

Communications.

FOR THE FREE PRESS.

CONSTITUTION, No. I.

Mr. Editor: Equity in the enactment and uniformity in the administration of laws, form the highest considerations in every government. The legislator and the magistrate should ever act with an eye single to these great points: But, Mr. Editor, I apprehend that in our own State there is far more attention paid to the statute book than to judicial records. Is it not a fact, Sir, that nine-tenths of the debts recovered in North Carolina are collected by virtue of judgments issued by Justices of the Peace, who can lay no claim to an acquaintance with the laws of the land? Is it not also a fact, that these debts are recovered in manifest violation of that clause of the Constitution of the United States, which explicitly declares "that in all suits at law where the sum in dispute shall exceed \$20, the right of trial by jury shall be preserved?" It is an absurd evasion of this clause to say, that an appeal may be granted to a higher tribunal, where the parties may have the benefit of a jury. It must be recollected that before the parties can obtain the benefit of a jury, the party cast before the magistrate must give security therefore. Does it not sometimes happen that such party can give no security? It is no answer to this, to say that this will seldom happen. If it happen but one time in a hundred, nay one time in a thousand, the infraction upon the Constitution is equally glaring. If a law operate unconstitutionally in one instance, it is just as much an unconstitutional law as if it did so in all. Another consideration is, that there are many people who may have trials before magistrates, who are themselves so ignorant as to believe the decision of the magistrate must necessarily be law, or if not that by any means is likely so to be, and they are thereby deterred from prosecuting their suit any farther. In these cases then most evidently neither the letter nor the spirit of the Constitution are complied with.

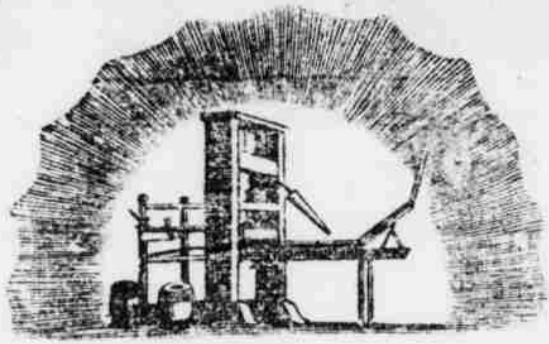
The object, Mr. Editor, of those Solons, Lycurguses, Fredericks, &c. who have thus clearly trampled upon the Constitution, was, I doubt not, to render justice more speedy, and prevent a heavy accumulation of costs in the Court House. The object was good, the motive pure, but the consequence a sad inroad upon the very *Magna Charta* of our liberties. So far as my information extends, which I admit to be limited, a higher regard has been paid to the supreme law, and however desirous upon public policy, other States might be to extend the jurisdiction of a magistrate without a jury, beyond the sum specified in the Constitution, they yet found themselves so situated as to preclude the exercise of their discretion. In my next I will endeavor to point out some means by which the ends of public justice can be as speedily and as safely, while at the same time constitutionally, arrived at as they now are. *Constitution.*

Bears.—The Fayetteville Journal states, that a very large bear was bro't to the market of that place a few mornings since; which is the sixth that has been killed in the same neighborhood (10 or 12 miles from town) this summer.

New York Criminal Law.—The Albany papers noticing the death of a Mrs. Helen Pearse by intemperance, say that two years ago 'she was sent to the State Prison for high-cock-alorem.' We have asked a New York lawyer for an explanation of the term, without success.

Ohio Repository.

Singular Phenomenon.—We learn that from some cause unknown, the fish in the ponds at Southwich, Mass. are in a diseased state, and vast numbers of them are already dead, and the remainder apparently in a dying condition. It is said that loads of large pickerel and perch may be picked up or taken with the hand near the shore.—*ib.*



TARBOROUGH.

FRIDAY, SEPTEMBER 20, 1833.

No paper was issued from this office last week. We must ask the indulgence of our patrons—both our assistants have left us in consequence of ill health, and our enfeebled condition will not permit extra exertion. We shall probably not issue a paper the ensuing week—after that we expect to resume our wonted regularity.

The Fall Term of the Superior Court for this County was held in this place last week, Judge Martin presiding. The Court got thro' with the business on Thursday, and adjourned. No case of public importance was tried.

We have been officially informed that the expences of the Poor House of this county, from the 25th of May, 1832, until the 25th of May, 1833, amounted to the sum of \$731 22.

New Cotton.—A wagon load of new cotton, consisting of five bales, from the plantation of Maj. W. K. Bulluck, of this county, was brought to this place on Saturday last and 14 cents refused for it. We understand, however, that it was subsequently sold to Messrs. Evans & Andrews, at Sparta, at that price.

At Petersburg, on the 16th, new Cotton was quoted at 13 to 17 1/2 cts.

At Fayetteville, on the 10th, at 16 1-8 cts.
At Columbia, S. C. on the 3d, at 18 to 20.
At Charleston, on the 13th, at 16 cts.
At Columbus, Ga. on the 31st ult. at 25 to 25 1/2.
At New Orleans, on the 26th ult. at 16 cts.

The Hillsborough Rail Road Convention met on Monday the 9th inst. Delegates appeared from the counties of Rowan, Caswell, Wake, Warren, Person, Orange, Granville, Guilford, and one from this town. Judge Ruffin and Gov. Swain were both nominated for President, the former was chosen; the vote was, for Ruffin 26, Swain 16. Messrs. Walker Anderson and Sandy Harris, were elected Secretaries. The attention of the Convention was almost exclusively directed to the consideration of the expediency of extending the Petersburg, Virginia, or Portsmouth Rail Roads into the Western section of this State. Indeed the Convention resolved that by the terms of the notice calling the Convention, the members were restrained in their action to this particular subject. On the report of a select committee, the following resolution was adopted accompanying the report.

Resolved, That it is the opinion of this Convention that in every project to improve any part of the State by means of a rail road, or other public improvement, where the citizens friendly to such project shall pay or secure to be paid three-fifths of the cost of such improvement, an enlarged and enlightened policy requires that the State shall pay the remaining two-fifths for the completion of such work.—*Fay. Jour.*

Great Hail Storm.—A hail storm of greater extent and violence, and attended by more disastrous consequences, than any we ever heard of, occurred in this State on Wednesday the 23th ult. It extended from Stokes county to Wayne county, (and how much farther we cannot say,) and was, as well as we can ascertain, from six to twelve miles in width. In its course, it has literally devastated entire crops, in some places leaving cotton fields without a green leaf to be seen; broken down and broken to pieces, corn stocks and ears of corn, so that the proprietors have been forced to turn their hogs in to consume what would be otherwise worthless. Birds, poultry, and hogs have been killed, the roofs of houses split to pieces, and an immense quantity of window glass broken.

Its duration was in some places half an hour; and hail fell to the depth of several inches, the globules being from the size of a partridge egg to that of a man's fist. Incredible as this may appear, we have the statement from so many sources that

we are not at liberty to doubt it, or any of the above facts.

A vast deal of suffering will follow this unparalleled visitation. Many poor persons, whose whole crops have been destroyed, and whose sole dependence is thus cut off, will have to appeal to the charity of their neighbors.—*Fay. Obs.*

We regret to state the death of John K. Campbell, Esq. District Attorney of the United States, for the Middle District of Florida, in a duel with a merchant by the name of George Hamlin, on the 29th ult. A private letter from Tallahassee states, that "they met in Georgia, at 14 paces—that at the first fire, Mr. C.'s pistol snapped, and Mr. H. missed, but on the second fire, H. fired at the word "three," shot Campbell in the head, and killed him instantly."

Mr. Campbell was an *élève* of the Orphan House of this city, and in consequence of his early display of talent, was educated at the South Carolina College, at the expence of the State. He was fast rising to eminence in his profession, and was married but in May last, to the niece of Gov. Duval. The Tallahassee bar, met on the melancholy occasion of his death, passed resolutions expressive of their admiration of the talents and attainments of the deceased, and determined to wear the usual mourning for 90 days.—*Charleston Courier.*

[Mr. Campbell formerly resided at Halifax, in this State, and subsequently acted as Private Secretary to Gov. Burton.—*Ed. Free Press.*]

At a public, and, as we are told, a very numerous and respectable meeting of the citizens of Columbia, (S. C.) held in the Town Hall, on Tuesday, the 27th ult. it was resolved, that the meeting "regard the Rev. J. B. Pinny, a Missionary, from Africa, as a dangerous character, whose conduct has already been productive of serious evil amongst us, and that this meeting do therefore give official notice to Mr. Pinny, that he leave the town immediately."—*Norfolk Her.*

At the late election in the State of Tennessee, the votes of the people were taken on the question of calling a Convention for revising the Constitution of that State, and decided in the affirmative. So that a Convention is to be held; at what particular time we do not know. *Halifax Adv.*

Dr. Aylett Hawes, who died at his residence in Rappahannock county, Va. on the 31st ult. has bequeathed freedom to about 100 slaves, and \$20 for each to assist the Colonization Society in conveying them to Liberia.—*ib.*

A very splendid stage coach has been made, at Baltimore, for Messrs. Stockton & Stokes. Attached to it is an Odometer, which records the number of miles travelled—these are exhibited on a handsome plate just above the front seat, and may be seen by all the passengers. The inventor of the machine is William A. Turner, Esq. of Plymouth, in this State—he is preparing to patent it in Europe, where it will, no doubt, be highly profitable to him. We recollect to have seen a machine of this kind, several years ago, constructed by Mr. Turner on a sulky, in which he travelled to Nashville, Tennessee.—*ib.*

FOREIGN.

Latest from England.—By the arrival at New York of the mail packet Lady Ogle, English dates to the 10th Aug. have been received. They contain the important intelligence that the forces of the Ex-Emperor of the Brazils, have obtained possession of Lisbon, which was quietly surrendered to them on the 24th July, the Miguelite army, under the Duke de Cadaval, retiring northwardly into the interior. Having the command of the sea, all the cities of the coast, in course, submitted to the authority of Don Pedro. Don Pedro arrived at Lisbon, from Oporto, on the 28th July.

A severe battle had been fought at Oporto, in which the Miguelite army were defeated by the forces of Don Pedro. The British and French Cabinets, it

was reported on high authority, had signified to the representation of Don Pedro their wish that he should withdraw all pretensions to the Regency of Portugal, during the minority of the Queen, in favor of one of her aunts.

The Slavery Abolition Bill has passed the British House of Commons.

Markets continued active and steady.

The Slaves in Cuba.—The New York Journal of Commerce gives the following particulars of an insurrection among the slaves in the island of Cuba.

It appears that 500 or 600 slaves had been smuggled in from Africa and landed at a place about 30 miles west of Havana. Some communication took place between them and the slaves on the neighboring plantations, in which the former were given to understand that a grievous mortality was prevailing among the blacks on the Island, [cholera,] and that it was occasioned by poison administered by the whites. This drove the new-comers to desperation, and thinking that they might as well die in one way as another, they rose upon their keepers and murdered them.

On this intelligence being spread, a military Captain, with two other persons, proceeded to the landing, in order to do away the impression prevailing among the insurgents, and bring them back to subordination. These men were also killed. A troop of cavalry consisting of about 30 men, was then sent against the insurgents, who by this time had been joined by some of the slaves on the neighboring plantations, and a battle ensued, in which a number of the blacks were killed, and also two officers and several privates of the troops. The remainder, finding their force insufficient to suppress the insurrection retreated. A large body was then sent, and poured a terrible fire upon the insurgents, which killed 400 to 500. The whole loss of the whites is stated at 30 or 40. At the date of the last accounts, the rebellion was considered at an end. The negroes, we understand, had no weapons but clubs and stones.

Earthquake in Canada.—The last Minerva contains a strange account of an earthquake, which is said to have occurred at St. Leon, in the district of Three Rivers, which, if true, is well worthy of attention and public notice. About five in the morning a general convulsion was felt throughout an extent of fifteen acres at the least. It is said to be impossible to describe the scene of desolation which that spot now presents; all is overthrown and fallen to the banks of the river. The house and barn of Isaac Lesage have sunk in, as also the house and barn of Augustin Ferron. Isaac Lesage is now dead, from having been crushed under the ruins of his house. His wife, who had gone out to milk the cows, saw the house sinking in. An old man saved himself, with several children, by getting out by the roof. The body of Lesage has been found, all dreadfully mangled. The house has so sunk into the earth, that nothing but the head of the chimney is now visible. The barn has entirely disappeared. The family of Lesage, who have lost all their provisions and most of their property, are in great privation. It is said that a large cross, erected on the road side, as is customary, through the devotion of the inhabitants, was conveyed to a great distance without falling, and is even more perpendicular than it was before. The whole of the accident occurred within a short distance of the church at St. Leon.

Montreal Gaz.

Camp Meeting.—There will be a Camp Meeting held for Tarborough Circuit, at Williams's Chapel, in Martin county, commencing 27th inst.

A Camp Meeting, under the direction of the Methodist Protestant Church, will be held at Bradford's Meeting House, in Halifax county, commencing on Friday the 11th of October, to which our friends are invited; also ministers and brethren of other denominations are affectionately invited to unite with us in the work of the Lord.

Elder Burwell Temple will preach at Waynesborough the 5th Sunday in September and Saturday before; on Monday after at Friendship; Tuesday, at Bear Creek; Wednesday, at the Meadow; Thursday, at Old Town Creek;