

policy. By the Constitution, in the event of no election by the Electoral College, the House of Representatives is to choose from the three highest, and voting by States; a provision deemed so important as to have been repeated, though modified, by an amendment to the Constitution, solemnly ratified by this State in the year 1813. It is therefore certainly improper, unwise, and highly censurable, for Members of Congress to go into Caucuses, and prejudice the case, by pledging themselves to support a certain Candidate, when in twelve months thereafter they may be called upon to vote as final Electors. When the election of President goes to the House of Representatives, the functions of that body for the time being wholly changed: they lose the character of Legislators, and become clothed with the privilege of the people, as Electors. An Elector is an Agent chosen by the people, not to exercise discretionary powers, but to execute a qualified trust; to do what the people themselves would do, were they present; but Members of Congress are elected without reference to their sentiments on the Presidential question; in truth it may so happen, that while they prefer one person for President, the people prefer another: and we appeal to our knowledge of the fact, that whatever consideration may have induced the election of the present Members of Congress from this State, their opinions on the Presidential question had no manner of influence. The consequence therefore is, that when they go into Caucus, they do not carry with them the feelings and wishes of the people; they usurp a power denied by the Constitution and not given by the people; they obtain by fraud what they dare not attempt by violence. It has been advanced, in defence of the practice of Caucusing, that it is necessary to prevent the election from going into the House of Representatives. The Constitution prescribes, that Congress, voting by States, shall elect the President from the three highest on the polls, if no one have a majority of the whole. Does not the guilt of perjury rest on the man, who, taking an oath to support the Constitution, yet busies himself to pervert and defeat its provisions? To this Legislature it would appear, that there is less danger of the House of Representatives being corrupted, than there is of the Caucus. In the one situation the Members act on their oaths and responsibilities; in the other they are impelled by their own selfish views, and they are exposed to the operations of intrigue, management, and, often times, corruption. The Legislature further object to this practice, because, in our government, we ought vigilantly to avoid giving sanction to improper precedents, so fatal in other governments. What at first is cautiously assumed, if unresisted, will, at last, be openly demanded as a right. Already do the friends of Caucus urge as argument, the practice of former Congresses; and unless the people now resist these usurpations, the period is not distant when Members of Congress will claim them as a right, by the law of immemorial usage—the people will be deprived of influence in the choice of President; or, Members of Congress must be chosen, not for their qualifications as Legislators, but for their opinion as Electors. On former occasions, the plausible apology for Caucuses was, to unite the sentiments of the dominant party, to prevent it from being broken and shattered to pieces, lest their opponents might thereby supplant them in power. If this was ever a good apology, it certainly is not such at this time, since party rancor has subsided, the spirit of faction has disappeared, and most, if not all good men, unite in opinion upon questions of leading national policy. The rights, the liberties of the American people were achieved by the blood of our fathers, and wrung from the iron grasp of tyranny. These patriots fondly hoped they had secured, by their wisdom in the Federal Constitution, the enjoyment of these rights. Against the treason of open violence, we should be degenerate indeed if we did not rally around the standard of the Constitution, and with the sacrifice of life, shew that we greatly prize and can bravely defend the valuable inheritance. Shall we, then, when aware of our danger, permit a self-created aristocracy to deceive, delude, and rob us of our rights? The Legislature of North-Carolina protest against this unconstitutional and dangerous usurpation of a Caucus nomination of President by Members of Congress at Washington. We believe an open, manly and candid effort should be made to check the unhalloved design in its progress, and if the effort be not successful, that the people may be awakened and alarmed at the danger which threatens our rights, and apply the correction. With these views and for these reasons, the General Assembly of North-Carolina RESOLVE: First, That the Senators in Congress from this State be instructed, and our Representatives be requested, as a means of preserving the rights of the people, in choice of President, to withhold their countenance from the practice of meeting in Caucus by the Members of Congress; and that they use their exertions to prevent a nomination from being made in Caucus, of persons to fill the offices of President and Vice-President of the United States. Second, That our Senators in Congress be instructed, and our Representatives be requested, to bring before Congress, and urge the passage of an amendment to the Constitution, providing that each State in the Union shall be laid off at stated periods, into Electoral districts, for the election of Presidents and Vice-Presidents of the United States. Third, That the Governor of this State transmit a copy of the foregoing Preamble and Resolutions to each of our Senators and Representatives in Congress. Fourth, That the Governor transmit a copy of the foregoing Preamble and Resolutions to the Executive of each State in the Union, with a request that they be laid before their respective Legislatures. WEDNESDAY, DEC. 5.

On motion of Mr. Mebane a message was sent to the Senate proposing to ballot to-morrow morning for Brigadier General of the 6th Brigade of the 3d division of the Militia, and stating that John K. Carrington and Benj. Elliott are in nomination for the appointment.

On motion of Mr. Flynt. Resolved, That the Military Committee be instructed to enquire into the expediency of amending that part of the Militia Law of this State, which compels Commandants of regiments and Captains to keep under arms their respective commands, three hours at least in each case every day of parade.

Resolved further, That the same Committee enquire into the expediency of causing the revised Militia Laws of this State to be distributed to the several commandants and Captains within this State, and that they have leave to report by bill or otherwise.

On motion of Mr. Leonard. Resolved, That the Military Committee be required to examine into the propriety of revising the Militia Laws of this State, or so amend them as to introduce some uniform system for the government of Courts Martial on the trial of officers under arrest, and that they report by bill or otherwise.

On motion, the Bill to facilitate the Navigation of Neuse river, was referred to the members representing the counties of Wayne, Craven Lenoir & Johnston.

The bill making compensation to Jurors of the Superior and County courts of Tyrrell passed its third reading, and was ordered to be enrolled—it is therefore a law.

A communication was received from the Treasurer, in pursuance of a resolution passed yesterday, inclosing copies of his accounts as Public Treasurer with the Board of Internal Improvement, for the two last years, beginning with Nov. 1821, and ending with Oct. 1823.—Read and ordered to lie on the table.

The bill for appointing commissioners to treat with certain Cherokee Indians for claims which they set up for a part of the lands lately ceded to this State by the United States, was read for its second reading.

This bill produced some debate. It was objected to it, that this State had no right to appoint Commissioners to treat with these Indians in relation to any rights which they had to the land in question; that the General Government alone could treat with India. Tribes, being considered in the light of Foreign Nations; but that this circumstance need occasion no difficulty, as on application to the President, he would appoint any of our own citizens who might be recommended to him for the purpose, to treat with the Indians who claimed a right to this land.

In favour of the bill, it was contended that the few Indians who claim a right to a part of the land in question, could not be considered in the light of an Indian tribe, since they had accepted of the terms offered them in the treaty with the United States and had become citizens, and were, therefore, capable of disposing of their land as they pleased; and there was no doubt, that if commissioners were appointed, there would be no difficulty in settling the claims upon moderate terms.

The bill was ordered to lie on the table till to-morrow.

THEATRE.

On Friday evening, Dec. 5th, will be presented, translated from the French, the interesting Melo Drama of the
MAGPIE & MAID,
OR,
WHICH IS THE THIEF.

To which will be added the admired Farce of the
Day after the Wedding.
[For characters, see the bills of the day.] Tickets one dollar—to be had at the Stores of Messrs. Gales & Son—Hall—Hendon—and GENEK.

State of North-Carolina,
MONTGOMERY COUNTY.
In Equity—Fall Term, 1823.
Titus Bunnell }
v. } Writ of Injunction.
Edmund Langdon. }

IT appearing to the satisfaction of the Court that the defendant Edmund Langdon is not a resident of this state; It is therefore ordered by the court that publication be made in the Raleigh Register for four weeks, that the defendant Edmund Langdon appear at the next term of this court to be holden on the first Monday in March next, at the Court-House in Lawrenceville, in the county of Montgomery and put in his plea answer or demurrer, or the bill will be taken pro confesso, and the Injunction made perpetual.

A true copy from the Journal.
JNO. CHRISTIAN C. M. E.

Confectionaries.
DAVID SHAW received yesterday,
10 Boxes Bloom and Bunch Raisins of an excellent quality; also,
6 barrels New-York Green Pippin Apples,
A barrel Pickled Salmon, and
2 barrels Jameson's Crackers
Goshen Butter.

With a variety of all articles in the Confectionary line, which makes his assortment very complete. He has also on hand,
Best Madeira Wine, in bottles,
Sweet Shrub, and all kind of Cordials.

As he has understood, that his prices, (either through design or mistake) have been misrepresented, he submits the prices of a few of the most prominent articles:
Candies of all sorts, 50 cts. a pound—oz. 5 cts
Sugar Plums, do. 40 " 1 1/2 5
Palm Nuts, 25 " " " "
English Walnuts, 25 " " " "
Almonds, 25 " " " "
Filberts, 20 " " " "
Fruits, 25 " " " "
Muscadel Raisins, 30 " " " "
Bloom, do. 25 " " " "
Best New-York made Cordial, 5 cents a glass
Madeira Wine, 5 " " " "
And by the bottle, 75 " " " "

He, as usual, is prepared to furnish Gentlemen with Relishes on the shortest notice, and hopes to merit a continuance of that liberal encouragement with which he has been so long favoured.
Raleigh, Nov. 28, 1823. 4-3t

For Sale

TWO Store Houses in Raleigh, one occupied by Ross & Scott as an Auction Store, and the other by Mr. Lindenman, as a Book-store and Bindery.

A convenient Dwelling House, with Out-houses, Stables, Carriage-houses, and a rat-proof Grain ry, corner of Fayette, and Davie Streets and opposite Mr. Gales's, occupied by Mr. Lumisden.

Two unimproved lots adjoining each other and fronting the public square, west of Mr. Taylor's office, handsomely building sites.

Fifteen acres of ground in the western suburb of the city, adjoining Mr. Boylan. On this is an excellent Spring.

One hundred acres of wood land, adjoining Mr. Rex, about 3 1/2 miles from town, four-fifths of it well timbered.

Terms.—One third Cash, and the balance in notes with sufficient security negotiable at the Bank in 6 and 12 months. A ply to CALVIN JONES in the Wake Forest, or to JOHN DUNN in Raleigh. If not disposed of privately, before Saturday, the 15th inst. any or all the above will be sold, POSITIVELY, to the highest bidder at 3 o'clock of the day at the Court-house.

Also for Sale

That most desirable seat and Plantation, the residence of Calvin Jones in Wake-Forest, 16 miles North of Raleigh, on the nearest and best road from thence to Louisburg, and on the mail road to Granville.

This tract contains 618 acres of excellent Land, is well improved, has a variety of choice fruit, capable of producing in good years 25 to 30 barrels of Brandy. The crop this year (which may be seen) of Corn, Wheat, Cotton, Peas, Hay, Brandy, &c. &c. has probably not been exceeded in quantity, according to the number of hands employed, by scarcely any plantation in the State. The corn premium upon land not manured (a silver cup offered) would have been applied for, and without doubt obtained, had not the awards this year been declined. Persons wishing to purchase are invited to view the plantation and examine the products. The meadow is excellent and Hay may be produced to almost any desired extent. The upland has proved itself very favorable to clover. The house is finely situated in a beautiful grove of native oaks, 100 yards from the road, is nearly new, sufficiently large, very convenient, and decently finished. Richland Creek, on which this tract is bounded, has fortunately no mill-seat in its whole course, and the place has always been remarkably healthy. The neighborhood is very respectable; inferior to none in the State. Good classical schools are always maintained. Sutherland's Store on one side, is a mile & a quarter distant, & Smith's store is about equally distant on the other. Meeting houses of two or three different denominations are equally convenient. This was once the main Northern and Southern stage road and probably will be again, in which case it will be the most public road in the State. The goodness of the road, places it seat with three hours easy ride of the Capital. On the whole, it is in my opinion (and those who know the place concur with me) one of the most beautiful, healthful and desirable country residences in the State. & nothing but the personal attention necessary to my interests in the West would make me willing to dispose of it, on any terms.

Will be sold at a price suited to hard times—for the value of the land without the improvements, or the value of the improvements without the land. Payments same as above.

For further particulars, address enquiries to the Post-Master, Wake Forest, N. C. which will be promptly answered.
Dec. 4. 6 2w

RALEIGH REGISTER.

FRIDAY, DECEMBER 5, 1823.

Our General Assembly, on Tuesday, elected the Editors of this paper Printers to the State for the ensuing year.—The votes were,

For J. Gales & Son,	118
Bell & Lawrence,	70
Majority,	48

The Editors of the Register respectfully acknowledge their grateful sense of this appointment. It is more flattering, as it evinces an unity of goodwill towards them, which absorbed in a great degree, party feeling.

STATE BANK.—The Stockholders of this Institution met at their Banking House in this city, on Monday last, agreeably to the provisions of their charter, for the purpose of electing Directors, &c. for the ensuing year. Gen. D. CAMERON being called to the Chair, the meeting entered into the usual Resolutions; and in the afternoon, proceeded to the election of Directors. No alteration was made in the Directory, except that David Clark, Esq. was again elected, in the place of the late Joseph Blount. An amendment was added to the By-laws, providing that none but a Stockholder shall hereafter be admitted to vote as a proxy at any meeting of the Stockholders.

In the evening of Monday, as usual, the newly elected Board met, and proceeded to the appointment of the Directories of the several Branch Banks. The following were the only alterations made in them, viz. at Edenton, Ebenezer Paine, was appointed in the place of the late Wm. T. Muse; at Wilmington, Talcot Burr & Parker Quince were appointed in the places of John Cowan and Wm. M'Cay; and at Salisbury, Thomas Chambers, in the place of Alexander Caldclough. All the Presidents were re-appointed.

Neither ARGUS with his hundred eyes, nor BRIAREUS with his hundred hands, could detect all the fallacies which are disseminated through the public prints against the Presidential Candidates. Mr. CRAWFORD comes in for a four-fold share, as whatever other Gentleman the Editors of different papers advocate, they ALL join in abusing this distinguished individual. For ourselves, we are contented to support Mr. Crawford, as far as our feeble efforts can avail, but we will not do it at the expense of truth and justice, by calumniating his opponents. The farrago of inconsistencies so frequently exhibited against him by certain editors induces us to believe that their great and only aim is

"Spargere voces in vulgum ambiguas."


We are particularly called to this detection from principle in our public prints, by a paragraph which appeared in the last FAYETTEVILLE OBSERVER. This paper heretofore, had preserved a decency of language and moderation of sentiment, becoming an Editor whose wish is to promote what he deems the good of his country. But he has fallen from his conciliatory system, into misrepresentation and abuse. His opinions however, like other evanescent scribbles got up for the purpose, are like sparks from a burning pit, which bewilder those who view their transient blaze, and then sink into utter darkness! We should not have noticed the general opinions of the "Observer" decorously expressed, had not the Editor given loose to individual aspersions, and endeavored to constitute himself the censor of our press. The pamphlet issued from the REGISTER office, containing the FOUR LETTERS copied from the Richmond Inquirer, and the publication of which the "Observer" condemns, is a rare instance of political moderation—for it tells "a plain unvarnished tale" of Mr. CRAWFORD, unimpeached by invective against any other of the Candidates. We recommend it to the perusal of the Observer Editor, and will be glad to make him our agents of this work at Fayetteville—allowing him of course as a brother of the craft, the usual discount.

We have spoken to our friend the editor in his own style, but we cannot leave him without seriously impressing upon him the duty of moderation and decorum. The bulwark of our national liberties is the Freedom of the Press—who therefore dare shackle its operations? It is the invariable organ of public opinion and in this country gives an unrestrained representation of it. But let Editors (and we include ourselves in the number) take care lest they raise that heat in the public mind, which will not speedily be allayed: It is our privilege to promulgate our political opinions—nay, more, it is our duty, but in the performance of which we should not abuse others for the discharge of their's. It does not require the spirit of prophecy to predict, that whenever it is unsafe to write and speak on theoretical subjects, the iron age of ignorance and intolerance will return. Argument and persuasion may strike from reluctant minds, a spark of truth by the power of collision—violence and intemperate zeal, throw a damp upon the opinions they advocate, which invariably subjects them to the mildew of neglect.

We are not so vain as to believe we can convert certain of our editorial brethren from the error of their ways, knowing as we do, that we are the antipodes of their political equator; but we wish to impress upon ourselves the duty of forbearance towards the distinguished Citizens who occupy a political altitude to which Europe, as well as America is looking up. They are candidates for the Chief Magistracy of the Republic of the West; we should consider it as treason against principle and republicanism to cast stones at any of these honorable men—Yea, "ALL honorable men," not applying it as Anthony did to the murderers of Caesar.

VERMONT.—On the 7th instant the legislature of Vermont adjourned. During their session of four weeks, they passed ONE HUNDRED AND TWENTY acts. The bill for chartering additional banks was continued to the next session. A committee reported a resolution that a law should be passed providing for the choice of electors by the People, by a general ticket, which was dismissed on motion.

THE GREEKS.—A subscription has been opened in New-York to aid the suffering Greeks. In publishing the notification, the American says:—We call to it the attention of every freeman, of every Christian. If there ever was a contest, in which the highest and holiest feelings of our nature might without let or scruple be indulged, it is surely that in which we now see the Greeks engaged. And let no one hold back from the apprehension that all can be thus raised, will be little in amount or value. Time was, when our great forefathers would have received 1000 stand of arms, nay the tenth of that number, as a succour from Heaven; but even important as the little we may contribute in material weapons may be to this cause, the MORAL EFFECT of the spontaneous offerings of the freemen of America to those whose fathers were as free, and whose descendants deserve to be not less so, will be yet of incalculably more value.



LATEST FROM EUROPE.
New-York, Nov. 28.

By the packet ship Cortes, from Liverpool, we have our regular files of London papers to the 22d, and Liverpool to the 24th October inclusive—together with prices current, shipping lists, &c.

The career of folly and infatuation which the restored Ferdinand seems bent on pursuing, may yet by the vehemence of re-acton, which it is calculated to produce, awaken the spirit of resistance in Spain, that hitherto appears to have been exclusively confined to Catalonia. Dissatisfaction reigns in every part of the country—the proscriptions of the tyrant reach every family—and no one interest is attempted to be conciliated but that of the Clergy. Ballasteros who was driven in disgrace from the presence of the King, is said to have stirred his troops (whom with some such ultimate purpose he appears to have kept together, and apart from other forces) up to renewed opposition. And even the French Generalissimo, "our beloved cousin" of Angouleme, remonstrates in vain against the folly and madness of the restored monarch. What the result is to be, or how that unhappy country can be pacified, it is impossible to foresee. One thing would seem certain, that a large French force must remain in Spain in order to protect the work they have achieved; and yet France cannot afford to keep them at her expense; and Spain is so exhausted, as to have still less ability, to do so. England, too, takes offence at the declaration of Ferdinand annulling all acts of the Constitutional Government, because, with that government she had made an advantageous treaty—and demands from him compensation for losses sustained by her subjects, under a menace of indemnifying herself, if forced, by a refusal to do so.

In Paris, some changes in the Ministry have occurred. The Duke of Belluno (Victor) has been displaced. This was to have been expected, from the successful issue of the Count Guilleminot's campaign; for, as at the commencement of hostilities Victor was sent post haste from Paris to take Guilleminot's place as Major General, and was inconsequently sent back again by the Duke d'Angouleme without being permitted to do so, it seems a natural consequence, that now Guilleminot and the Royal Duke return as "conquering heroes," they should displace the man who had been selected in opposition to them. Other changes are also talked of.

Owing to the abundance of its capital, and the difficulty of employing it in commercial transactions, the Bank of England has announced its intentions of loaning £2,000,000 on the security of lands, at 4 per cent. interest. A contribution of six millions of francs is to be levied on the city of Madrid.

LATE FROM PERNAMBUCO.
New-York, Nov. 27.

By the arrival of the brig Emma, Capt. Fosdick, 33 days from Pernambuco, we learn that the government of Pernambuco was in a state of confusion. The President had been dismissed, and had retired to his country seat, and a new one had been appointed in his place. The General-at-Arms, commander of the troops, had been arrested and put in prison by an order from the government.

There had been an insurrection among the negroes in a small inland town, about six leagues in the interior of Pernambuco, and several of the white inhabitants had been killed. Troops had marched from Pernambuco to quell them. The vessels that had been captured at Bahia by Lord Cochrane, had arrived at Pernambuco, and had sailed again for Rio Janeiro. Several vessels had been captured at Pernambuco for keeping the Portuguese flag flying, supposing the place in the hands of the Portuguese.