

# RALEIGH REGISTER.

## AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNWARP'D BY PARTY RAGE, TO LIVE LIKE BROTHERS"

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### TERMS.

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### To the People of North-Carolina.

The general right of a majority of the qualified voters in a State, to alter their Constitution in any manner which may suit the pleasure of that majority, is, in our country, indisputable. But the practice of the American States has determined, that the most ordinary, and perhaps therefore, the most appropriate, method of remedying Constitutional evils, is through the medium of a STATE CONVENTION, authorized, and in its incipient steps, regulated by law. Accordingly more than 50,000 freemen of this State petitioned the last General Assembly, to provide means for the cure of evils in their Constitution, against which they have been complaining for more than 30 years. This application was made under the additional sanction of your Bill of Rights, which reserves to the People a right "to petition the Legislature for a redress of their grievances, and to instruct their Representatives;" but it was rejected by the House of Commons, after having passed the Senate.

On the evening of the day when this Bill for taking the sense of the People was rejected, a meeting of the Representatives of a majority of the people took place for the purpose of adopting such measures as were best calculated to meet the just expectations of the majority. The greater number of them believing that a fair and free discussion of the alterations to be proposed by your Constitution, and of the grounds upon which a change is demanded, would reconcile the minority to their adoption, were unwilling to recommend to their constituents an exercise of the right to proceed without the sanction of legislative authority; but hoping that a common interest, a sense of justice, a proper respect for the fundamental principles of popular governments, and a disabuse of the public mind as to the motives of a majority, may co-operate to secure the assent of all sections to this necessary reform, determined to pursue the course indicated by their proceedings now laid before you.—The question is thus presented before the highest human tribunal. An appeal has been taken from the servants of the people to the sovereign people themselves, and to us has been delegated the trust of presenting it to you for determination.—Our duty will be best performed by omitting every appeal to your passions and prejudices, and we content ourselves by laying before you FACTS, which make this appeal irresistible, if it is to be determined by the rules of justice, patriotism and candor.

### I. UNEQUAL REPRESENTATION.

The first and prominent defect in your State Constitution, which it is proposed to correct, is that part which allows to each county three members in our General Assembly, without regard to its size, population and taxes. This is the source of gross injustice, of loud complaint and of great political evil. Aware how easily you may be deceived into a distrust of general statements made in a political Address, and desirous to advance none that can delude, we have carefully prepared from the Official Reports of our Financial Officers and the last census taken under the authority of the United States, a TABLE which exhibits, at one view, the annual Public Taxes, Federal Population and White Population of each County in the State. It is here inserted, and we beg you to examine it:

TABULAR STATEMENT of Taxes, and White Population and Federal Population of the Counties of North-Carolina, compiled from the Revenue List of 1832, and the Census of 1830.

COUNTIES.	Public Taxes.	Federal Population.	White Population.
Ashe	450	6800	6400
Beaufort	1080	9300	6300
Bladen	700	6600	4500
Brunswick	500	5300	3000
Columbus	300	2700	2000
Cerrituek	400	6700	5200
Canden	650	5900	4500
Chowan	1000	5200	2700
Carteret	450	6000	4800
Duplin	980	9600	6700
Franklin	1100	8700	5300
Gates	700	6400	3300
Greene	650	5200	3900
Hyde	400	5100	4000
Hertford	1000	7000	5800
Haywood	360	4500	4200
Jones	500	4400	2300
Johnston	1050	9500	7000
Lenoir	700	6100	3700
Macon	400	5200	4900
Moore	470	7100	6000
Martin	970	7200	5000
Nash	970	7000	4500
Onslow	700	6600	4500
Pasquotank	1100	7600	5000

Perquimans	800	6300	4300
Person	850	8300	5400
Richmond	850	7900	5600
Robeson	650	8400	6200
Sampson	980	10200	7600
Tyrell	430	4200	3300
Washington	600	3900	2700
Wayne	1650	9600	6900
Bertie	1500	9600	5300
Craven	1800	11900	7200
Edgecomb	2000	12100	7600
Granville	1900	15700	9400
Halifax	2100	13800	5800
New-Hanover	2300	8600	4900
Northampton	1800	10300	5100
Pitt	1300	10000	6800
Warren	1500	8500	4200
Wake	2500	17200	11400
Anson	1000	12200	9100
Buncombe	1000	15600	14500
Burke	1400	16200	14000
Chatham	1300	13500	10100
Cumberland	1800	12800	9000
Caswell	1300	12600	8400
Catawba	800	7900	6500
Davidson	940	12700	11300
Guilford	1400	17700	15700
Fredell	1100	13800	11500
Lincoln	2050	21000	17600
Mecklenburg	2000	17200	12800
Montgomery	800	10000	8500
Orange	2300	20900	17000
Rockingham	1100	11200	8100
Randolph	900	11800	10600
Rowan	1700	18200	14500
Rutherford	1500	16200	14000
Stokes	1300	15100	13900
Surry	1000	13700	12300
Wilkes	600	11400	10300

Are your laws founded upon the public will? Make choice of the basis which accords best with your opinions of equal right and justice, whether it be taxes alone, white population alone, or federal population alone; or population and taxes combined—still, you will perceive that in this State, a minority of one-third govern and tax a majority of two-thirds. The 33 counties first named in this table elect a majority of both Houses of the General Assembly, and yet they pay no more than one-third of the public taxes. They contain but very few exceeding one-third of the Federal population, and not one-third of the White population of the State! Is this equal?

The necessary expenses of your State Government are about 80,000 dollars per year, and according to its organization, each county is a source of precisely the same cost to the public revenue, and there being 64 counties, the proportion of each is \$1250. But the same 33 counties which contribute less than one-third of this revenue, cost more than half of the total amount. By recurring to the table, you will perceive that they pay \$22,790, while they cost \$51,250, which is an excess of 18,460 dollars cost, beyond their aggregate taxes. Is it just, that they should elect a majority of the Legislature?

Some of these counties cost you four times as much as you pay, others three times as much; many others, twice as much. Is it just, or wise, that their representation should be equal to the others? There are 24 counties whose aggregate expense to your government is more than double their aggregate public tax; and 20 of these do not pay into the Treasury a sum equal to the wages of their own Members, added to a just proportion of incidental charges of legislation alone; and 12 of them pay an aggregate tax of 5,400 dollars only, whose representatives alone receive back 8000 dollars! Is this right? Is it just towards a free people whose revolutionary struggle rested upon the basis "that taxation and representation should go together?"

There are 40 counties in the State which do not pay taxes to cover their cost to your government, and is it prudent to refuse your aid in correcting the rule which vests them with the power of electing two-thirds of your law-givers? Do the counties, which are thus deficient in their contributions to your public revenues, and so onerous by their cost, contain a federal or white population which can make up their claims to the representation they have? Are they in a condition to give personal services, or to bear personal burdens, which justify this exemption from pecuniary burdens while they have equal representation with the largest counties? A reference to the table of their population will determine this question beyond all contradiction. Look at it, and then let reason and conscience answer these enquiries.—Their population is as disproportionate to the power they exercise, as their taxes have been shown to be.

One man, in one section of the State, has as much political weight as seven in another, or six in another, or five in another, &c. Two-thirds of the community pay one-third of the same community to be their masters. Disguise it as you may this is the naked truth. We would not weary you by comparing the population and taxes of separate counties together, nor can it be necessary that we should. Yet we must not omit to state, that this subject has brought into existence and fosters a spirit of sectional hostility, which mars the peace of your Legislature, and materially impedes the advancement of the common good. This is so plainly true, that none who has any regard for his character, will venture to deny it.

These are some of the reasons which

\* A new county was created at the last session, but as its Statistics have not been ascertained, it is impossible to take it into account.

sustain the demand that has been made for EQUAL RIGHTS.

The largest vote ever taken in the State, at the Election for President of the United States, was 53,000. At the last August election more than half that number voluntarily voted in favor of changing this feature of your Constitution; and if polls had been kept open in all the counties under the authority of law, there is no doubt that nearly two-thirds of the voters would have sanctioned it. A majority then, demand this reform of their Government, and will the minority refuse to provide for it by the established forms of law? Can they do so, and be consistent in their attachment to Republicanism? Is the privilege too trifling to create such zeal and perseverance among those who ask it? Then the sacrifice will be less to those who yield up a power to which they lay no just claim. But the right of representation—a fair and equal representation of the people—is now another name for civil freedom; and the struggle for it can never cease while the spirit of Liberty exists in our land. Freemen who resist it, do injury to themselves—they cannot enter upon such a warfare, without selling their principles as slaves to the spirit of party. Policy, patriotism and self-interest, unite in requiring them to do justice and preserve equality in their Government.

### II. THE LEGISLATURE.

By your present Constitution, the General Assembly meet annually, and it is proposed to alter it, so as to have biennial sessions, except in cases of emergency; and at the same time, to diminish the number of members.

This is a proposition in which all are interested, and the alteration is demanded as well by your necessities as by your interest. One portion of your Representatives have been engaged in excited strife against another, and the people have been agitated by these sectional contests, until both Representatives and people seem to have lost sight of the Financial concerns of the State. We propose to invite your attention to this subject—to point out, if we can, the main cause of evils which will be shown to exist, and disclose the remedy that is proposed.

In a time of profound peace; without any effort deserving the name of an attempt to carry on great public works, for developing the resources and improving the internal communication of the State; without any serious loss of public funds; nay, at the close of a most profitable speculation in the Stocks of Banking corporations, you will be surprised to hear that the Treasury is wretchedly poor, and that in all human probability, the next Assembly may not find unappropriated money in it sufficient to pay their wages!! We have no desire to mislead, and no motive to deceive you; but to anticipate the attempts of those who may think it is their interest to do so, (if there be any such,) we will present you the official evidence in our reach:

The Comptroller's Statement to the Legislature of 1833, puts down the balance of Cash in the Treasury, on November 1st, 1833, at	\$57,877
A part of this, to-wit: \$17,970, was the unexpended balance of \$50,000, appropriated by the Legislature in 1832, for rebuilding the Capitol, and which has been expended since the Report,	17,970
Leaving in the Treasury an unappropriated balance Nov. 1, 1833, of	\$39,907
Now the expenses of the Legislature for 1833, paid at the Treasury on the 14th of January, 1834, were	\$42,000
The sums paid, and to be paid before the 1st day of November next, for the salaries of Executive, Judicial and other officers of the State, amount to	30,000
The incidental charges of Legislation and contingent charges of the Government, to be paid in like manner, will exceed	8,000
The appropriations made by the Legislature of 1833, for rebuilding the Capitol—for defending suits—for compensating Commissioners to revise the Statute Laws, &c. &c. to be paid in like manner, will exceed	80,000
Making an aggregate of	\$160,000

To cover these appropriations for necessary expenditures the following sums of money will be in, or receivable at, the Treasury, on or before the 1st day of November, 1834, to-wit:

Balance before stated, unappropriated on the 1st of Nov. 1834,	\$39,907
The ordinary revenue of the State not exceeding	68,000
The amount of 2d dividend of Capital Stock in the Bank of Newbern, being 20 per cent on 1818 shares, payable 1st of March, 1834,	36,360
The amount of bonds for sale, of Treasurer Haywood's property, uncollected Nov. 1st, 1834,	2,500
Making together, the sum of	\$146,767

Or \$13,233 less than the amount of indispensable demands upon the Public Treasury, during the current year.\*

Is this the result of accident? It has been foreseen and fore-told. The Finance Committee of 1832 and 1833—the Treasurer in his Reports to the Assembly, and the Governor by message in 1833, have called upon the Legislature to anticipate these things. The Committee of Finance

\* See note at the bottom of 2d column.

proposed to submit a plan for remedying this evil by "increasing the Revenue;" or, in plainer words, by "increasing the public taxes." But the people, by a vote of 30,000 freemen, petitioned the same body to remove this grievance by diminishing their number, and making their sessions biennial. The call of the people was disregarded and the proposal of the Committee was never acted upon.—Where will you look for the causes of results like these? The answer is not difficult to be made.

The expenses of your government have increased with the multiplication of counties. Where public convenience made the erection of a new county necessary and unavoidable, in one section of the State, another has been frequently erected elsewhere without necessity in order to preserve legislative power among the latter. The recollection of men who have outlived their party feelings will attest this statement, and if it did not, we are sustained by your Statute book, and the recorded proceedings of the General Assemblies. Thus the State which was in 1776, divided into 36 counties, (including the whole of what is now Tennessee) has ceased away the better half of her territory, and the remainder is cut up into 65 counties. The Assembly which was once composed of 115 members has gone on to increase to 202. Their sessions which were once held 3 and 4 and 5 weeks only, are now held 8 weeks. Their sessions which once cost \$15,000, now cost the people \$50,000; and a government which once cost less than \$40,000, annually, now costs \$80,000 and upwards. Have these increased demands on the Treasury in any way, been caused by the expense of the Judiciary? Let any one point out the addition of a hundred dollars for the expenses of the Judiciary since it was placed upon a respectable basis and suited to the absolute necessities of the State, and we will show him in return the addition of twice the amount to the Legislative department; although while the latter has been growing less suited to its purposes, the former has been improved.—Have they arisen from the expenditure of money for public works? Let the humble pride of your State answer. Not one monument of public spirit is within your borders, unless it may be your University, and for that, you are indebted to the patriotism and liberality of individual contributors. Are they the result of any unprofitable speculations or pecuniary loss? Far otherwise is the truth. The State by embarking credit in the three old Banks, has realized a clear profit of one million of dollars, and (as we will show presently) has thereby not hastened on, but delayed the day of her poverty, or, we might more correctly say, has postponed the day of its discovery; and yet the greater part of it has been already squandered, and the last dollar will soon be consumed unless some salutary Reform can be introduced into the Government.

When then does it happen—What is the real cause of this intolerable public evil?

1. "The ordinary revenue is between 12,000 and 15,000 dollars less than the necessary annual expense of the government, and this has been the case for many years"—so say your public officers of Finance, and so have your legislative Committees reported. The sources from which this deficiency has been supplied, (viz: the Bank Dividends and tax) are of late nearly discontinued and will soon be exhausted. 2. The General Assembly costs yearly four or five sevenths of the revenue in consequence of their increased numbers and longer sessions. 3. These long sessions are brought about by several causes; one is, that "large bodies move slowly," and another; that sectional party strife has grown up from the demands for reform of the Constitution on one side, and a determined resistance to it on the other; another is that the Legislature is clothed with the power of electing Militia Officers, Justices of the Peace, and the Governor, and these elections create contests and electioneering; another is, that a system of local legislation for particular counties has become habitual, and is unchecked.

If the causes are here truly assigned, (and that they are in a great degree none will doubt,) can you be at any loss for the remedy of your condition? The expenses of the Legislature may be diminished more than 25,000 dollars per annum by reducing the number of members to 120 or 130, and by having biennial sessions. Thus, its annual cost may be reduced below one-third of the revenue.—By this means, and by transferring to the people the right of electing their Governor, and by giving the appointment of Militia Officers and Justices of the Peace to some other tribunal, its sessions will be shortened. You will be relieved from the dishonor and expense which sectional controversies entail upon the State, by giving equal representation to every part of the community, according to a scale of population and taxation combined, and these together will furnish a salutary check upon local legislation.

Can you call this question a sectional question? What portion of the State—what county—is not deeply interested in its accommodation? There is no com-

plete redress, except by reforming the Constitution. The censorious may set down the evil to a want of public spirit and patriotism among your servants, but it will not be just to do it. The Legislature might, it is true, increase your taxes, and thus alleviate the evils by removing some of their causes; but the effect would be temporary only, and were it otherwise, they have given the clearest proof that this would be an unwelcome remedy, by declining for two years and more to apply it. You can perceive how ineffectual it would certainly be as a relief to any, whilst it would be ungenerous to some sections and unjust to others. Those counties who pay revenues beyond their expenses might unite in proposing a like partial remedy by requiring each county to pay its own members out of the county Treasury; but it is vain to discuss a proposition of this kind where two-thirds have a direct interest to oppose it. These however, and all other legislative action sanctioned by the sovereign will, would be temporizing expedients. The evil is a great one; its cause is the constitutional organization of the Legislature; the People alone can correct it.

True, there are \$117,000 dollars in the hands of the Treasurer which we have not reckoned in our preceding estimates because the sum has been set apart by law to accumulate as a School fund, and is subscribed to the new Bank by the President and Directors of that fund under the direction of our last General Assembly. True it is, likewise that the State owns Bank stock to a considerable amount diminished as it has been by a regular annual drain to supply these annual deficiencies. These stocks have been the means of creating false hopes in many respects. They who used them for that purpose, had good reason to believe, that no prudent State would permit her necessary expenses to exceed the ordinary revenue, and therefore, may be entirely acquitted of blame. But it has been said, with equal truth and force, that your affairs have "come to a crisis," when all your servants are bound to lay the truth as it is, before the people and leave the result to their patriotism and intelligence. Permit us, to give you some account of these funds, to shew (as we can without doubt,) that more than half the amount is already consumed by the thrifless course of public proceedings, and to demonstrate how soon the other half will follow it, unless there is some efficient reform:

The State owns 2768 shares of Stock in the State Bank, which this Bank is now dividing among the proprietors. The Stockholders valued it by authority of law, at \$80 per share; but the State received \$50 upon the share at the 1st division of Capital. It is expended—not re-invested. Hence, the residue of Stock will be \$30 per share, or	\$83,040*
The State owns 1818 shares of Stock in the Bank of Newbern, in the same condition—valued by the Stockholders at \$65 per share, (worth \$70,) but the State received last year, at 1st dividend thereof, \$20 on the share.—The former is expended, not re-invested—the latter is included in the preceding estimates. Hence, there is a residue of Stock in the Bank of Newbern, equal to \$25 on the share, or	\$45,450
The aggregate of these two values of Stock, is	\$128,490
But there is a deficiency already shown of	\$13,233
There are about \$70,000 Treasury notes redeemable at the Treasury, (including 10,000 which we have understood are redeemed and burned, but which come into next year's Treasury Report) which notes were issued to pay for the Bank Stocks,	70,000
The Legislature have directed the whole Statute Laws to be digested for publication, and, at a very moderate estimate, it will cost \$10,000 more to publish them,	10,000
These, added together, will make	\$83,233

And being deducted from the above balance of \$128,490, the difference is the real amount of your State Bank & Newbern Bank Stocks, which will be on hand at their close, viz:

A sum barely sufficient to meet the ordinary revenue for two years; but which may not be received in time to answer that object for the present year.	\$85,527
We wish to put the whole case before you. The State owns also \$200,000 worth of Stock in the Bank of Cape Fear not taken into view by us, because the charter of that institution is extended, and therefore the Stock cannot be used unless it is sold to meet the wants of the Government, and gradually consumed by the same operations that have wasted the other Stocks. This Stock is all that will be left in a few years, (with the addition of a few Bank shares belonging to the School Fund) of the Capital and profits derived by the State from Bank Dividends and taxes and bonus, for charters. The amount of these profits is thus stated in the official report of a Committee raised by the Legislature of 1832, viz:	

\* Since this Address was prepared, the State Bank has declared a 2d Dividend of Capital, by which the State receives \$20 per share the present year; but this can make no difference in the general result of these calculations, however it may relieve the present necessity of our Treasury.

Dividends of profits to 1832, from the three Banks,	\$860,000
Taxes paid by the Bank of Newbern & Cape Fear, 1832,	240,000
Bonus paid by ditto ditto	36,000
Together, equal to	\$1,136,000

But, besides this, the State owned \$125,000 in government stocks, which the economy of earlier days had provided, & which were invested in these Banks, and it is sunk with the rest. Mark it! Here are one million and a quarter reduced to one-fifth of that sum, and though the latter is diminishing every year, by the necessary expenses of the Government—by the expensiveness of legislation—you will be urged to withhold the instructions, by which alone, this can be effectually checked. Fellow Citizens, will you listen to the counsels of mere sectional party spirit under such circumstances! Or will you heed the calls of sacred justice, and enlighten patriotism, seconded as they are, by the warnings of self-interest? Let not passion, nor prejudice answer the enquiry.

This subjects presents a forcible appeal to such among you as desire to see the State embark upon a scheme of Internal Improvements, suited to her necessities, and calculated to elevate her character. Were a loan taken by the State, sufficient to commence operations in such a work, the funds must be under the control of a Government whose necessary expenses exceed the ordinary revenue \$15,000 per year, and who does not know, that the system would be a "scape goat" to the sin of all other expenditures, and become odious? Would the people at large be taught to discriminate when it is notorious that few among you possess or have sought after any knowledge of our finances for many years? Depend upon it, you will never command money for the expenditure, or enterprise to pursue a system of great public works, if you are to rely upon an increase of taxes equal to the present deficiency of revenue for governmental purposes, added to the enlarged demand on it for the interest of a State debt. Far be it from us, to damp the ardor of patriotism in the pursuit of an object so worthy of the State, so necessary to her prosperity and her character. But these are not times for concealing facts. The occasion requires of us to state without fear what we believe to be true. If, however, the State expenses can be diminished by a judicious reform, and harmony restored to her counsels, then the proceeds of your Western Lands when disposed of, and your remnant of Stocks, will leave you the means to meet the interest of a loan for Improvements, and there cannot be a doubt of success, unless North Carolina is destined to occupy in history the chapter of exceptions forever.

Tedious as we have been on this point, we feel constrained to add, that the expensiveness of your Legislature, is not the only objection to its present organization. At an early period of our history as a State, the annual meeting of your Representatives was perhaps wise and necessary; but now, it afflicts the country by too much legislation; it engenders two evils where it corrects one. The statute book is laden with laws which three men were permitted by courtesy to pass for the county represented by them, without debate among the rest of your representatives, merely because they were local. Unless some prudent check is applied, a few more years will give each county a code of its own. Local legislation "has increased, is increasing, and ought to be diminished." We may be deceived, but we think it proceeds from County representation in both branches of the Legislature. The people are not informed of the acts of one Assembly, before another Assembly has met and may have repealed or modified them. They are never able to test the sagacity of their Representatives by the results of experience, under the laws they have been the instruments for making, before a new election. Even the Sheriffs of the State, are not unfrequently ignorant of material alterations made in the laws for collecting the revenue, until after they have incurred the forfeiture of neglecting their provisions. These, we confidently assert, are some of the legitimate fruits of annual Legislatures.

### III.

We have anticipated, by the preceding remarks, the statement of that basis of representation which is demanded, and the reduction of members, which is proposed. If there be any more just and republican standard, let it be offered. It is to regulate the scale of representation according to Taxes and Population. It is not proposed by any, that your representation should be based on either of these separately. Such charges, are the pretenses of a prejudiced opposition to reform. Let to meet in a spirit of conciliation, even the prejudices, and to accommodate the habits and views of the minority, the majority, who ask this measure of justice, have pledged themselves, that each County, no matter how small its population or taxes, must have the elect of one member, whatever the ratio which is fixed on. It is no other than strict equality required of them, but we do not believe that any human power will