POETRY.

The following beautiful lines are from the pen of Selleck Osborn, Esq.

LINES
WRITTEN ON THE 31ST DECEMBER.

Be composed every toil and each turbulent motion,
That encircles the heart in life's treacherous snares
And the hour that invites to the calm of devotion
Undisturbed by regrets, unencumbered with cares.
How cheerless the late blooming face of creation!
Weary time seems to pause in his rapid career,
And fatigued with the work of his own desolation,
Looks behind with a smile on the grave of the year!
Hark! the wind whistles rudely, the shadows are closing
That enwrap his broad path in the mantle of night,
While pleasure's gay sons are in quiet reposing
Undismayed by the wrecks that have numbered his flight.
From yon temple where Fashion's bright tapers are lighted,
Her votaries, in crowds, decked with garlands appear,
And (as yet their warm hopes by no spectres affrighted,)
Assemble to dance round the grave of the year.
Oh! I hate the stale cups which the idlers have tasted,
When I think on the ills of life's comfortless day,
How the flowers of my childhood their verdure have wasted
And the friends of my youth have been stolen away!
They think not how fruitless the warmest endeavor,
To recall the kind moments neglected when near,
When the hours that oblivion has concealed forever,
Are interred by her hand in the grave of the year.
Since the last solemn reign of this day of reflection,
What throngs have relinquished life's perishable breath!
How many have shed their last tear of dejection,
And closed the dim eye in the darkness of death!
How many have sudden their pilgrimage ended
Beneath the low pall that envelopes their bier,
Or in death's lonesome valley have gently descended,
And made their cold beds with the grave of the year.
'Tis the year that so late its new beauties disclosing,
Rose bright on the happy, the careless and gay,
Who now on their pillow of dust are reposing,
Where the soil presses damp on their bosoms of clay.
Then talk not of bliss while her smile is expiring,
Disappointment still drowns it in misery's tear,
Reflect and be wise for the day is retiring,
And to-morrow will dawn on the grave of the year.
Yet awhile and no seasons around us will flourish,
But silence for each her dark mansion prepare,
Where beauty no longer her roses shall flourish,
Nor the lily o'erspread the wan cheek of despair,
But the eye shall with lustre unfading be brightened
When it wakes to true bliss in yon orient sphere,
By the sunbeams of splendor immortal enlightened,
Which no more shall go down on the grave of a year.

(continued from first page.)

the mother country, it is not a matter of very great surprise that the people of this country should have been satisfied, with a recognition of their rights by Great-Britain, to have remained attached to that country. It was, however, an attachment to the people to whom they were connected by the ties of feeling, of affinity and of blood, rather than any attachment for the government, which they felt. Does the gentleman mean by such an insinuation to raise a prejudice against the Constitution? Where is the feature in it which will warrant such a charge? Our bill of rights, to be sure, is nearly a copy from the Declaration of Rights of Great-Britain—and where is a better? But is there any thing in our government which savours of British attachment? Have we, as in England, an hereditary executive and peerage? On the contrary, our Governors are elected annually; our Senators are chosen for the same period by freeholders; and our Commoners by every man who is subject to pay taxes; and the sessions of our Legislatures are held annually. No people could have been placed in more independent circumstances than were our forefathers at the formation of the Constitution. Having thrown off the British yoke, they were at full liberty to form a new system of government on correct principles. This Constitution has another recommendation. It has the test of forty years experience, during which time, the State has flourished and been happy without altering it in a single feature. How is it with regard to our laws? Is it not the business of one session to repeal what a former one has enacted, and for the next succeeding one to re-enact what the preceding one has repealed? If so, what evidence have we that our Convention would not be composed of materials similar to those which compose our General Assemblies. I should tremble for the State, if its Constitution were to be new moulded by the present General Assembly. It would partake of all the imperfections of our legislation, and every few years a Convention would be necessary for the purpose of amending these modern improvements. He would, therefore, prefer not to meddle with the Constitution. It might have its imperfections, but he "would rather bear the ills we now endure, than rush to others which we know not of."

The gentleman from Rockingham (Mr. Morehead,) tells us there is a vast difference between the large and small States under the Constitution of the United States, and the large and small counties under the Constitution of this State—that the same reason does not apply to the counties as to the States, because the latter are sovereign, the former are not. Mr. H. thought differently. Both were governed by the same motives, to wit, self-preservation and self-defence. Previous to the Revolution, under the old colonial government, the representation was according to counties. The Constitution being a matter of mutual conciliation and of compromise, the smaller counties were as anxious to preserve their integrity and their influence in the State as the smaller States were to preserve their sovereignty and their weight among the United States. He thought the gentleman had furnished the answer to his own argument, when he told us that the Legislature had power to "new mould, to lop off, and to annihilate, the counties at pleasure." It was to prevent the larger counties, like Aaron's rod, from swallowing all the smaller ones, that induced them to insist upon this principle of representation; and he thought the argument of the gentleman but illy calculated to induce the smaller counties to give up a principle so important to their safety.

Mr. H. admitted that there was some inequality in the representation of the people of this State; but he denied that this inequality was either *unjust* or anti-republican. The justice of the principle depended on *the nature of the compact.* In a *government of compromise*, there could surely be no injustice in each county having the weight which it had been agreed it should exercise in the legislative councils. As it regarded the term *republican*, it was a kind of relative expression. It did not follow of course, that because these was not an exact equality of representation that therefore the Constitution was *anti-republican.* Will any man say, asked Mr. H. that the Constitution of the United States is *unjust* or *anti-republican*? He presumed not; and yet the inequality under our Constitution is not greater than it is under the Constitution of the United States. The weight which is given to the smaller counties is not greater in proportion than the weight which is given to the smaller states.

The gentleman from Rockingham has laid before the committee, a calculation of the white population of the Western and Eastern counties, and also of the federal numbers; according to which, he gave a majority to the West. Gentlemen had also made calculations to shew that the West paid more taxes than the East. Their statements were calculated to mislead. It would be found, upon examination, that gentlemen had taken Granville and Bladen into their calculation for the West, and had left out Wake. Heretofore, Granville, Wake and Bladen, had been considered as central counties, and therefore left out of the calculation of Eastern and Western strength. This would make a very considerable difference in the result of their calculations. Mr. H. could see no good reason, why, as these counties generally voted with the East upon this subject, and were opposed to a change of the Constitution, they should not be taken from the West and added to the East, in the calculation. If this were done, there would be a vast difference in the result. Although the white population of the West, might be greater than that of the East; yet if federal numbers and property were taken into the estimate, there would be a corresponding ascendency in the East, which would balance the majority of white population in the West. The objects of government, being the protection of property, as well as the security of the liberty of the citizens, it has been generally conceded that the basis of representation ought to be according to population and taxation.

Gentlemen, in order to shew the great inequality of representation, even upon this basis, have taken some of the larger Eastern counties, with some of the Western—Halifax and Rowan, for instance, and compared them with Columbus, Jones, and other counties. If the large counties in the East, are satisfied with the present Constitution, why, asked Mr. H. will gentlemen attempt to force upon them a change.

Mr. H. thought there was much weight in the remark of the gentleman from Halifax, (Mr. Alston,) that wherever you find a large county, you generally find smaller ones near it, whose representatives having the same interests, the same feelings, and frequently the same connections, to represent generally, vote alike, upon all subjects which come before the Legislature. The interests of the larger counties, are therefore, almost as much protected as they would be, if their representatives were apportioned according to their relative wealth and population. He agreed also perfectly in opinion with the gentleman from Wilmington, (Mr. Jones,) that it was impossible to weigh out political justice, in exact mathematical scales. If this could be done, it would be necessary to apportion the weight not only of each individual county, but of each individual member of society. Viewing the subject with a mathematical eye, it is as unjust that the individual who is possessed of scarcely any property, should have the same weight in the political scale, as an individual who is possessed of millions; as it would be to allow Columbus the same weight with Rowan—but we are under the necessity of submitting to inequalities of this kind. Some standard must be found, and no better one can be pointed out, than that which the Constitution has erected.

The gentleman from Salisbury, has another objection to the present Constitution. It produces an aristocracy of the smaller counties, and gives them the power of exercising undue influence over the larger ones! An aristocracy of *a few poor, insignificant, counties!* Columbus is to tyrannize over Rowan! Who, Mr. H. asked, had ever before heard of an aristocracy of the peasantry, over the wealth of the country? He had been taught to believe, that wherever an aristocracy existed, it generally possessed the means of carrying its views into execution. He has thought it one of the qualities of poverty to be sometimes dependant on wealth, and it was the character of power to encroach upon the weak and the defenceless.

But the gentleman from Rockingham has discovered dangers from an aristocracy of a different kind. He says, if slave property be represented in the House of Commons, and land in the Senate, it is giving an undue weight to property, and will create an aristocracy dangerous to the country. So that gentlemen go to different extremes. But he believed it an axiom so well settled, and so generally conceded, that taxation and property ought to be taken into the calculation in fixing the basis of representation, that he did not deem it necessary to trouble the Committee with any remarks of his upon that point.

But some gentlemen seem disposed, in the new Constitution, if such is to be formed, not to respect property at all, but to fix the representation according to population alone. Mr. H. had an exalted opinion of gentlemen from the West. They were, generally speaking, honorable and independent men, and he had been proud to vote with them on those subjects where the best interests of the State were at stake; but, he hoped gentlemen would pardon him for believing, if population alone were made the basis of representation, that the slaves of the East would pay most of the taxes into the public treasury. The majority would have the power of so ordering things; and if they had the power, it was idle to say they would not abuse it. Whenever an extreme case shall occur, they will use this power, and use it oppressively. The Eastern counties already, paid more than their proportion of taxes. The power, however, is now pretty equally balanced, according to this combined principle of population, taxation and property, and he preferred it should remain so.

But we are told, said Mr. H. that the importance of the Western counties is daily advancing, and that when the improvements are effected, which are now going on in the several rivers, and the produce can be gotten to market, it will become more prosperous and wealthy. It will be time enough to mould our Constitution to this state of things when it shall actually take place. He would venture however, to predict, that the Eastern part of the State is destined to an improvement, perhaps, equal to the West, from draining their marshes and opening their country, which not only increases its fertility, but renders it more healthy. There is no part of the country in which they have greater inducements to make improvements in the science of Agriculture, than our brethren in the East have. It will be time enough, however, to provide for this state of things, when it shall happen.

Mr. H. would make one remark on the Resolution, which directs the manner in which the people are to signify their will in relation to a Convention. It proposes that the question shall be decided by the voters for Members of the House of Commons writing on each of their tickets, "Convention" or "No Convention." This would be losing sight entirely of the combined principle—and the propriety of calling a Convention would be decided by population alone. He would make one or two statements, drawn from the last Census, to shew what would be the effect of this vote, and how completely the principle before-mentioned, would be departed from. He would suppose that each white person and person of color, in each county, were entitled to vote; for although that was not the case, and the number who are actually entitled to vote, is much smaller, as the proportionable diminution would be about the same in each county, it would be sufficient for his present purpose, and would save the necessity of a calculation, which he had not now time to make. Taking this then as a data, merely to illustrate his idea upon the subject, it will be found that the county of Burke has an aggregate population of 13,411, and having only 1,917 slaves, would give 11,594 votes, or in that proportion; while the county of Granville has an aggregate population of 13,222, and would, upon the same principle, give only 9,151 votes. The county of Buncombe, with an aggregate population of only 10,542, would give 9,500 votes, while the county of Halifax, with an aggregate population of 17,237, would give only 7,787 votes. These calculations, as well as many others which might be made, prove very satisfactorily to my mind, that upon the question, whether a Convention should be called or not, the principle so much contended for in the course of this discussion, would be completely conceded by adopting the Resolution on your table; and that an undue advantage would be given to the Western over the Eastern counties. Again, when this Convention is called, and the Legislature undertake to prescribe the number each county shall send, what is to prevent their sending more? When you once call a Convention, that Convention is omnipotent. The Legislature can set no bounds to their authority.

In concluding, Mr. H. said, much feeling had been brought to bear upon this subject. Gentlemen had discussed it as if it were entirely an Eastern and Western question; and a mere contest about power. He felt no particular bias either in favor of the East or the West. The county which he had the honor, in part, to represent, was a central county: it was also a populous and wealthy county, and its situation would not be much affected whether the Resolutions passed, or were rejected. The citizens of Granville have no jealousy of their neighbors; they know their rights, and place too high a value upon the interest which they have in the present Constitution, to be willing to jeopardize it for they know not what. It appeared to him that it was incumbent on the advocates of a Convention, to shew that the present Constitution has not only imperfections on paper—that it wants proportion and symmetry, but to shew that some *real practical evils* have been experienced by the people from those defects. If they can shew that the rights of any person have been sacrificed, or that any person has a claim upon the State which has been unheard and unattended to, and that this is the fault of the Constitution and not of the Legislature, then there would be some plausibility in urging the adoption of the measure before us. But though gentlemen had been called upon repeatedly during this discussion, they have not been able to point to a single grievance—a single practical evil, which has resulted from even the inequality of representation, so much complained of; he took it for granted that none existed, except the want of a little more power.

Sir, said Mr. H. when we are about to call a convention to amend our Constitution, it should be recollected that a diversity of opinion exists here and elsewhere, as to the amendments which it is proper to make.—Some are for making white population alone some, federal numbers—and others, the combined principle, the basis of representation. Some are for electing our Governors, Sheriffs, Clerks, &c. by the people—others, for making Judges dependant on the Legislature, and the removable at pleasure, upon the vote of a certain number. In this wild rage for improvement, while the Convention are undertaking to amend its imperfections, what security have we that they will not fritter away every valuable feature of the Constitution.—Mr. H. would not deny the right of *the people* to amend the Constitution from time to time; but the Resolutions on the table, called upon us to pronounce the Constitution so perfectly defective, so rotten in principle, *so unequal, unjust* and *anti-republican*, that they ought to lay violent hands on it. Whenever an actual necessity shall exist, the people will assert their power and apply the remedy. He did not believe the sentiment expressed in the Resolutions was correct, and therefore, could not vote for them. He thought the voice of prudence would say to the people, as you have enjoyed your rights uninterruptedly for upwards of forty years under the present Constitution, and have not a single actual grievance to complain of, you ought not to consent to subvert it.

(Debate to be continued.)

STATE OF NORTH-CAROLINA.
Currituck Superior Court of Law, Fall Term, 1821.

Lydia Cook, vs. David T. W. Cook. } Petition for a Divorce.

IT appearing to the satisfaction of this Court that David T. W. Cook, the defendant cannot be found in this County; it is ordered that publication be made for 3 months in the Raleigh Register, that unless the said def't appear at the next term of this Court to be held as the Courthouse in Currituck on the sixth Monday after the fourth Monday in March next, and enter his plea, if any he has, a decree and judgment will be entered up against him according to the prayer of the petitioner.

By order of the Court,
Test. S. FEREBEE, c. c. c.
Nov. 8, 1821. 57

STATE OF NORTH-CAROLINA.
Surry County.
Superior Court of Law, September Term, 1821.

Alexander Lane, vs. Elizabeth Lane. } Petition for a Divorce.

IT appearing to the satisfaction of the Court that the defendant in this case, resides without the limits of the State; it is therefore ordered, that publication be made in the Raleigh Register for three months, that the defendant appear at the next Superior Court of Law to be held for the county of Surry, at the Courthouse in the town of Rockford, and plead, answer or demur to the said petition, or the petition will be heard ex parte and judgment awarded accordingly.

JOS. WILLIAMS, Jr.
63 Clerk Superior Court.

STATE OF NORTH CAROLINA.
GUILFORD COUNTY.
Court of Pleas and Quarter Sessions, November Term, 1821.

Jonathan Parker, vs. William Coffee. } Original attachment levied on land.

IT appearing to the satisfaction of the Court that the defendant in this suit, is not an inhabitant of this State. Ordered by the Court that publication be made in the Raleigh Register for three weeks successively, that unless the said defendant appear at the next Court to be held for this county, at the Courthouse in Greensborough, on the third Monday of February next, and plead or replevy, that judgment final will be taken against him.

Test. JOHN HANNER, c. c. c.

STATE OF NORTH-CAROLINA.
ANSON COUNTY
Superior Court of Law, September Term, 1821.

Judith M. Murcheson, vs. Angus Murcheson. } Petition for a divorce &c.

ORDERED by the Court, that publication be made three months in the Fayetteville Gazette and Raleigh Register, that the defendant be and appear at the next Superior Court of Law to be held for the County of Anson, at the Courthouse in Wadesborough, on the second Monday in March next, and answer said petition; otherwise the same will be heard ex parte. Witness, Martin Pickett, Clerk of said Court, at office the second Monday of September, 1821.

66 MARTIN PICKET, c. c. c.

NOTICE.

WHEREAS my wife, Eliza S. Dowling, has left me without any just cause, I forwarn any person from trading with or crediting her; as I shall not be accountable for any debt contracted by her.

ZACHEUS DOWLING.
Mecklenburg county, N. C } 67 3w
January 19, 1822.

STATE OF NORTH-CAROLINA,
WILKES COUNTY.
Superior Court of Law, Sept'r. Term, 1821.

Lucy Cook v. Allen Cook. } Petition for Divorce and Alimony.

IT appearing to the satisfaction of the Court that Allen Cook, the Defendant, is not an inhabitant of this State; it is therefore ordered by the Court that publication be made for three months in the Raleigh STAR and REGISTER, that unless the Defendant appear at the next Superior Court of Law, to be held for the County of Wilkes, at the Court-House in Wilkesborough, on the second Monday in March next, and plead or demur to the said petition, otherwise it will be taken pro confesso, and adjudged accordingly.

WM. R. LENOIR, Clerk.

STATE OF NORTH-CAROLINA,
WAYNE COUNTY.
Superior Court of Law, Fall Term, 1821.

Nancy Aldridge v. Thomas Aldridge. } Petition for divorce from the bonds of matrimony, &c.

THE Sheriff having made his return to this Court, that the Defendant was not found, and it appearing to the satisfaction of the Court, that he resides without the limits of the State; it is therefore ordered that publication be made three months in the Register and Star newspapers, published in Raleigh, that unless the Defendant appears at the next Superior Court of Law, to be held for the County of Wayne, at the Court house in Waynesborough, on the first Monday after the fourth Monday of March next, and enter his plea of defence, if any he has, judgment will be entered against him, and a decree made according to the prayer of the petitioner.

60— N. WASHINGTON, C. S. C.

STATE OF NORTH-CAROLINA,
Anson County.
Superior Court of Law—September Term, 1821.

Judith M. Murcheson, vs. Angus Murcheson. } Petition for a Divorce.

IT appearing to the satisfaction of this Court that Angus Murcheson, the defendant, is not an inhabitant of this State; it is ordered that publication be made for 3 months in the Fayetteville Gazette and in the Raleigh Register, that unless the said defendant appear at the next term of this Court, to be held at the Courthouse in Wadesborough, on the second Monday in March next, and enter his plea, a decree and judgment will be entered against him according to the prayer of the petitioner.

By order of the Court.
61 MARTIN PICKETT, Clerk.

STATE OF NORTH-CAROLINA,
LINCOLN COUNTY.
Superior Court of Law, October Term, 1821.

Delilah Langford, vs. George Langford, } Petition for Divorce & Alimony.

IT appearing to the satisfaction of the Court that George Langford, the defendant, does not reside within the limits of this State—it is therefore ordered by the Court, that publication be made for three months in the Raleigh Register, giving notice to the defendant to appear at the next Superior Court of Law to be held for Lincoln County, at the Court house in Lincolnton, on the 4th Monday after the 4th Monday of March next, then and there to plead, answer, or demur to the said petition, otherwise it will be taken *pro confesso* and adjudged accordingly.—Witness, Lawson Henderson, Clerk of said Court at Office, the 4th Monday after the 4th Monday of September, A. D. 1821, and in the 45th year of the Independence of the United States.

66 LAWSON HENDERSON.

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