of this same Mr. Rives at every turn voting in favor of the largest proposed appropriations. The expenditure during the last year amounted to twenty-four millions; and according to the appropriations now voted for by Mr. Rives so willingly, the Government will consume this year upwards of thirty millions.

We do not publish this extract with any hope or expectation of reclaiming the author to the principles from which he has apostatized, nor to express our detestation of the detestable apostate, but to ask the attention of the people to the base deception which has been practiced upon them. Eight years ago, Wm. C. Rives, then in the opposition, held that the expenditure of thirteen millions would convert our republican system into monarchy, and laid down the principle without qualification (and it is a true principle too) "that every increase of expenditure tends directly to increase the influence of the Executive;" but now, when this same Mr. Rives is with the administration, bought up by federal gold, there is no danger in expending thirty millions, so he and his minions get their portion of it. The people may bleed freely without any compunctions on his part and monarchy may engulf us, only permit him and his corrupt party to triumph, and riot on the hard earnings of an honest people.

We ask attention to the extract—it is worth reading, and contains good Whig doctrines. It is much more applicable to the abuses of the present time, than to those to which it was applied. The greater now than during the administration of the younger Adams.

Charlottesville Advocate.

"But, sir, to return to the subject of our public expenditures. I would say to the honorable gentleman from Pennsylvania, that the true mode of testing the economy of our government, at any given period, is not to compare its expenses with those of a foreign government, but with its own at some antecedent period. Now, sir, if we do this, we shall find that, during Mr. Jefferson's administration, in 1802, for example, the whole expenditures of the government, exclusive of the payments to the public debt, amounted to \$3,737,079; while the same class of expenditures during the year 1836, according to the last Treasury report, amounted to \$13,062,316. Here, then, we have an increase of expenditure equal to 350 per cent., in less than 25 years, which, after making every allowance for the growth of the country, and the expansion of its institutions, does seem to me to be disproportionate and extravagant.

"Sir, I have dwelt the longer upon these views, because I have a deep and settled conviction that economy is a cardinal virtue in every republican government. It is not merely for the pecuniary saving, and the consequent relief to the industry and resources of the people which it brings with it, that I esteem it. It is still more, for its political effects. It is not only the close ally, but the surest guarantee of

the public liberty. It is the great instrument for restraining that dangerous principle of executive influence which is perpetually undermining and assailing the fabric of free government every where, and of our own not less than others. This influence exerts and enlarges itself through the disbursement of public money, ultimately under one shape or another. Diminish the public expenditure, then, and you at the same time diminish executive influence.

"Sir, I may have fears upon this subject, which framer minds can, and do repel; but it has long been my opinion, that there is a decided tendency in our government to a dangerous and disproportionate accumulation of power in the Executive branch, and that Monarchy is the euthanasia of our political system. Gentlemen who treat those fears as altogether visionary, and those especially, who like the distinguished member from Pennsylvania, consider patronage a disadvantage, rather than an aid to administration, have not, I am persuaded, explored the full extent and range of this powerful engine, in the magnitude which it has, at present, attained."

"Many persons have hastily supposed that the patronage of the Executive consisted exclusively in appointments to office. But an equally, if not more important branch of patronage, consists in the disposition of public moneys through the medium of contracts made under the direction of the Executive.

"Believing this immense force of Executive patronage to be dangerous to the public liberty, and as the disbursements of public money must necessarily be made by the Executive branch of the government, that every increase of expenditure tends directly to increase the influence of that Department, I am for embracing every fit occasion to reduce the public expenditure to the real demands of the public service. It is with reference to this great political object, that I attach so much importance to a wise economy in the administration of the public affairs. When Mr. Burke proposed his great scheme of economical reform, he did not look merely to the saving of money, though that was something to a people groaning beneath the weight of their public burthens—but he looked beyond, to the higher object of diminishing, through the instrumentality of pecuniary retrenchment, the dangerous and growing influence of the Crown. When, in the same memorable year, Mr. Dunning submitted his celebrated resolution, affirming that the influence of the Crown had increased, was increasing, and ought to be diminished, he submitted by the side of it, another resolution, affirming it to be the right and the duty of the House of Commons to examine into, and correct abuses in the expenditure of the public revenue, and declared that both propositions stood upon one great principle."

Abolitionists.—After all the promises by the Albany Argus, and its compeer, the Richmond Enquirer, as to the suppression of the incendiaries in the North, the New York Legislature has merely declared that "legislation is unnecessary and inexpedient."

The Albany Whig contains the following on the subject:

"Potent Legal Restraints.—The Van Buren party in the New York Legislature have at last made a movement in the wake of the Vice President, on the subject of slavery and abolition.—After all the prodigious clamor displayed by the party for the benefit of a Southern market—after the strong language of the Argus, and flourish of trumpets about the "Potent legal restraints" with which the Van Buren men were to fetter the abolitionists it is ludicrous enough to read Mr. Mack's resolutions reported in the Senate.

"The party, after weighing over the subject the whole winter, have found at last that they cannot bamboozle the South, and that Van Buren himself has been compelled to come out and admit the power of Congress to abolish slavery in the District of Columbia, or risk the loss of the Northern abolition vote. And in consequence we have the lame and impotent apology in Mr. Mack's resolutions, and the feeble declaration that legislation is unnecessary and inexpedient."

If the Van Buren leaders in Virginia and Georgia now doubt which way the party will lean in case the Vice President is successful, they are a most comfortably sceptical set of politicians. They will find out when too late, how far they were right in pronouncing Mr. Van Buren to be "altogether Southern in his feelings."

LETTER VIII.

ALBANY, Sep. 21st, 1834.

To the Hon. Martin Van Buren.

Sir—The manner in which the bill to raise twelve thousand men, originated in 1814, has been detailed. It was a measure recommended by Gov. Tompkins; and as the bill reported by Mr. Van Buren, differed from that reported by Gen. Root, it is proper to examine in what the difference consisted. The proposition of Gen. Root was, that the men should be raised by volunteer enlistments, and that as an