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For the Register.

To the Freemen of North-Carolina.

FELLOW-CITIZENS—A free citizen of your state, takes this method of submitting a few, out of the many weighty reasons, which demonstrate the justness and absolute necessity of the amendments contemplated in the Constitution of North-Carolina. First, then, as respects Representation: the 2d & 3d section of the said Constitution declares, that "each County shall be entitled to two Representatives and one Senator, to be chosen annually by ballot"—without regard to the relative population of the different counties; while it was evident, even at that early period, that a great inequality did exist between some of the counties, in point of population. This inequality, from length of time and many other operative causes, have grown into an alarming magnitude, and now presents the anomaly in republican government, of a minority of citizens electing a majority of the members of the General Assembly of this state. Our General Assembly is composed at this time of 196 members. If we take one county, say Rockingham, as affording a sufficient population for three delegates, and apportion the representation in the other counties agreeable thereto, we should only have 162 members in the legislature, 34 less than there are at present. There would be a saving to the state by the reduction of this number of members of \$5,600 annually. The federal population of North-Carolina, agreeable to the Census of 1820, is 556,695. One hundred and ninety-two thousand two hundred and ten souls compose the population of 32 counties, which send 96 members—a majority of three in both houses, viz. two in the Commons and one in the Senate; the consequence is, that they engross to themselves all the momentary power of legislation—such for instance as those of passing laws to affect your lives, liberty and property.—Also the power of conferring appointments, both executive, judicial and military. And as respects the latter, of promoting through all the gradations from a Captain up to a Major-General.—Neither should the primary power of deposing our Senators to the United States Congress be omitted in enumerating the formidable prerogative exercised by a mere handful of the people of N. Carolina, through their agents in the General Assembly. Besides the counties above spoken of, there are 31 others in the state that contain a population of 364,485, but represented under the present Constitution by only 93 members in the legislature. These 93 members are the representatives of 172,275 federal numbers more than the 96 to whom they stand opposed. In other words, it is obvious that a minority of something like one third of the population of the state, governs a corresponding majority of two thirds. As regards the revenue paid into the public treasury by the 32 counties that are represented by 96 members, it amounts to only \$20,825 65; while on the other hand the remaining 31 counties that have a minority of 93 members pay \$45,763 63, which is \$4,112 33 more than double the amount of the contribution of the former. To continue the contrast which we are drawing between the political immanities, we discover one county paying a revenue of \$1,936 12 on lands and poles, at the same time that five others together pay the inconsiderable sum of \$137 10 on the like property. Notwithstanding which vast disproportion, between the five separately, and the one large county, in regard to the revenue contributed by them, the former are aggregate represented by 15 members, and the latter only by 3. The citizens of the five small counties must consequently possess five times as much power in governmental affairs as the citizens of the large county. And when the freemen of N. Carolina are called out to fight the battles of their country, the one county that pays an excess of revenue, over and above five others, must in addition to other intolerable grievances, furnish a much larger quota of militia than the five together. Neither can the present mode of representation, be defended on the principals of territory; for we there find as great a difference in the revenue and population. But should any one be of opinion on that the 32 counties with a population of 192,210 federal numbers are entitled to 96 representatives, their present number; I would ask if the remaining 31 counties, with a like population of 364,484, are not on the same principles of equity and justice, equally entitled to 182 members, in place of 93 their present number? Or in other words, if Washington county with a population of 3,319 federal numbers, is entitled to three representatives, Rockingham, with her federal population of 10,284, is on the same principles entitled to 9 in place of 3, her present number. There are moreover 5 or 6 counties whose revenue does not pay their immediate representatives. The deficit consequently, comes out of the pockets of the citizens of the larger counties. So that, fellow-citizens, a majority of you are compelled to compensate, by way of taxation, a portion of legislators

who are not your immediate servants; who know but little of your interest and sentiment, and care still less about them. In fact you are made, in a moral point of view, to acknowledge your own impotence and legislate against your own sovereignty.—Upon the whole, after maturely contemplating the defects in our existing Constitution, have, with high reverence for the consecrated merit of the authors of that instrument, and with a due sense of the dangers consequent upon innovation in long established institutions, adopted the solemn and unequivocal belief, that as respects one feature in the Constitution of N. C. viz. annual sessions of the Legislature, they are of no adequate benefit to the State, and should be abolished. The various reasons for this deliberate conclusion, I will not attempt to give within the limited compass of an address like the present.—Suffice it to say, that the mind of man is too active to remain unemployed. That to afford it a useful and dignified development, you must both in private and public life, restrain it within a sphere where the objects of the attention are neither too numerous, nor too familiar. As regards legislation, a multiplicity of subjects are too well calculated to beget embarrassment in adopting measures, and a proportionate unfitness in their operations. A perpetual or familiar recurrence of the same matters, leads to supererogation, or disposes an assembly of legislators, to tamper excessively with every thing that has already been accomplished. Such are the effects of multiplying and rendering too familiar the objects of a legislators attention. In my estimation annual sessions of the General Assembly infallibly lead to the evils just intimated; and therefore it is that I deprecate them, and greatly prefer biennial sessions. I prefer the latter because I think that legislation under such a system would keep pace with and not outrun the necessities of the state. I prefer them because I am convinced that with biennial sessions the legislature would be beneficially employed in making laws for the actual necessities of the community, as they really and successively presented themselves; instead of wasting their time and the public treasure, in an endless round of enacting, repealing, and re-enacting the same—as is the case under the present Constitution. As one argument in favor of biennial sessions of the legislature, look at the expence of that body in its session during the year 1821. That session cost the state \$83,419 98, which expence may be safely assumed as the average expence of the legislature every year hereafter as long as annual sessions shall continue to be held. Let the legislature be convened once in two years, instead of every year; and the making of our laws will cost but half what they have heretofore done; for example, the session of 1821 produced by way of compensation to the members, and printing the laws enacted by them, an expence of \$33,491 3; taking this expence as the annual cost of the legislature for ten years only, the session of that body, for that length of time, would under the present constitution, sink to the state the sum of \$419,983. If there be certainty in arithmetical calculations, and no additional extravagance of official compensation was to follow a change of the constitution (an event by no means to be anticipated) biennial sessions would cost just half of the above named sum in ten years, and leave the other moiety as a handsome surplus to be vested by the government in any one of the laudable projects now on foot for advancing internal improvement.

Again, if we make population the criterion for apportioning representation, and allow two commoners and one Senator to every 10,284 federal numbers, which comprise the present population of Rockingham, we should so curtail the present number of representatives as to dispense with 34, and thus realize an additional saving to the state of about \$5,600 each session, which in five sessions would amount to \$28,000; the latter sum added to \$167,099 92, the gain in ten years by exchanging annual for biennial sessions of the legislature, presents a most flattering picture to the mind of the economical and salutary results, which would certainly attend an alteration of the Constitution in the particular features above exposed, according to the mode suggested. I am of opinion that I may assume, without the least temerity, that the framers of our constitution never intended it to operate as it does. I would ask, if it be possible for a rational mind to suppose that such a constellation of republican sages, could have wished or designed to revise in practice those great fundamental maxims of government, which they helped to seal with their blood, and have proclaimed with such solemnity in the Bill of Rights, as well as the Constitution itself? Were it not impious to suspect them of ever having in the least inclined to "the damning heresy" which would aggrandize a few at the expence of the many? Or of having intentionally laid the foundation for the crying evils which have actually resulted from their sublime, though human, and necessarily imperfect labours? Were it not the grossest sacrilege, in a word, to impute to those great and good men any prospective assent to

that odious result of our Constitution (altogether unforeseen to them) which has finally raised a minority far above the majority of the people, and invested them with unlimited control over life, liberty and property? If one American can here either think or feel differently from me, I would blush for his hardihood, and lament his degeneracy; and proclaim of the shameful enormity, "Tell it not in Gath, publish it not in the streets of Askelon!" I repeat that no man of ordinary comprehension, whether he has ever seen the Bill of Rights or not, can be deluded into an idea that the illustrious framers of our constitution, at all intended that a minority, however organized, should govern a majority. Such an idea is at war with the genius and character of that instrument, is wholly irreconcilable to the dictates of common sense, and imports a monstrous libel upon the sages of '76.—The proceedings of the Legislature immediately and for some time after the adoption of the Constitution, when that body was composed principally by the identical men who framed the constitution, satisfactorily shew a solicitude on their part to establish the principle of equal representation at the earliest period, upon a conspicuous and firm foundation. For at its first session, held under the constitution in 1777, we find that body dividing & subdividing many of the original counties, so as to make them more equal in population & representative weight. This equitable policy was pursued, session after session, up to the year 1789, when a resolution passed the General Assembly, recommending the calling a Convention, with limited powers, to adopt the Federal Constitution, locate the Seat of Government, and allow the town of Fayetteville a representative, on the same principles with other representative boroughs in the State. But when we reflect upon the insidious times in which our Constitution was framed—when we call to mind that it originated in 1776, at the commencement of the American Independence, it is matter of great wonder and admiration that such an instrument, drafted amidst similar perils, amidst the agonies of revolution, and the turmoils of a then homeless contest, should be as perfect in structure as it is, and marred by so few practical defects, and the absence of appropriate lights, in both ancient and modern history, to guide our ancestors in modelling the plan of the Constitution, it has failed to answer some of its important ends, and does, unquestionably, to a great extent, operate evil and oppression. But the framers thereof wisely engrafted the 21st section of the Bill of Rights in the Constitution, to-wit: that a frequent recurrence to fundamental principles, is absolutely necessary to preserve the blessings of liberty. This they did from a conviction, that after the storm of war had subsided, the various changes in the condition of the people, consequent upon the reign of peace and prosperity in our land, would demand a modification, at times, of their fundamental charter; and no doubt from a persuasion that when amendments thereto became necessary, the people would always be blessed with public men well qualified for recurring to first principles and framing those amendments. But, when peace succeeded the toils of revolution, the minority of North-Carolina, in consequence of their superior facilities for acquiring dominion, actually did take all power into their hands, and uniformly retained the same, to the stern, uncompromising, arbitrary pride, created by this power. May we attribute, without hesitation, the melancholy fact of our General Assembly's having heretofore passed no resolution for calling a Convention. By a Convention, this power would be laid prostrate. As long, therefore, as it triumphs in the Legislature, it will ever oppose the convening of a political body, before whose indignant frown it would be unable to stand an instant, without certain annihilation. The effects of a Convention, if one had seasonably been called, would have been the putting down the minority, with all their appendages of aristocracy, many years since, and the restitution of the majority to their inherent rights, and due influence, in the great concerns of government, if, as has been fully demonstrated, that our existing Constitution is vitiated by serious defects which call for efficient and speedy correction. It must be the wish of every patriotic and generous mind to see the necessary remedies applied; to behold the Constitution renovated; its primitive elements once more brought into action, tempered and meliorated by the genius of reform. If the citizens of North-Carolina have not lost a proper regard of equality for political rights, from long and habitual acquiescence in their suspension, what, but the strangest folly, timidity or prejudice, will indispose them to sanction the grand undertaking now on foot for their political regeneration. Our present system of representation is altogether repugnant and subversive of those sacred principles, upon which alone it can be legitimately graduated. It is exclusive, not inclusive in its benefits; nay, it is a downright monopoly of privilege, rather than a compound of justice and fair equality. I am also conscientious that North-

Carolina would be as much justified by precedents as by necessity, in altering her Constitution; as a proof of which, I would refer you both to ancient and modern history, and particular examples which have been afforded her by a host of her sister States, touching the rationality and the safety of modifying their respective local Constitutions, by merely designating the states which have actually amended their Constitutions. I do hope, without additional reasoning, to dissipate all prejudices which may exist among my fellow citizens, against renovating our own Constitution on account of the imaginary novelty and sacrilege of the undertaking. According, then, to a compilation of the American Constitutions, extending, in point of time, up to the year 1818, which is now before me, and to documents touching the subsequent Convention in New-York and Connecticut, furnished by the public prints of the day, it appears that Connecticut, New-York, Delaware, Maryland, Georgia, South-Carolina, Pennsylvania and New-Hampshire, eight out of thirteen of the original States, have respectively changed their Constitutions; that the change in each of these States has been for the better.

I cannot, for a moment, question that their enlightened example will have its proper weight with the free men of North-Carolina, in deliberating upon the contemplated changes in their own Constitution. I will not despair of success until my hopes are sadly frustrated by the event.

May we not, moreover, most sanguinely hope from the lights of the age, and the restless march of liberal sentiment over the horizon of the civilized world, that the proud era is at hand when the people of North-Carolina, yielding to the celestial influence of reason, will stand up in all the erectness and decision which they should assume, and proclaim their determination to be really free, and universally honored. Give us a few amendments to the Constitution, such as have been particularized—Give to the body of the people the same immunities indiscriminately, and North-Carolina, among the other facilities of her new destiny, will no longer drain herself of wealth and inhabitants to augment the prosperity of other States. On the contrary, her resources of every kind will infinitely magnify—her wealth and population will soon arrive at an enviable pitch—in fine, the arts and sciences, carrying with them every spur to physical and intellectual improvement, will speedily exalt this State from comparative obscurity, to the pinnacle of national grandeur. Under the influence of the above employed reasoning, and deeply impressed by various other considerations, which the compass of the present communication has excluded from notice, I am bound to be of opinion that all the enlightened citizens of the East will unite in sending Delegates, equally representing the freemen of this State, to meet those of the like kind from the West, at Raleigh, on the second Monday in November next, for the purpose of proposing amendments to the Constitution, to be submitted to the people for their ratification, &c.

A Calm Observer.

Rockingham Co. June 21.

STATE OF NORTH-CAROLINA. Rowan County. Superior Court of Law, April Term, 1823.

Jane Weaver, vs. William Weaver. Petition for divorce. Appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this State; it is therefore ordered, that publication be made for three months in the Register printed in Raleigh, that the defendant appear at the next Superior Court of Law to be held for the County of Rowan, at the Courthouse in Salisbury, on the second Monday after the 4th Monday in September next, then and there to plead, answer or demur, or the petition will be heard ex parte.

HY. GILES, C. S. C. STATE OF NORTH-CAROLINA. Surry County. May Sessions, A. D. 1823. The Executors of Leroy vs. Allen Case. Original attachment. Ephraim Hough summoned as Garnishee.

Appearing to the satisfaction of the Court, that the defendant has absconded, or so conceals himself, that the ordinary process of law cannot be served on him, it is therefore ordered by the Court, that publication be made in the Raleigh Register for three months, that the defendant appear at the next Court of Pleas and Quarter Sessions to be held for the County of Surry, at the Courthouse in Rockford, on the second Monday in August next, replevy and plead, otherwise judgment will be rendered against him for the amount of plaintiff's claim, with costs of suit. Test. JO. WILLIAMS, C. C. June 1. pr adv. \$4.50 BLANK WARRANTS, For sale here.

FOR SALE ON A CREDIT. A FEW thousand pounds of prime BACON. Apply at this Office. July 10. 42

COACH MAKING MATERIALS. THE Subscriber has for sale at his Manufactory, a few sets of fashionable Coach and Gig Springs, which he will sell at a moderate advance on the wholesale price. He has also on hand, and intends keeping, a constant supply of best Morocco, for Coach Lining, which will be disposed of as above. He has, as usual, a constant supply of Carriages, Gigs, and Harness, all of which will be sold at prices according with the times. THOS. COBBS.

P. S. On consignment, a supply of Hatters' Morocco, and a few dozen Boot Lining Skins, direct from the Manufactory. July 10. 42 T. C.

TAXABLES. Raleigh District. THE subscriber having been appointed by the County Court, to take the list of taxable property in this city and district, for the present year, notice is therefore given to all persons concerned, that he will attend for that purpose at the Court House on Monday the 14th, and Tuesday the 15th instant; also at the same place, on the 28th and 29th for the same purpose. Notice to delinquents will be served by the constable, and subject themselves to a double tax. THO. COBBS. Raleigh, July 3, 1823. 42-44

FOR SALE Six Hundred and Thirty-eight Acres of Land. ADJOINING the banks of Tar River, on the north side, and the two Roads, one leading from Granville Courthouse by Washington's Mill to Hillsborough, the other by Providence Meeting-house to Hillsborough. This land is adapted to the culture of Corn, Wheat, Tobacco, Flax, Cotton and Potatoes. Any person inclining to purchase such a tract will please come and view the premises, as they would not purchase without. The payments will be made easy—a small part in hand and approved security for the balance. Possession will be given by the last of November next. Apply to the subscriber living on the land. JOHN MINOR. Granville county, N. C. June 17. 42 2c

N. B. There are 320 acres more of land adjoining the above, which may be had at the same time. On this land there are four settlements with buildings and plantations for the reception of such as it may suit. FOREST HILL ACADEMY.

THE Exercises of this Institution commenced on the 16th instant, under the superintendance of Mr. John Brandon, who comes well recommended by Dr. John Rice, of Richmond, and also by Dr. M. Pheeters, of Raleigh. The prices of tuition will be for Reading, Writing, Arithmetic and English Grammar \$5 per session; Geography \$8; Latin, Greek and Sciences &c. \$12 50 per session. Board can be had with the subscriber and in other respectable families for \$30 per session. The strictest attention will be paid to the morals as well as the literary improvement of the pupils at this institution. It is hoped that the qualifications of the teacher, the cheapness of board, the healthiness and agreeable society in the neighborhood of the Academy will ensure to this institution a liberal share of public patronage. Forest Hill Academy is situated 15 miles north of Raleigh, on the road leading to Oxford. JOHN MARTIN. June 26. 42 3c

STILLS. F. H. REEDER, informs his customers and the public, that he has now on hand an assortment of STILLs of various sizes.—He continues to make them, and will be enabled to furnish them of any dimensions at the shortest notice. He requests those having stills which may need repairs, to favor him with their work as soon as possible, as he may be unable to attend to them so well when the season for using them is at hand, and he is crowded with work. May 20. 35

VALUABLE LAND FOR SALE, In the vicinity of Raleigh. A Tract of Land containing 1834 acres, about nine miles from the City, lying on Swift and Williams' Creeks, on the Road leading to Haywood, formerly occupied by Joseph Lane, Jun and at present in possession of T. L. West. It is believed that for soil, beauty and healthiness of situation, it is scarcely equalled by any Plantation in this part of the country. A considerable portion of this Land is fine low Ground, and the high land is fertile and very well timbered. A better Range for Cattle and Hogs is no where to be found. There are considerable Improvements, good Orchards, a Grist-Mill &c. and fine Springs. Apply to J. Gales, in Raleigh, or to T. L. West, on the premises. With the above Tract of Land may be had 300 Acres of Pine Land, in the vicinity. January 15.