in this act, or the act to which this is supplementary, may discharge such fine by labor on the highways of the township in which he re to be necessary to prove two things very sides; and every court or justice, a on pronouncing judgment for the payment of a fine, shall General Harrison. First, that the terms specify, and make an order setting out within "master and servant," which have been made what period of time, and at what rate of daily wages, the fine may be thes discharged, and upon what road or roads the labor shall be performed, and execution may be staid, upon security or ed some mysterious or dangerous design, otherwise, to give time for the performance of whole or any part of the labor has been performed; and, if the whole labor is not performed within the time prescribed, the party shall neveribeless have credit for the amount of labor actually performed; and if such labor sha!l be performed within the time limited, it shall be out a precept filed) for the fine and cests.

"Sec. 17. That all persons convicted of any offences specified in this act, or in the act to which this is supplementary, and sentenced to imprisonment, be put at hard labor, in which, in such manner as any two judges of the court of common pleas may direct, and, for the perform. 11, 1815, (See Chase's Statutes, 2d vol. ance of such labor, may be taken from the jail, pages 893-4-5-6 7, you will find the 37th and so secured as to prevent an escape, and the produce of such lobor shall be paid into the coun-

Ly treasury." Section 19 contained the proposition notoriety in the party conflicts of the day, and concerning which there has been so much malignant misrepresentation | Here it is, in all its terrifying and stupendous proportions, as I find it recorded on the Journal that I hold in my hand. Listen while I read from that Journal a short ex-

tract : 19th section of said bill, as follows:

son shall be imprisoned, either upon execution or otherwise, for the non-payment of a fine or cosis, or both, it shall be lawful for the sheriff of the county to sell out such person as a servant to any person within this State, who will pay the whole amount due, for the shortest period of service; of which sale public notice shall be given at least ten days; and, upon such sale being affected, the sheriff shall give to the purremedy shall be had in the same manner as is ments, or body of the offender." or may be provided by law in case of master and apprentice. But nothing herein contained shall be construed to prevent persons being discharged from imprisonment according to the provisions of the 37th section of the act to which this is supplementary, if it shall be considered expedient to grant such discharge: Provided, That the court, in pronouncing upon any person or persons convicted under this act, or the act to which this is supplementary, may direct such person or persons to be detained in prison until the fine be paid, or the person or persons otherwise dispos ed of agreeably to the provisions of this act.

"Which motion was decided in the affirmative: Yeas 20, nays 12. And the yeas and nays being required, those who voted in the affirmative were-

" Messrs. Beasly, Brown, Fithian, Gass, Heaton, Jennings, Lucas, Matthews, McLaugh lin, McMillan, Necomb, Robb, Russell, Soo field, Shelby, Spencer, Stone, Swearingen Thompson, and Womeldorf-20.

"Those who voted in the negative were-" Messrs. Baldwin, Cole, Foos, Foster, HAR RISON, McLean, Ozwalt, Pollock, Ruggles, Roberts, Wheeler, and Speaker-12."

Sir. I have seen the words " master and servant," employed in this section, dress ed out in staring capitals and placed in the foreground of the picture, that they might attract all eyes by having assigned to them a sort of guilty prominency. And what was the object of so shallow a device? It was doubtless to create an impression that this provision was intended to reduce white men to the condition of negro slaves; notwithstanding the section itself carries on its face an express declaration that their condition was to be that of hundreds, not to say thousands, of other white persons in the State, who had been or might be put to service according to the provisions of existing

Who does not know that the relation of "master and servant," as proposed to be established by this section, is a relation as ancient and as well regulated as that of any other recognised in civil society? To go no further back, it was known to and regulated by the common law; and it has been sanctioned and guarded with anxious care by the legislation of every State in the Union, and by none with more parental solicitude for the rights of the servant than in the State of Obio.

It will be observed that the section in question provides that "for injuries done by either master or servant remedy shall be had in the same manner as is or may be provided by law in case of master and apprentice."

What that remedy was may be seen by any one who will take the trouble to consuit Chase's Statutes, vol. 1, pp. 535'+6, in the Library of Congress, where they will find "An act concerning apprentices and servants," passed January 27, 1806, which continued in force till repealed by another act on the same subject, in 1824

Authority was given, by the first section of this act, to "overseers of the poor," by and with the consent of a justice of the peace, and, also, to 'parents and guardians,' to put out any child as an apprentice or ser-And as the second section provides a remedy for the apprentice or servant in case of ill treatment, and as it is the same remedy that a convict sold out by the sheriff would be entitled to have against the puichaser of his services for any abuse, I beg leave to read it as follows:

" See. 2. That if any master or mistress shall be guilty of any misusage, refusal of necessary provision or clothing, cruelly, or other ill treatment, so that said apprentice or servant shall have just cause to complain ; or, the said apprentice or servant be guilty of any misdemeanor, or ill behavior, or do not perform his or her duty to his or her master or mistress, then the said master or mistress, apprentice or servant, having just eause of complaint, may repair to any justice of the peace in the township who shall, upon the application by either, issue his warrant or summons, for bringing the said master or mistress, apprentice or servant, befere him, and take such order or direction between the said master of mistress, apprentice of ser-

A reference to the act just quoted seemed intimately connected with the charge against to figure alternately in stalics and large capitals, by way of intimation that they concealare at last very unnocent words, and quite

such labor. The ceruficate of the supervisor of familiar to the statutes of my State, from the the proper district shall be evidence that the earliest period of its legislation down to the present time. And, secondly, that prisoners who might be sold by the sheriff were amply secured against ill treatment by the humane provisions of that act.

But, sir, this is not all; there was snoth the daty of the clerk to issue an execution (with- er provision in the 19th section of the bill, by which the benefits secured to insolvent prisoners by the 27th section of the original act were expressly reserved

In the "act for the punishment of certain offences therein specified," passed Februasection here referred to, and which is as fol-

Sec. 37. That when any person shall be confined in jail for the payment of any fine and which has acquired so much unmerited costs that may be inflicted agreeably to the provisions of this act, the county commissioners may, if it be made to appear to their satisfaction that the person so confined cannot pay such fine and costs, order the sheriff or jailer of such county to discharge such person from imprisonment and the sheriff or jailer, upon receiving such or der in writing, shall discharge such person accordingly: Provided, That the commissioners may at any time thereafter order and cause to " Mr. Fithian then moved to strike out the be issued an execution against the body, lands, goods, or chattels of the person so discharged "Be it further enacted, That, when any per- from imprisonment, for the amount of such fines and costs."

It will be observed by the curious student of our penal code, that the punishment prescribed for the various offences defined in the original and supplementary acts, such as theft, burglary, bribery, malicious mischief, riots, assaults, batteries, attempts to corrupt jurors, &c. was fine and imprisonment in the county jail, and that the remedy for enforcing payment of the fines imchaser a certificate thereof, and deliver over the posed was by process of " execution against the prisoner to him, from which time the relation body, goods, chattles, lands, and tenements of between such purchaser and the prisoner shall such offender, for the amount of such fine, and master and servant, until the time of the costs of prosecution, which might either be service expires; and for injuries done by either levied on the goods and chattels, lands and tene-

> It appears, therefore, that any person convicted and fined for any one of the offences specified in the original or supplementary act could, under the 37th section of the former, procure his discharge from imprisonment by application to the board of county commissioners-a permanent body, consisting of three members elected by the people of the county, and satisfying them that ne was unable " to pay such fine and costs." From this review of the laws existing at the time the supplementary bill for the punishment of minor offences was before the Senate of Ohio, it plainly and incontestably results that the operation of the 19th section, had it been adopted. must have been limited to a very small class of offenders, and those of the most vicious and hardened kind. For it could not have operated on any one of the following classes :

> 1. Those who had sufficient means to dis charge the fine and costs of prosecution; for, as to such, they would of course relieve themselves at once, by making payment.

> 2. Those who were poor and destitute; for they could procure their discharge from prison by making it appear, to the satisfaction of the board of county commissioners, that they were unable to pay, according to the 37th section.

3. Nor could it extend to those who might be willing to pay the fine by labor on the highways. according to the provisions of the 16th section,

already quoted. 4. Nor to those whom the court might senence to " hard labor," under the provisions of the 17th section, before referred to.

5. And, lastly, it could by no possibility reach the ease of an honest man. Theo on whom would it operate, you will ask Sir, I will tell you on whom it would operate it would take effect, as it was intended it should, on that class of sturdy offenders who, by a fraudulent sale or concealment of their property, had placed it beyond the reach of execution, thereby adding to their original offence the perpetration of a fraud. Persons of this description having property, but refusing to surrender it up, or apply it in payment of their fines, could not, and ought not to be relieved as persons unable to pay. No one can fail to see that the 37th section is comprehensive enough in its remedial provisions to embrace the case of every offender who

self of its proffered benefits. To those only, then, who preferred fraud and evasion to probity and fair dealing, in the application of their property to the discharge of a fine mposed for a criminal offence, could the 19th section of the bill have been applied.

does not by his own fraudulent act deprive him

But it is said that assaults and batteries. hough breaches of the law, do not, as most other offences, imply any moral turpitude in those who commit them; and yet they are not exempted from the operation of that section. True, kind, I have already shown that they might be disposed of under the provisions of the bill that contained the section objected to, in two different ways: 1st. By a plea of guilty before a jus- to have existed in some parts of Ohio, tice of the peace; 2dly. By amicable agreement and compromise between the parties. Then, I these methods of adjustment failed, a prosecution by indictment was discouraged by the provisions that required the prosecutor to endorse the indictment for costs, and the party accused to be recognized to appear before the court.

lended, as indeed their effect was, to discourage presecutions for assault and battery, but few cases, and these only of an aggravated kind, which ly, whether the assertion was true or not" the parties could not arrange before a magistrate says Mr. Clay, and yet he prefers going inor settle between themselves, were ever likely

to be carried into court, Suppose, however, a person imprisoned on account of a fine for assault and battery -an event that could never occur under the legal enact ments to which I have referred, without a more than ordinary degree of delinquency-he could. nevertheless, procure his enlargement by any of the means before indicated. And if he did not avail himself of them, but chose rather to be dis posed of under the 19th section, it would clearly perfectly convenient to do so. If it was be his own fault.

In conclusion of my remarks on this branch o the case, I would ask gentlemen to compare the 19th with the 17th section, with a view to adjust their relative claims upon our approbation. jure the reputation of another. We say in If I am not greatly deceived, the latter section confers a power far more likely to prove dangerous and oppressive in its exercise than the former, and yet it passed by a silent vote, and without opposition from any one.

[We have in type another column of Mr. Ma son's speech, which was designed for this week's paper; but our ever welcome correspondents patriot and all that. Besides this, it is a have crowded it out. It shall appear next week.]

## WATCHMAN

SALISBURY:

FRIDAY, JUNE 19, 1840.

We give the following correspondence from the last Western Carolinian as well worthy the consideration of the reflecting portion of the public:

From the Western Carolinian.

Mr. EDITOR: I here enclose you a short cor respondence between myself, and several of the Ohio Members of Congress, which please to publish. One of the gentlemen who signs the answer to me, represents the District in which General Harrison lives. As I remarked in my letter, the whole affair is certainly a very small matter, but those who are using it in Rowan, have nothing but small matters to go upon in this contest, and of course they must make the most of it. I shall however soon publish a circular address to my constituents in which I shall examine the pretensions of General Harrison to the Presidency. I think I shall be able to show the candid portion of my constituents that whatever claims Harrison may have on the Federalists and Abolitionists of the North for their support, he has none whatever on the South, and above all, he has none on the Republicans of the

The present struggle is one of immense importance to the country and particularly to the Southern States, and all who value the bermanence of the Union, and the rights of the people should spare no pains to make themselves well acquainted with all the grounds of the contest. and all the principles and consequences involved in it. If any of my constituents are halting between two opinions, I ask them to wait for furhave ample opportunities of understanding the whole subject before the day of election arrives.

Yours, very respectfully. CHARLES FISHER.

House of Representatives, May 29 1840 To the Hon. John B. Weller, Alexander Dun can, William Doan, and William Medill:

GENTLEMEN: I here hand you a newspaper in which you will see a letter of the Hon. Henry Clay. The occasion of that is this: On my late visit to the place of my residence, I was called on to address my constituents at two large mention of a report in circulation that Mr. Clay while acting as Secretary of State under Mr. Ac son's appointment as Minister to Colombia on the score of his incompetency It seems, in consequence of what I said, that a letter was written to Mr. Clay, informing him of what I said, reply is in the letter I send you in the newspaper. In my remarks, I only stated the circumstance as a report which I had often heard, which I had never seen contradicted, and therefore, supposed to be true. The whole affair is a very small matter, but inasmuch as some of the Federalists in my District are seeking to make something out of it, I will thank you to inform me whether you ever before heard of the report alluded to? I address you, for the reason that you are Representatives from Ohio, the State where General Harrison resides.

Yours, very respectfully. CHARLES FISHER.

WASHINGTON CITY.

House of Representatives, May 29,1840. DEAR SIR : We have just received your communication, with the Newspaper, containing a letter from the Hon. Henry Clay, to "H. C. Jones Esq." You ask whether we ever heard the report that Mr. Clay when Secretary of State, opposed the nomination of General Harrison as Minister to Colombia. We answer, that we have frequently he and it would be strange indeed, if Mr. Clay ad never before heard it. His silence taken in connection who some other circumstances, left no doubt on our minds of its truth. Yours, very respectfully,

JOHN B. WELLER. WILLIAM DOAN,

A. DUNCAN. HON. CHARLES FISHER

House of Representatives, May 29, 1849. I certainly heard the report alluded to, long before the date of the Speech which you are said to have delivered in North Carolina, but have no knowledge of its truth or falsity. WILLIAM MEDILL.

HON. CHARLES FISHER.

These certificates, we presume, are in tended to prove what Mr. Fisher's literary body-guard have certified that he said, to wit: " That it had been generally reported and frequently charged, without contradiction by Mr. Clay, that he was opposed to they are not. But, in regard to offences of that the appointment of Gen. Harrison as Minister to Colombia.".

Now, how far the proving such a report makes out their case, (paltry as the case is) e will not stop to inquire.

But we mean to hold Mr. Fisher to the true issue, and that is presented in Mr. Clay's letter. "He has enjoyed abundant Under these various regulations, obviously in- opportunities during the present session of Congress, to ascertain from me, personalto North Carolina and hazzarding the assertion upon report. But this is a small matter ! so very small, that it must be so pronounced in all Mr. Fisher's letters :-And this we suppose, is his excuse for choosing to circulate a false report in preference to finding out the truth when it was too small to inquire about, it ought to have been too small for an Honorable member of Congress to use in a deliberate way to ina indeliberate way, for in order to give greater weight to this assertion, flourishing compliments were lavished on Mr. Clay. (A most unusual thing from such a source.) He was called a gallant statesman and a well known fact, that he /Mr. F.) repeat-

ed the assertion in various private conversations with his file leaders, and repeated sations with his file leaders, and repeated ble efforts to disparage the Republican of yet it is a very small matter. We agree with Mr. Fisher that as it now stands before the public, it is a very small and a very dirty matter. But had it not been so promptly and effectually crushed by Mr. Clay's letter to Mr. Jones, it would undoubtedly have been considered as very sufficient to prove that "Old Harrison is a granny." It would have been sung throughout this County and Davidson like the song of the locusts, which never stops till the creatures sing themselves out of existence. And if it could have been believed it would undoubtedly have had a great effect on the admirers of Mr. Clay, who are more numerous in this region of country than of any other great man in the nation, and whom it appears, from Mr. Fisher's compliments, he was willing to see multiplied to any extent. It is no thanks to him,

therefore, that this is now a small matter.

But there is another matter we must notice in the letter to his son, the Editor -He says, we must not make up our opinions. We must hang back till we see his circular which he is about to write. think it was in one of his resolutions adopted by his Van Buren caucus at this place, that it was pronounced great vanity in the Lawyers to make speeches to the people on political subjects, as if they would arrogate the right of thinking for the people. ther information before they decide. They will We think the Lawyers might upon this letter, retort the charge of vanity and arrogance with signal force. He, in effect, tells the people "don't you believe what other people tell you-don't listen to all the facts and arguments which are ringing through the country. Don't presume so much as to exercise your judgments on the question of the Presidency. Wait till I furnish you with the facts and arguments. I'll do that and you in turn must adopt my meetings; one at Salisbury, and the other at opinion, and we will thus get along quite Lexington. In the course of my remarks I made lovingly." We knew for some time, that there are a good many, who had surrenderams, had objected to, or opposed General Harri- ed that proudest right of a freeman-the freedom of opinion, to Mr. Fisher. We know some, who rather than desert him, have deserted the principles which they and inquiring into the trath of the report. His have contended for during a long life, but we never expected to find such an open and daring call upon freemen to sacrifice the faculty of thought to him, their leader .-Don't even so much as think about the matter of the Presidency until I find time to tell you how to think!!" Has Mr. Fisher come to the conclusion that the speeches he delivered in this district, contained too many small matters, to have much effect? Is that the reason he is following up the blow with a circular? Verily, he displays extraordinary zeal even for a new convert; and no doubt if Mr. Van Buren can be re-elected the will have his re-

> With what grace Mr. Fisher can call us Federalists" who now refuse to go for Mr. Van Buren whom he pronounced a Federalist and Abolitionist in 1835, we gainst the former Editor. leave to others to say

tice in the briefest way all the desperate and unprincipled efforts to destroy the charmade by his enemies. But there is one contained in the Western Carolinian of 5th inst., describing him as a raving madman, just escaped from his keepers, &c. &c. This article was extracted from a much longer one originally published in the Cincinnati Journal and Advertiser. The latless: for instance, it purports to copy an advertisement which the committee, it is alleged, put up for the recapture of their victim, offering a jug of hard cider, as wel as we remember.

Indeed, it is manifest, from this part of the article, that it was a poor attempt at burlesque. The whole of this part is left out of the Carolinian, obviously with the intent of giving the semblance of truth to what would otherwise have been a selfevident fiction.

## A CLOSER.

We rejoice exceeding in being able to give the following letter from Hon. J. L Williams, to the National Intelligencer, accompanying an extract from a reply which Gen. Harrison made on the subject of his committee-and which the high character of that Gentleman warrants to be correctly given. This correspondence will fully explain the nature of a certain declaration stat. ed in the Ohio Statesman to have been made by Jesse R. Grant, and which we have at ful length in the last Western Carolinian. There is one thing about this letter to which we call attention : it is the remarkable propriety of the language used and the ease and correctness of the style : like all the rest of Gen. Harrison's writings, it proves that he needs no committee for any purpose where good sense and elegant scholarship are required.

From the National Intelligencer. We have great pleasure in presenting to our L. Williams, a respected Representative in tirely out of our power.

Congress from the State of Tennessee, W explodes the foundation of one of the c

TO THE EDITORS

Messis. Gales & Seaton: Please publis the Intelligencer the subjoined extract of etter from Gen. Harrison, under date of the ultimo. It is in answer to a commi which I addressed to him, relative to that minious subjection to the Cincinnati Commit which has been so often ascribed to him. He repels the imputation that his thoughts are subject to the keeping or dictation of a committee.

The publication of the annexed portion of his letter is due to Gen. Harrison. It will be appreciated by the candid and the just of all parties. To give it authenticity, is a sufficient motive for connecting my name with its publication.

JOSEPH L. WILLIAMS. Washington, Jone 6, 1840.

" All the connexion which I ever had with

XTRACT from GEN. HARRISON

the Corresponding Committee of the Whigs of Hamilton county (that which I suppose has been alluded to) is, that I requested the committee, through its chairman, Major Gwynne, to give the information sought for, in some of the numerous letters I received, in relation to my political opinions, and events in my past life. This was to be done by sending to the writers of those letters the documents which contained the information they sought. He was, also, authorized, in cases where further opinions were asked for, to state my determination to give no other pledges of what I would or would not do, if I should be elected to the Presidency. The reasons which had induced me to adopt this determination are contained in a letter written to a committee in New York, and which will, I presume, be soon Governor, published. With neither of the other members | tle modesty of the committee did I ever exchange one word, sure"-still or, by letter, give or receive any suggestions as elected Gove to the manner in which the task I had assigned look into futur to the committee was to be performed. Indeed, all his other did not know, until very recently, who were phecy! W the members of the committee. I could have no the good book doubt of their being my political and personal forth from the friends; and such I found them to be.

" As it has been asserted that I employed this fore, ought care committee to write political opinions for me, be- what manner cause I was unable to write them myself, it may I am neither be proper to say, that I was never in the habit of phet," yet I am doing this ; and that in all the Addresses, Let- as to enable me ters, Speeches, General Orders, &c., which have linian where he been published under my name and with my sanc- of " falso tion, there is not a line that was written or sug- his arithmetic at gested by any other individual. I do not claim for these productions any merit; nor would I con sider myself blameable had I received the occasional assistence of my friends in this way; but mention it, to show how totally reckless are my political enemies in the assertions they make in relation to me."

Irresponsible Editorship - again.

We have already replied to the Carolinian on the subject of our proprietorship of this paper. We think we then said enough to stop the mouth of any one, who had one grain of delicacy, situated as the ostensible Editor of that paper is. But it seems he address. is bent upon thrusting himself into our private relations. Into the last number of that paper is admitted a coarse and malignant article, in which is the allegation, that of July-our we are placed at the head of the Watchman merely nominally, for the purpose of serving the private ends of the former Ed- cordially accept itor. Now, we care not who may be the writer of thet article, but we pronounce this charge a mean and dirty falsehood, and a "Log Cab we believe it to proceed from a low wish grey horses to injure us as well as to gratify malice a- the occasion,

What sort of a figure does the Editor of that paper cut when he has to avow in an-It would be an endless task even to no- other part of the same number of his paper, that in one instance, at least, another person than the Editor, officiated in his capaacter and respectability of Ges. Harrison city. We mean the instance when Mr. whose duty it Charles Fisher, sen. wrote the statement and preserve g concerning Mr. Cheshire, which was published "accordingly," and which turned out at least, to be a great mistake. Could any body doubt after this, who was the nominal and who was the real Editor of that paper, Nay, we may ask, did any boter part of that article was so extravagantly dy ever before that, doubt on that point? false and absurb as to make it utterly harm- They that live in glass houses ought not to throw stones.

> " Three Days in Raleigh." -The celebration of the completion of the State House and the Raleigh and Gaston Railroad commenced on the 10th and lasted three days. We have not room to give an account of its incidents. The Raleigh Register and Beacon describes it as having been one of the most interesting and long-to-be-remembered occasions that has taken place at Raleigh.

> Many distinguished characters were there, and many of the citizens of Petersburg and other parts of Virginia. The citizens of Raleigh are making preparation to celebrate the approaching Anniversary of National Independence.

> The proceedings of the Whig meeting held at the Lead Hill, in Davidson county, on the 13th, came to hand too late, for this week's paper-our columns being more than usually crowded with communications, &c.

Harrison and Tyler in Georgia .- The State Convention of Georgia, which met at Milledgeville on the 1st inst., threw to the winds their first intention on the next Presidential election,-have dropped Governor Troup-and resolved on a " Umon of the Whigs for the sake of the Union." iluzza for the sober second thought of State principle, was literal Rights Georgia!

We stop the press to make an apology to our Whig friends at Fulton, Davie county, fur not publishing the proceedings of their meeting on the 8th inst , in this number of our paper. The manuscript was mislaid and clearly forgot until its publication this week was en-

" Extra Globe' der Mr. Adams and Van ou tary of the

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persons to act as a

Jacob Rickert, der, Joel Ho Sharp, James Moore, Joseph I Falls, William Mardock, Theo George Flowres, bers, Joseph Stor Houston, Leander

FOR THE CA A Loco, in the W

bers of Congr Smith and Me Documents to the in the true spirit of ism, he charges th If Van Buren were these gentlemen are igis about Salis excuse than they The troth is, th democrats in Sa Mr. Fisher would efforts to flood thi the Globe, New per,) the Emani Rough Hewer, disappointed in the clamor. The Wi of "independent coutive, applied, from et to the Whig Rep this State, to fu which the peop stuff that Mr. I

compliance with this loco federalists about Stanly, Rayner, Gr. and for aught we k man who recently pretended Dem the Country its rank ness-have generously people of this District