REMARKS OF MR. THOMAS,
OF HAYWOOD.

Delivered in the Senate of North Carolina, on the bill for the relief of purchasers of Cherokee lands and to secure debts due to the State.

MR. SPEAKER: It is well known that unless upon questions in which my constituents are interested, I am not in the habit of consuming the time of the Senate; but the bill for the relief of purchasers of Cherokee lands being one in which they are deeply interested, I am under the necessity of asking the indulgence of the Senate, while I make an explanation of the bill and amendment proposed by the Senator from Rutherford.

The relief bill provides for the appointment of three Commissioners by the Governor, who are required to take and subscribe an oath to value the lands *fairly* and *impartially* between the *purchasers* and the *State*, according to the provision of this act.

While the Commissioners are not restricted by the bill from placing a higher estimate on the lands than they sold for in 1838, they are prohibited by the 2d section of the bill from valuing any lands lower than the minimum price placed upon them by the act of 1836, under which they were sold. By that act the Cherokee lands were divided into five classes: the 5th quality was priced at 20 cents, 4th quality at 50 cts, 3d quality at $1,00, 2d quality at $2,00, and the 1st quality at $4,00 per acre. Is this not a sufficient guarantee, that the Commissioners will not value the land too low, while there is no provision in the bill to prevent their valueing them too high?

The public lands of this State were not acquired by purchase, but by *conquest*, and in that conquest, the ancestors of the people of my district contributed their full share. After the close of the Revolutionary war, by which those lands were acquired, a large number of the soldiers engaged in that struggle for freedom, being paid off in continental money which was valueless, and being destitute of homes, became the pioneers of the West. The first policy of the State in the disposition of her public domain was founded in a spirit of liberality. The lands east of the Alleghany range of mountains, including the lands now occupied by the constituents of the Senators from Burke and Rutherford, much superior to the lands in Cherokee County, were disposed of at from five to ten cents per acre, and a part of the purchasers were allowed to make payment in deer skins.

This liberal policy to settlers continued west of the Alleghany range of mountains, until the lands were sold in Haywood and Macon counties under the act of 1820. Under that act a new policy was adopted, and the State commenced a system of speculation upon the citizens of those counties. The pioneers, instead of being permitted to purchase their homes at from five to ten cents per acre, were compelled to pay from fifty cents to four dollars per acre, and as much more as bidders could be found to offer, without pre-emption rights to protect them against foreign competition; and they were compelled to purchase their own improvements, which added fifty per cent to the value of the lands, or lose their labor.

Under this policy of the State, a large number of the settlers on the public lands were deprived of their homes, and compelled to remove farther west.

Under the Cherokee treaty of 1828, the United States were to pay the Cherokee's, who emigrated west, for their improvements abandoned. The agent of the United States invited whites to move into the county of Cherokee and settle there. A large number of the pioneers who had been deprived of their homes in the counties of Macon and Haywood, moved in and settled those improvements. To effect their removal they had to pass over high mountains along Indian trails which wound round ravines and precipices through a wilderness thirty miles in extent, subjecting themselves and families to dangers and hardships that none but the Indian or hardy pioneer would have encountered. This emigration principally took place in 1832–'3. They made new improvements, and enlarged those left by the Indians, and packed their supplies either from Macon county or the State of Tennessee. In the year 1835, a treaty was concluded with the Cherokees of Georgia, who had been deprived of their laws and dispossessed of their lands by that State. By this treaty thus made, the cession of the lands occupied by the Cherokees in North Carolina held under a grant from the State, was claimed to have been ceded without their knowledge or consent. As might have been expected they manifested great opposition to the treaty, and it became necessary for the United States to send into the country a large number of troops to coerce the Indians to remove.

This created a demand for provisions far beyond the supply; corn advanced to $1,50 per bushel and everything else in proportion; money became abundant, and the sellers, anxious to retain their homes, bid as high as they were able to pay the one eighth, required to be paid down at the sale of 1838. The aggregate quantity sold was 190,440 acres, which according to the prices fixed thereon by the State, as the minimum price which she was willing to take for those lands, amounted to $86,031 45; whereas under the circumstances stated they sold for $332,591 93, being $246,560 48, more than the State's valuation. Of this sum $46,450 75 was paid down, which added to subsequent payments the State has already received for those lands, $187,656 22, being more than double the amount the State was willing to take for these lands. The United States troops having completed the removal of the Indians except such individuals as remained and became subject to the laws of the State, as provided for in the 12th article of the treaty, removed with the Indians west in the early part of 1839. On the removal of the troops the price of produce depreciated—corn that had commanded $1 25 per bushel, fell to 25 cents. The money paid for the lands being expended in the eastern portion of the State, the country was almost entirely deprived of a circulating medium. In 1844, many of the purchasers finding that they were unable to pay for their lands, petitioned the Legislature to permit them to surrender them with the improvements to the State, and release them from the payment of their bonds.

This led to the passage of the act of 1845, which authorized the surrender to be made. By the subsequent act of 1846–'7, Commissioners were appointed to value the lands which had been surrendered, and the purchasers were allowed to cancel their bonds and take them up by giving new bonds with approved security at the valuation.

The bill now under consideration is intended to extend the same relief to the remainder of the purchasers. A bill similar to the present was introduced at last session, passed the Senate by a vote of near two thirds and failed in the House of Commons, in consequence of an amendment placed on the bill, to refund to purchasers who had paid for their lands.

At the same session a bill was introduced into the Senate transferring all the Cherokee bonds and lands to the use of constructing a Turnpike road from the Georgia line, in the County of Cherokee, to Salisbury. At the time that bill was under consideration in the Senate, it was particularly stated by the Senator from Buncombe and myself, that the amount of the bonds, though nominally large, was only expected to be made available for the use of the road by the passage of the relief bill, and it was only the sum that remained after a new assessment, that was intended to be transferred to the use of the road.

This measure of relief is not only recommended by every principle of equity and equal legislation, but it has received the recommendations of Governor Reid and his predecessor, Governor Manly. The latter, in his Mesaage to the General Assembly of the 18th of November, upon the subject of the Western Turnpike and Cherokee lands, says: "Among the funds appropriated and pledged for the making of this Road, are all the debts now due to the State for the sales of Cherokee lands. It will be remembered that at the time when these sales were made a spirit of adventure and speculation that pervaded the United States, had been awakened with many in the purchase of these lands, while others, stimulated with a desire to retain their humble dwellings and improvements, entered also into the competition of bidders, and the land sold, in some instances for ten-fold—in all, for prices far beyond its value. While the public domain of the State had been granted, under the entry laws, at five cents per acre to others, these lands have sold at from three to thirty dollars per acre.

Impressed with a knowledge of these facts, the Legislature has from time to time granted indulgence in the collection of these debts. In the year 1844, an act was passed establishing a Board of Auditors to enquire and make report as to solvent and insolvent purchasers, and allowing those who were found to be unable to pay, to surrender their lands to the State, directing their bonds to be cancelled and delivered up, although the sureties in said bonds might be good. By virtue of this act, a large amount of these bonds were returned to the purchasers, and they were released from their contracts. In the year of 1846, another act was passed, for the relief of the same class of debtors, by which they were allowed the right of pre-emption of said lands at the fair cash valuation assessed by said Board of Auditors. Why this discrimination between purchasers? * * *

In my judgment it is the true policy of the State not to oppress any of her citizens. * * * Establish, then, a new Board of Auditors, who shall assess the fair cash valuation of the residue of the lands, and allow all purchaser's to retain them at that valuation and be releived of the excess.

By this course you will secure the speedy settlement of this protracted indebtedness and long vexed subject; grant relief to an oppressed but patriotic people, and attach good citizens to the State; while by the contrary exacting process, you ruin many, and compel others, in order to save something from the general wreck, to abandon their homes, to quit the State, and leave nothing at last for the satisfaction of their indebtedness but the intrinsic value of the land itself.

I commend this subject to the generous and equitable consideration of the Legislature."

Gov. Reid has followed this recommendation of his predecessor by making a similar recommendation.

The amendments offered by the Senator from Burke which have been voted down, if adopted would only have defeated the relief bill, but the amendment now offered by the Senator from Rutherford, if adopted, will not only defeat the relief bill, but prevent the construction of any portion of the Western Turnpike. The amendment proposes the repeal of the act of last session which authorizes the construction of that road, and transfers back to the Treasury all the Cherokee bonds and lands pledged for that use to pay debts created for the purpose of constructing improvements in other portions of the State, and as an argument against the bill and in favor of his amendment, he has informed the Senate "that the lands in Cherokee are worth every dollar they sold for, and that the *Western Turnpike* is a *great humbug*." As a proof that the Senator is not a very good judge of the value of land, or is mistaken in the value of lands in the county of Cherokee, upwards of thirty tracts which were valued by the Board of Commissioners for less than one half of what was due for them under the sales of 1838, have not been taken up, no person being found willing to pay the price placed upon them by the Commissioners. This proves that the former Board of Commissioners valued the lands full high enough, and that the price they sold for in 1838, was more than double their real value.

Under these circumstances, if you reject the bill, can the State recover more than the lands are worth? The purchasers have fourteen years to make payment. A large portion of the original purchasers have paid their debts to the State by removing to the far West, and settling in States where a more liberal policy prevails, and have conveyed their interests to others, not bound to the State; and if this bill be rejected with a few exceptions, the remainder of the purchasers will follow their example, and the State will then be compelled to sell the land after the improvements fall into decay, and can she sell it for more than its present value? I contend that it is the interest of the State to pass the bill, for the following reasons:

1st. It secures the value of the land.

2d. It secures payment in four instead of fourteen years.

3d. It will subject all the lands in Cherokee held under certificates to the payment of taxes. The land tax of Cherokee county is only at present about $14; that county has for many years been a tax on the Treasury.

By the passage of this bill and one granting pre-emption rights to settlers on the public lands, the Treasury will be relieved from that tax, and the Turnpike road will be completed, and the profits of it, which belongs to the State will be paid into the Treasury ten years sooner than it otherwise would be. At the lowest calculation, the profits of the road would not likely fall below $5,000 annually, which in the ten years would be an income to the Treasury of $50,000.

But the Senator from Rutherford has informed the Senate that the *Western Turnpike* is a *great humbug*. The Senator's opinion of that road seems to have undergone a considerable change since last session. Then he considered the location of the road through *Burke* instead of *Rutherford*, a sufficient cause to induce him to aid in killing off a Whig Governor; now the road itself, he would have the Senate believe, is a *humbug*, and that the people residing in the country through which it is intended to pass, don't want it. I am not able to state what is the desire of the people on this side of the Alleghany range of Mountains, but on the other side I can assure the Senate they do want it. My constituents are probably more deeply interested in that improvement than any other portion of the West. They reside West of the Alleghany range of Mountains, and look to the completion of that road to enable them to get into the State, principally on this side of the Mountains, and to enable them to obtain stage accommodation. Notwithstanding a portion of the district I represent has been settled more than a half a century, there never has been a road in the district suitable for a stage to travel, and a public stage has never made a track in it. This, too, a district settled by citizens who have paid more money into the Treasury for their lands than all the balance of the public lands of the State, put together! In conclusion, the amendment proposed by the Senator from Rutherford is the more remarkable, because it comes from the West—from one of the members desirous to change the basis of representation—to increase the power of the West, to obtain liberal legislation for works of internal improvements, and a more equal distribution of the school fund. If the proposed amendment be a fair specimen of the liberality that is, when the West gets the power, to be dealt out to my constituents, I am inclined to believe that they are not much interested in changing the basis of representation to increase that power; and if the amendments proposed by the Senators from Burke and Rutherford are to be regarded as coming from friends of the bill, my constituents will have a right to exclaim, save us from such friends, and we will take care of our enemies.

AGRICULTURAL AND GEOLOGICAL SURVEY OF NORTH CAROLINA. A praiseworthy thing on the part of the General Assembly at the late session was the passage of an Act providing for a general Agricultural, Geological, Mineralogical, and Botanical survey of the State. The provisions of the law are very liberal. The Governor is empowered to appoint some scientific man, whose duty it shall be, either by himself, or through assistants which he is authorised to employ, either one or more, to visit every county in the State, and examine every thing of interest or value in either of the above departments—to ascertain the nature and character of its products—the nature and character of its soil, as well as an account of its minerals. The whole expenditures of the survey are not to exceed $5,000 per annum; disbursements to be made under the supervision of the Governor and Literary Board, and the survey also to be conducted under their supervision. The gentleman appointed to conduct the survey is to have liberty to deliver lectures in such places as he may find it convenient, for the purpose of exciting attention to the subjects connected with the survey. We look upon this action of the Legislature as highly important, as providing for a systematic plan to develop to the view of our people and the world the yet unknown resources of North Carolina. Years ago we advocated the adoption of a measure like this. *Wilmington Chron.*

GOVERNOR REID. Governor Reid has a deeper hold upon the affections of the people of North Carolina, at this time, than any Governor ever had at any time, who has preceded him. The recommendations contained in his Message to the Legislature were good and wholesome, and both Whigs and Democrats were compelled to adopt them. They suited us to a T.

Governor Reid deserves, and will receive, the lasting gratitude of every free white man in North Carolina, for originating, advocating, defending, and carrying through Equal Suffrage, which gives them the right to vote for members of the Senate. Again; and though he be a Western man, the people of the East love Governor Reid for his recommendation to the Legislature, to let the law dividing the School Fund according to *Federal population* remain as it is, and not change and divide it according to the *white basis*, as recommended to the Legislature by Governor Manly.

The people of the whole State love Governor Reid for what he has already done, and for what they have every assurance to believe he will do, so long as he presides in the Gubernatorial chair of North Carolina. He is devoted to his native State, and will do nothing himself, or suffer it to be done by others, that is not for the good of her citizens. Long may he live to receive and enjoy the smiles of his fellow-citizens. *Halifax Republican.*

"THE LONDON TIMES ON AMERICA."

The London Times has some interesting comments on the speeches of Mr. Webster and Sir Henry Bulwer, at the recent anniversary dinner of the New Englanders in New York, from which we make the following extract:

"That the Americans owe to their ancient stock the qualities which enable them to found and preserve their system of Commonwealths, is a fact which they may acknowledge without disparagement of their intrinsic powers. They carried with them across the ocean, not only the forms of good government, but the principles of good citizenship. They never built upon political theories, or affected any change except upon sound reasons and by sober means. They did not substitute a Republic for a Monarchy in deference to any imaginary code of rights antecedent to recorded laws, but when, in pursuance of settled convictions, they had reluctantly renounced all allegiance, they made the best provisions in their power for administering the Government themselves. Little was changed beyond the form of the Executive. They devised no new relations between man and man, nor did they deem themselves competent to recast the frame of civil society. They retained every institution and practice which could be accommodated to a Congress, instead of a King. Far from extemporising new laws, they preserved, in their reverence, even the least desirable attributes of the old, and have only just now reformed their system of procedure when we, the older brethren, are confessing a like necessity, and acknowledging the goodness of their example.

These were the principles which preserved them. Amid a variety of temptations, apparently infinite when viewed from this side of the Atlantic, but perhaps less serious when more closely contemplated, they have always acknowledged that private opinions must yield to the recorded will of society at large, and that no community can maintain a political existence where every citizen claims the right of promoting by violence his own speculative conceits.

We believe Mr. Webster was substantially justified in treating as already exploded, the recent agitation for the dissolution of the Federal Union. There is, indeed, something so unprecedented in this enormous aggregation of States and Territories, that it is impossible to arrive at any probable conclusion respecting the future destinies of America. The weights on the two seaboards are now so immense that the Constitutional fabric must needs be exposed to severance from its own gravitation alone. The thirteen States of the Union have already become one-and-thirty, if not more, for they increase as we write, and there is space and verge enough for converting the number into a hundred.

It is beyond all human power to calculate the prospects of a government to which one continent supplies territory and another population. What California is to America, America is to the whole world. No example has ever yet been seen of such a mighty and interminable conflux of people. Ireland alone supplies yearly to this extraordinary State the population of a first class city. San Francisco has increased more in two years than Brighton in fifty. The treasure of the new territory has attracted immigrants in equal numbers from the two proverbial extremes of the world—from China and Peru; and yet by some wonderful process the system of the Union appears to absorb and assimilate to its constitution these various and conflicting elements. No speculator can prognosticate the end of such a prodigious experiment, or prophecy the eventful decisions of a chamber in which the delegates of California and New Mexico will meet the representatives of Florida and Maine. But this much we may at least say, that the American Union is now discharging a providential part in the progress of the world, and that if the possible modifications of its political constitution are but effected in obedience to the principles which have hitherto maintained it, there can be no reason why either America or England need look with apprehension to the result."

COL. BENTON'S FUTURE PLANS AND PROSPECTS. The defeat of the Hon. Thomas H. Benton, by the election of a whig to his seat in the Senate, for six years from and after the 4th of March next, very naturally raises the question, what will he do? It has been supposed that he will forthwith set to work for the chances of the scrub race in 1852. By private and public information from Washington, upon which we can rely, we understand that, in no event, and under no contingencies, will he consent to run, either as the canidate of a party, or of a section, or faction, or as an independent candidate for the presidency. Upon this point, we understand, Col. Benton has expressed himself conclusively and decisively. But we are also given to understand, that with regard to running at the next election as a candidate for the House from the St. Louis district, he leaves the question entirely in the hands of his friends; but that he may be expected to be on hand when the next election for the Senate shall come off in the Missouri Legislature. Mr. Atchison, who has been the leader of the anti-Benton party, will therefore be reduced to the defensive in securing a re-election. Meantime, it is understood Col. Benton will amuse himself by a compilation of his speeches in the Senate, of the last thirty years, with such explanatory notes as shall give us an inside view of the politics of the country for that long period. When finished, it will no doubt be a very curious and interesting book. It remains to be seen, however, whether Martin Van Buren, or Charles Francis Adams, or Thomas H. Benton, or Thomas Ewing, or W. H. Seward, shall be the Buffalo candidate for 1852. The good time is coming. Let us watch and pray.

New York Herald.

FREE SUFFRAGE. It will be seen that the Free Suffrage bill has passed the Senate, and that its success is consummated, so far as the Legislature of '50–51 could effect it. It now only remains for the people to pass upon it, and to be ratified by the next session of the Legislature, when it will become a constitutional fixed fact.

The people can rejoice that they have achieved a victory over the Whig politicians of the State, who did all their wit and trickery suggested, combined with all the schemes of *cancus* jugglery to defeat the passage of this the people's favorite measure. When these scheming *Whigs* found it likely to pass, they *pretended* to be in favor of a Convention to accomplish the same thing. This was nothing but a vile project to defeat Free Suffrage, as they knew the people would not be in favor of a Convention just now. Rayner tried the same scheme two years ago, and exulted because he thereby scared some of the timid off. The present Legislature was to strongly Democratic, and the wily gentleman and his foxey coadjutors were made to exhibit their hand, and 'lost on the bluff.'

Two years ago we battled for this measure against large odds in the press. We voted for Mr. Reid, its able and successful champion recently. We congratulate the people, ourself, and the new Governor, that so soon after he has taken his seat, he sees the constitutional fulfilment of what he so nobly contended for, and that too in a mode popular with himself and friends, and provided for *in the Constitution* for the express purpose of avoiding too frequent repetitions of Conventions, with all their attendant evils of political fraud, expense and electioneering chicanery.

It is a triumph of Democracy—the people—over scheming, ambitious, selfish, designing politicians—the Whig leaders. *Hornet's Nest.*

KENDALL'S MEXICAN BATTLES. We had the pleasure to-day of inspecting the beautiful work by George Wilkins Kendall, of New Orleans, on which he has been engaged for the last three years in Paris. It is entitled "The War between the United States and Mexico, Illustrated; embracing pictorial drawings of the principal conflicts, by Carl Nobel. With a description of each battle, by G. W. Kendall, New York: C. Appleton & Co." The letter-press is in imperial folio, double colums, printed in Paris from beautiful type on the finest paper. The plates are twelve in number, drawn on stone, and colored by hand in a style that we have never seen excelled. The views of the battles of Buena Vista, Churubusco, Chapultepec, and the entrance into Mexico, are especially admirable. These views were drawn on the spot by the artist, who was with Mr. Kendall in the Mexican campaign. We doubt if the battles of any country have been more faithfully and artistically presented to the eye by the pencil. A copy of this splendid work may be seen at the bookstores in this city. *Washington Republic.*

Melancthon was reproached by some one with changing his views upon a certain subject. He replied: "Do you think, sir, that I have been studying assidously for thirty years without having learned anything?"

[Reported for the Baltimore Sun.]

CONGRESS.

WASHINGTON, Feb. 1, 1851.

SENATE. The chair laid before the Senate a communication from the War Department, enclosing a report of Lt. Whipple's expedition from San Diego to the Colorado.

Messrs. Seward, Clay, and Dayton presented petitions praying a modification of the tariff of 1846.

Mr. Hunter submitted the following resolution, which was agreed to:

Resolved, That the committee on finance be instructed to inquire into the expediency of coining dollars, half dollars and quarter dollars, to be composed of gold and silver in the proportion of equal values, according to the relative standard between the two metals, as now fixed by law.

Mr. Holmes' resolution, calling for copies of all correspondence between the United States and Spain in relation to the Spanish claims arising out of the Armistad case, was taken up and adopted.

The Senate then proceeded to the consideration of executive business, and after some time the doors were re-opened.

A message was received from the House announcing the death of the Hon. David S. Kaufman, of Texas.

Mr. Rusk said that his acquaintance with the early history of the deceased was slight. He was born in Cumberland county, Pa., in the year 1812, and was educated at Nassau, New Jersey. They became acquainted in Texas during the struggle for independence. Mr. Kaufman was repeatedly elected to the Texas Congress, both as representative and senator, and was for two years speaker of the House. He was, after the annexation of Texas, twice chosen to the U. S. House of Representatives. He not only served Texas well and faithfully in his various civil trusts, but also in the field. He leaves an interesting family to deplore his sudden summons.

He submitted the usual resolutions, which were agreed to, and the Senate adjourned.

HOUSE OF REPRESENTATIVES. The House was opened as usual with prayer by the Chaplain—the Rev. Mr. Gurley—who, in a feeling manner, alluded to an afflicting dispensation of Providence, by which the House had been deprived of the services of one of its members; and who besought the Almighty that the event might make a suitable impression on all present, and that the bereavement might be sanctified to the surviving family and relatives of the deceased.

Some time elapsed after the conclusion of this prayer before any business was transacted; and the Speaker did not take the chair until twenty-five minutes before one o'clock.

Immediately after the Journal was read, Mr. Howard, from Texas, rose and announced the demise of the Hon. David S. Kaufman, the other Representative from that State, who, he said, on the preceding day, was in the Hall of Representatives, apparently in robust and vigorous health; but who, within three or four hours afterwards, was struck down by the hand of death.

Soon after leaving the House, at a little before 3 o'clock, Mr. Kaufman felt unwell; he retired to bed, and soon after unexpectedly breathed his last, in the midst of his family, almost without a struggle, about five o'clock in the afternoon, of a disease of the heart.

His late colleague, he said, was born in Cumberland in 1812, and graduated at Princeton college in 1823, where he distinguished himself; not long after which, he finished his studies in Mississippi. In 1835 he settled in Louisiana, and succeeded in his profession, although surrounded by older members of the bar. In 1827 he emigrated to Texas, and in 1828 had so far succeeded there, that he was twice elected a member of the Congress, and twice chosen its speaker; the duties of which few persons were better qualified to perform. In 1843 he drew up a report in favor of the annexation of Texas to the United States; and after the occurrence of that event, became one of the first members in Congress from that State, and such he had continued, down to the hour of his death; and no representative, he repeated, could be more zealous to the performance of his duty, or more careful to transact the business committed to his care. In his social qualities he was kind—he was a good neighbor, and was always willing to advance those who merited and sought his assistance.

Mr. Howard concluded by saying that the grief of the surviving relatives of his deceased colleague he should not attempt to portray, and briefly alluded to the effect which this new lesson of the uncertainty of life should produce in the minds of all who heard him. When we see an aged man, he said, struck down by death, all feel that he has fulfilled his mission, and, in the fullness of time, had met his destiny; but when a comparatively young man is thus suddenly taken away, in the full promise of future usefulness, there remains not the same consolation, and it remained only to submit, with resignation, to the dispensation of that Providence who doeth all things well, and whose system of divine government is perfect and complete.

The clerk then read the usual resolutions, tendering the sympathies of the House to the relatives of the deceased—that members wear crape during thirty days; that they attend the funeral of the deceased, which will take place from the Hall of Representatives on Monday next, at 12 o'clock; that a committee make the necessary arrangements to carry into effect the resolution of the House; that the Senate be invited to attend the funeral obsequies, and that the House adjourn.

Mr. Morse, of Louisiana, followed. The late member from Texas, he said, was formerly an inhabtant of the district which he represented, and was then one of his constituents; and those whom he represented would not pardon him if he did not express their feelings, as well as his own, on the present occasion. He alluded to the public relations in which Mr. Kaufman and himself, as well as his constituents had stood, and alluded to the sudden and unexpected nature of his death, to which no member of the House, twenty-four hours before, appeared less liable than the deceased. His concluding remarks were almost inaudible, evidently arising from emotion.

Mr. McLanahan felt called upon as the representative of the county of Cumberland, to bear testimony to the high character of the deceased, with whom a personal acquaintance commenced on his entering Congress, and whose success in life illustrated the superiority of the institutions of his native country; whom no discouragement could daunt, and who manfully met and overcome every difficulty.

Mr. McClernand, of Illinois, alluded to his acquaintance with Mr. Kaufman for a long period, and whom he had always known as an honorable man and accomplished gentleman. He came to the halls of Congress, he said, at a time of angry political contests, and the scrutinising eyes of every observer were fixed upon him.

The part he had to perform, he manfully met and nobly sustained, thus adding to his own reputation and conferring benefit on the State which he represented, and which with their common country will feel his loss; but more than all, it would be felt by an afflicted family, to whom he could only offer the condolence of a sympathizing friend.

The Speaker then took the question, and the House adjourned.

A pamphlet has been handed to the members of the House, and which he found on the reporters' table, "requesting the passage of a bill declaring New Mexico one of the United States, upon certain conditions." It is from the pen of R. H. Weightman, Esq., Senator elect, from whom it appears Mr. Messervy, the Representative elect, differs as to making New Mexico a State, and who thinks that a "bill providing a territorial government for the people, is better suited to their wants and conditions."

The democracy of New Hampshire are involved in trouble. Mr. Atwood had been nominated in convention their candidate for governor. He was sure of his election by several thousand majority; but, unfortunately, in an evil hour, he suffered himself to be tampered with by the free-soilers, and committed himself in a letter against the fugitive law, &c. No subseqent explanations could clear his skirts of that correspondence; and though he has written three letters upon the subject, yet the more he attempted to explain it away, the deeper he sank in the morass—the greater was his embarrassment. The consequence is that he has lost thousands of his supporters, and will in all probability be defeated. There is no time to hold another convention to make another nomination—the election taking place during the next month; and the Newport Argus has come out to recommend as the democratic candidate the present governor, Mr. Dinsmore. If there be time, enough to concentrate the popular vote upon him, Mr. D. may be re-elected. *Wash. Union.*

REMARKS OF MR. BOWER,
OF ASHE,

Delivered in the Senate of North Carolina, on the bill providing for the call of a Convention.

Mr. Bower said he felt it to be his duty to make a few remarks on the measure under consideration. He had been, from the first, a firm friend to the principle of Equal Suffrage; and he had rejoiced greatly at the recent passage of the bill through the two Houses, which, he could have no doubt, would become in due course of time, a part of the State Constitution. He could see no good reason now either for calling a Convention, or for submitting it to the people at the polls to say whether they would have a Convention or not. He knew of no considerable portion of the people in any portion of the State, who had signified a wish for a Convention; indeed, he had not heard the question discussed at all during the late campaign. His constituents desired Equal Suffrage by legislative enactment and according to the forms of the Constitution; and since he had been here he had received several letters from his constituents, requesting him to press this measure of Equal Suffrage by legislative enactment, and stating that there was no need of a Convention, and that such a thing was not really desired by his constituents.

Mr. Bower said that as gentlemen, during this discussion, had spoken with much warmth against amending the Constitution by legislative enactment, he would take occasion to allude to the opinions in connection with this subject of a gentleman who was acknowledged on all sides to be high authority in questions of this character.

He said that, in conversation with Judge Gaston in 1835, at the time the present Constitution was revised, the former remarked that decidedly the safest and wisest plan for amending that instrument for the future would be by legislative enactment, and by separate bills. If no provision of this sort had been inserted in the Constitution, the repose of the State might have been constantly interrupted by calls for a Convention to carry out some popular or desirable reform; and then, if a Convention had been called, for the purpose of giving effect to some one popular measure, other measures of a doubtful tendency might be incorporated, and the people would have to take the good measure and the doubtful ones together, or reject them all. By the Constitution, as amended, an amendment could be passed, *in a separate bill*, by three-fifths of all the members of the two Houses—passed again by two-thirds of the succeeding Legislature, and then, after receiving the ratification of the people at the polle, the amendment thus proposed in a separate bill would become a part of the Constitution. In this way the Constitution could be amended, proposition by proposition, according to its own provisions; and the people would not be put to the necessity of accepting a number of amendments—some of which they might desire, and others which they might not wish—or of rejecting all. In this way, also, the expense and excitement which must attend a Convention, would be avoided; and a Convention would not be called, in all probability, for a century to come, and then only when a total revision and re-modelling of existing forms should be deemed indispensable. These, continued Mr. Bower, are the opinions of William Gaston, one of our wisest public men, who filled a large space in the Convention of 1835, and who, as much as any other man, aided in revising and amending the present Constitution.

Mr. Bower said that in voting against the present bill he did what he considered it his duty to do as a Senator, and he was satisfied his conduct would meet the approbation of his constituents. Equal Suffrage was now on the high road to success. That was what his constituents desired, and he did not think the people wished a Convention at this time, for any new measure that might be named. He was for Equal Suffrage, and for adhering in good faith to all the compromises of the State Constitution.

Important to MILLERS & MILL OWNERS!

THE Undersigned would respectfully inform those engaged in the Milling Business in N. C., that he keeps constantly on hand, and will supply at the shortest notice, that almost invaluable article

YOUNG'S IMPROVED PATENT SMUT AND SCREENING MACHINE.

The only Machine of the kind that has stood the *test* and given satisfaction to the public. It has surplanted every Smut Machine yet offered in the State, more or less of which has been taken down to make room for it. The public need fear no imposition, as there are now some 280 Machines running in N. C.; and I wish to offer no other references than the gentlemen who are using them, whose expectations have been more than realized in their performance. It not only thoroughly cleanses the Wheat of smut, but also purifies it of all other substances, almost to perfection. It takes up but 4 feet square in the Mill, and requires but little power. It is warranted for five years against breaking or wearing out, and also to retain its cleaning qualities for that time.

There are a number of these Machines through which 100,000 bushels of Wheat have been cleaned, and they have never been out of order one day.

There was awarded to it the Premium at the Maryland State Fair, and a Premium with a Silver Medal, at the Fair of the Maryland Institute, at Baltimore, last Fall.

Address the Subscriber at South Lowell Mills, Orange county, N. C. JNO. A. McMANNEN.

December 21, 1850. 15—tf.

PLANK ROAD NOTICE.

BOOKS of Subscription to the Greenville and Raleigh Plank Road Company will be opened on the 1st day of January next, and remain open thirty days at the ollowing places, vix:

At Washington, under the direction of John Myers, B. F. Havens, James E. Hoyt, B. F. Hanks and Joseph Potts.

At Greenville, under the direction of Gould Hoyt, Charles Green, Edwin H. Golett, Wm. Bernard, Sr., and Henry Bell.

At the town of Wilson, under the direction of Jonathan Rountree, John Farmer and Barron C. Watson.

At Eagle Rock, under the direction of T. R. Dedham Wm. H. Hood, and Needham Price.

At Raleigh, under the direction of Thomas D. Hogg, Vm. H. Jones and James T. Marriott.

Amount of shares $25. Two dollars on each share to be paid on subscribing.

JOHN MYERS,
JAMES E. HOYT,
JOSEPH POTTS,
BEN. F. HANKS,
B. H. HAVENS.

Washington, N. C., Jan. 4, 1851. 19—

HENRY GERHARDT,
MERCHANT TAILOR,
SMITHFIELD, Johnston Co., North Carolina.

THE subscriber would respectfully inform his friends and the public generally, that he has on hand a large and rich supply of

Cloths, Cassimeres, Vestings, and Trimmings

of all sorts; and that he is prepared to execute work in the best manner and at moderate prices.

He also has on hand a superior lot of

Ready-Made Clothing,

consisting of Cloaks, Overcoats, Business Coats, Vests, Pantaloons, lamb's wool Shirts, &c., which he will dispose of on the most accommodating terms.

He solicits a call from those in want of Clothing, as he is determined to give good bargains, and to do his work in the best and most approved style.

HENRY GERHARDT.

Smithfield, October 14th, 1850. 837–3m.

NOTICE.

THE Subscriber, as successor to Cooke and Buffaloe in the Livery business, will continue its opperations in all its branches at his Stable on Wilmington Street, and solicits the patronage of his old friends and the public generally.

His prices must be arranged agreeably to the prices of produce and labour, and will be from and after the 1st day of February next, as follows,

Pairs of horses per month	$18 00
Single do do	10 00
do do week	3 50
do do day	75

Quarterly settlements will be required in all instances, and persons having horses now in my care are requested to take them away immediately, if unwilling to comply with all the above conditions.

JERE. NIXON.

January 23, 1851. 24—

Business Coats.

100 MORE of those desirable Coats, just opened at the low price of $4 50.

E. L. HARDING & CO.

Raleigh, Nov. 15. 5—

NORTH CAROLINA
Mutual Life Insurance Company
RALEIGH, N. C.

THIS Company is now taking insurance on the lives of healthy persons and Slaves, at their established rates of premium. This being the only Life Insurance Company in the State, and working under a charter suited to the condition and circumstances of all, the Directors feel no hesitation in saying that it affords greater inducements for the insurance of lives than any other Company in the country.

The 5th Sec. of the Charter provides "That the husband may insure his own life, for the sole use and benefit of his wife or children, free from the claims of the representatives of the husband or any of his creditors."

It is conducted on the *mutual* plan, each person insured becoming a member thereof, and not liable beyond the amount of his premium.

Policies for $100 to $5000 will be issued on the life of a white person; and on Slaves for two-thirds their market value, for a term of from one to five years, as the owner may desire.

All losses of the Company are paid within 90 days after proof of loss is furnished. No California risks taken.

The business of the Company is conducted under the immediate supervision of

Dr. Chas. E. Johnson, President,
Wm. D. Haywood, Vice President,
James F. Jordan, Secretary,
Wm. H. Jones, Treasurer,
Perrin Busbee, Attorney,
Dr. Wm. H. McKee, Examining Physician.
J. Hersman, General Agent.

All Communications on business should be addressed post paid, to JAMES F. JORDAN, *Secretary.*

Nov. 1, 1850. 1—

NORTH CAROLINA
MUTUAL INSURANCE COMPANY,
RALEIGH, N. C.

THE following persons have been elected Directors and Officers of this Company for the present year

DIRECTORS.

Dr. Josiah O. Watson, Jos. G. B. Roulhac, Richard Smith, John Primrose, Henry D. Turner, S. W. Whiting, T. H. Selby, of Raleigh; Geo. McNeill, Fayetteville, Joshua G. Wright, Wilmington, Jas. E. Hoyt, Washington, James Sloan, Greensborough, Wm. Badham, Edenton, Joshua Boner, Salem, Joseph Pool, Elizabeth City, Michael Brown, Salisbury, Alexander Mitchell, Newbern, W. N. H. Smith, Murfreesborough, H. B. Williams, Charlotte, John B. Barrett, Milton, and A. T. Summy, Asheville.

All Directors are authorized to receive applications.

OFFICERS.

Josiah O. Watson, President,
J. G. B. Roulhac, Vice President,
Richard Smith, Treasurer,
J. C, Partridge, Secretary,
John H. Bryan, Attorney,
J. Hersman, General Agent.
S. W. Whiting, Richard Smith, John Primrose, } Executive Committee.

This Company is now in successful operation, and is prepared to effect insurance against fire on all kinds of property, (Steam Mills and Turpentine Distilleries excepted.)

All communications in reference to insurance should be addressed to the Secretary, post paid.

J. C. PARTRIDGE, Sec'y.

Raleigh, January 2, 1850. 793—

NEW BOOT AND SHOE STORE
WHOLESALE AND RETAIL,

THE undersigned, having formed a co-partnership, under the firm and style of

Wm R. Johnson & Co.,

for the purpose of conducting a Wholesale and Retail *Boot and Shoe* business in the City of Petersburg, will offer early in February a large and varied assortment of all articles usually embraced in the Shoe trade. They have taken the store on the east side of Sycamore Street, two doors below the house of Messrs. Paul & McIlwaine. Purchasing their goods for cash, they will be enabled to sell on the most accommodating terms to cash paying or punctual customers. They will also pay particular attention to the Wholesale Trade, and invite merchants and other wholesale dealers to examine their stock before buying elsewhere. They will also keep on hand an assortment of all articles in their line well suited to a retail custom, and respectfully solicit a call from their friends and the public generally.

WM. R. JOHNSON,
SAMUEL B. PAUL.

☞ Being in the employment of Messrs. William R Johnson & Co., I respectfully invite a call from my friends and former patrons. PETER W. ALFRIEND.

N. B. S. B. Paul continues to practice Law, and may be found at his Office over Messrs. Dunn & Spencer.

Petersburg, January 10, 1851. 21—2m.

OLIVER PHELPS, Jr.
ATTORNEY AND COUNSELLOR AT LAW,
Washington City, D. C.

PRACTICES in all the Courts of the District of Columbia, and adjacent Counties of Maryland and Virginia, attends promptly to private collections, and professionally business generally.

He has great facilities in prosecuting claims before Congress and the Exective Departments including claims for Bounty Lands, Pensions, Patents, Return Duties, and to the settlement of accounts of Public Officers, and agents of the Government.

Address as above post paid, office on Pennsylvania Avenue, between 4½ and 6 streets.

He has the pleasure of referring to His Excellency Hon. David S. Reid.
Hon. Thomas Corwin, Sec. of the Treasury.
" Elisha Whittlesey, 2nd Comptroller.
" Dan'l A. Dickinson, U. S. Senator from N. Y.
" Stephen A. Douglas, U. S. Senator from Illinois.
" A. W. Venable, House of Representatives.
Messrs.