## Portical. 7

#### BERT BURNS.

d bard. The strains of his m Though combating the tation, he may to poetic excellence. Rear-benths and ranged hills of his native coun-the friendly illuminations of science, his nded like the wild flower that unfolds its

is in the desert. and blev the bitter biting north on his early humble birth, cheerfully he glinted forth

O Thou unknown, Almighty cause Of all my hope and feat ! In whose dread presence, ere an hour, Perhaps I must appear.

If I have wandered in those paths Of life I ought to shun ; As samething, touthy, is my breast, Remonstrates I have done—

Thou know'st that Then hast formed me

With passions wild and strong : And list ning to their witching voice Bas often led me wrong.

Where human weakness has come short, Or frailty stept aside, Do thou All Good ! for such thou art, In shades of darkness hide. Where with intention I have err'd,

No other plea I have, But, Thou art Good ; and goodness still Belighteth to forgive.



FOR THE STAR.

## NO. JII-PENITENTIARY.

These are a few and but a few of those considerations, which my time and experience have led me to make on the effects of capital punishment, with regard either to the criminal or society. Let us now turn the other side of the picture or dwell rather on those breaks of light in it upon which the eye of humanity can repose. When punishments are moderate and mild, every one will, from a sense of duty as well as interest, take his proper part, in exposing, in trying & in passing sentence on crimes. The consequence will be that criminals will eldom elude the vigilence or baffle the energy of public justice. And my good reader, does it not seem to you that when human institutions breathe such a spirit as this, the mild and tolerating doctrines of christianity shed new light and new glory on the human character ? And does not the genius of such institutions better accord too with those precepts of human conduct which it has been the business of philosophy since the days of Zeno & Socrates to inculcate and enforce ? I think so. I will freely admit that on some emergencies, excesses of a temporary nature may be checked, perhaps only, by rigorous penalties ; but their continuance and frequency soon produce an insensib lity among the citizens, which in its turn, extends and multiplies those penalties. I am not sure likwise but that one degree of severity opens and smooths the way for more, until in the end a system of cruelty and oppression under the imposing garb of public justice may be rivetted on the necks of the members of society. If this be true, the principle goes at once to eradicate every manly impulse of the soul. A very important reason why the ends of public justice are not always secured by capital punishments, is, that although every crime includes an injury, every punishment does not to the party injured bring with it reparation ; and this I beg to observe is the most defective part of our system of criminal jurisprudence ; the private injury is in many, very many cases, drowned in the crime against the community. In this particular the law of England is defective to a point both gross and cruel. The father of a family whose subsistence is drawn from the sweat of his brow, is, in the arms of his wife, amidst his surrounding children, stabbed by the order of an insolent and barbarous neighbour. The miserable sufferers by the event, are the unfortunate witnesses of the deed. The assassin who has ordered it is opulent and powerful. To the honor of the English law, and of its administration, be it said, that no degree of opulence or power will purchase or command impunity to the guilty. This aspassin will find its avenging arm ; but to the honor of the English law, and of its administration, can it be added, that every degree of injury shall find its proportioned degree of reparation ; and that as the assassin is not above its power, so those who suffer by the assination are not beneath its care ? No, this addition cannot be made. The widow and the orphans who were the witnesses of the crime and the sufferers by the loss, are recognized in the former, but not in the latter character. They attend to give their testimony on the trial.-The rich culprit is condemned as he ought to patrimony of the criminal who occa-

shall not be repaired.

emplification in the systems of other nations of them to stand very thick on the ground. discovery.

It does seem to me that the feelings of a guide, as a person could entrust himself to. It requires no employment of reason to prove that should a man's rights be violated, they ought to be redressed ; and if the power of redress reside in the community, still the injury to the individual exists, and should be repaired. If this be true, then that system of criminal jurisprudence does work injustice, which overlooking the individual injury, regards only the crime against society, be the punishment as rigorous as it may. Society, I admit. has the power of placing the criminal out of its protection, as far as regards the, purposes for which he may have entered the body ; but can it go farther and cut the lien which the individual sufferer may have on the personal service of the criminal. I think this is transcending the power given to the community by the vidual upon the same process, should at any rate obtain ; but in offences of an inferior namarked and preserved. If a person suffer a battery by another, the person guilty may be indicted, which is a process on behalf of the lic peace ; no reparation on the indictment will is marked and preserved.

all will admit to be reasonable, what reply does languish so soon. The cause is evident ; for der of the heart of oak, 7 feet long, and 18 inches the law make ? His property is forfeited by animal and vegetable matter are the only subthe crime, no funds remain to make you re- stances known to enrich the soil-and if this paration for your loss : they are dismissed be thin, burning to any considerable depth without being reimbursed the expense of their nearly destroys the whole of these substances; attendance, in consequence of their duty and but when the soil is deep and rich, a greater the order of the law, for the King pays no portion of them escapes this destructive procosts. Now, I ask if this is not adding cess, and consequently such soils do not deinsult to injury ? I further ask if it be possible pend so much on the properties of the ashes, for the feelings of violated nature to be more which like every other stimulating manure, grossly or more cruelly outraged ? Is it worth merely excites vegetation, but in doing this, while to spend my time more particularly in they are so far from eariching the soil that detailing the errors of such a system ? Instead they actually impoverish it, even when strowhowever, of conducting this opulent assassin ed on ground which has not been previously to the gallows, let us see if the ends of public injured by the savage practice of burning-for justice, could and would not be more com- stimulating manures excite an unnatural fertilpletely answered by escorting him to the State ity, at the expense of the animal and vegetable Prison, there to undergo a confinement for matter found in the soil. This fact is clearly life. Thank God, the cruel and abominable established ; for lime and gypsum (which are doctrine of forfeiture, a doctrine which makes also stimulating manures) will cease to act the crime of the subject, the inheritance of the when they no longer find a sufficiency of ani-Prince, is unknown to our institutions. We mal or vegetable matter in the soil to act upon ; stand, however, exactly on half way ground. and they will recommence their action, a We say the offspring of a criminal shall loose soon as enriching manures are applied to the soil nothing by the misdeeds of the parent, but we which had been previously exhausted by their say the injury occasioned to the equally un powerful agency. Long experience has clearly fortunate offspring of a more honest parent demonstrated that a very small quantity, even of leached ashes which had been stripped of far

Now let us throw off these trammels of the greatest part of its salts, will produce sur English prejudice, and by advancing one step prising effects, when strowed over grass, wheat farther boldly achieve the perfection of a cor- Indian corn and many other plants. And it rect system of criminal jurisprudence. Let it is well known to those who read the writings be a maxim in our criminal code, that a punish- on British agriculture, that, in many parts of ment for a crime should involve in it a repara- England, the stubbles are left very high, and tion for the injury, by which in the first in- a sufficiency of manure, with good cultivation. stance, the crime is known. Let us, however, joined with more than double the seed that is look around and see if we cannot find an ex- generally sown in this country, must cause the doctrine I am supporting. How stood it is, therefore, by no means wonderful, that the with the anglo Saxons? Mr. Henry says in burning of Mr. Bower's stubble, together with the early part of the Juridical History of Eng- grass, weeds, and other combustible matter land, that a portion of the forfeiture for homicide which were on the field, should furnish a suffiwas given to the relations of the persons de- ciency of unleached ashes to produce surpriceased. Tacitus states that the same princi- sing effects on the future crops. But it is reple may be traced among the institutions of ally wonderful how that gentleman, and his But it is obvious to remark that the surface must the Germans. In adopting the principle, there- penetrating readers, should conceive that the be pretty level, and the land free from stones, to fore, we should not be bound on a voyage of burning of this stubble on the surface of the admit of these operations soil, could restore any portion of its latent (I presume he means sensible) heat. It is true the spring over winter grain. to loosen the surface nature alone, on this subject, would be as safe that the soil burned to a foot deep by the gentleman's moveable furnace, would retain the heat some days longer than the soil which had been more slightly warmed by the burning of the stubble; but common sense and observation clearly demonstrate, that the powerful struggle which immediately takes place between the hotter medium within, and the cooler air without, these burnt spots, must quickly reduce them to an equilibrium, with the unburnt soil around them.

It is said no ashes appear to have been used, heat alone was the agent. Surely Mr. Poulson, this same jimcrank moveable furnace, when heated to a dull red, and conducted by a wise experimenter must be a wonderful machine; for it appears not only to have burnt the soil to a foot deep, but also to have anninilated all the ashes occasioned by burning the social co epact. In very gross injuries the animal and vegetable substances contained in principle of awarding satisfaction to the indi- and upon it. How this was effected is far beyond my comprehension ; but as the gentleman has said "the exp rimen: is interesting ture, the distinction should be most carefully to the philosopher," I expect that in some fu-marked and preserved. If a person suffer a ture number he will inform us how Mr. Bower destroyed those ashes. For if he does not do this, every Farmer possessing common State; because a battery is a breach of the pub- sense, will be compelled to believe, that they acted on the succeeding crops in the same be had, however, but the party is left to seek powerful manner, as the ashes which are proredress in a civil action. Here the distinction cured by paring and burning the soil in England ; and where, until Mr. Bower's wise theory was started, they have ever been considered the principal cause of the luxuriant crops, which generally follow the process of paring and burning. The gentlemen first tells us, " the subject was but little understood until of late." And soon after this informs us " there is a quotation from Virgil's Georgicks, which shows, that this mode of fertilizing land was well known to the Ancients, and that it was not owing to the ashes, but to the effects of the fire." Without commenting on the gentle man's contradicting himself, I shall merely observe, that the first assersion is erroneous; for paring and burning the soil has been long, and extensively practised in England, and the agent which produced fertility well known and ratinonally explained. As regards the second, although pal obstacle to cultivation, we are continually Virgit mentions the practice of burning he eviheaping and burning it in immense quantities. dently did not understand the cause of the fer-Some hears contain a great many logs piled tility produced by it ; as in Georgicks B I. beginning at 1. 84, he ffers four several conjectures, differing widely from each other. If this be the passage to which the gentleman alnace, our soil is burned to almost every prac- ludes, although Virgil does not specify ashes tical depth. The crops on these burnt places among his conjectures, he does not say that to them could not be attributed the effects; he certainly was acquainted with their power having forcibly recommended them to be spread on worn out land .- See some book 1. 80. 81.

sioned the loss. To this application, which barned, the crops on these burnt spots do not land ; who recommends that the Roller be a criter diameter, with a strong band of iron, on each end Teeth or tines of iron, 7 inches long, are driven i inches into the wood, and 4 inches apart in the quincunx eider, over the whole convex surface. The outer points must be pretty sharp ; and th ends which go into the Roller should be gagged a their corners to prevent their coming out. The times need not be quite so strong as the teeth of a harrow. The whole instrument will weigh near ton ; and a frame is to be annexed to it for the term to draw by ; to which a box may be added for the driver to sit on. But beware of putting a wild on fractious team to this fearful instrument. The strength of four oxen or 3 horses will be necessary to work it.

The uses to which the spiky roller is to be applied are, in the first place to reduce a stiff, stubbor and cloddy soil, to a fine tilth for sowing. This will perform with admirable expedition, by only passing forwards and back again in the same track reducing it even to a garden mould. And what greatly recommends it, it is used to advantage when the ground is too dry for ploughing and harrowing; by means of which there need not be any delay m preparing land for sowing.

" It is certainly an instrument," says the Cont. alete Farmer," that no farm, where the land is stiff. or at least liable to clot, should want. For besides the constant advantage of saving labour and bringing land to a better condition for any kind of sowing than the plough and harrow, with any assistance of the work of hands, can make it ; in favourable ses. sons, and under such circumstances as Mr. Randall has mentioned, the loss of the whole crop, by an otherwise unavoidable delay beyond the seed time. may be with certainty prevented."

Another important use of this instrument is to renew the fruitfulness of grass land, when it is so bound as to be almost barren, or overrun with mose and bad grasses. Mr. Randall directs, that a good Compost be prepared : And in autumn, when the ground is a little moist, that the spikes may enter. the soil easily, to pass the roller up and down till the surface is well broken ; then sow hay seeds and spread the compost over them to be followed with a smooth roller with a brush harrow after it. Thus a fine swar\_ will be renewed, and good crops of the best grass will follow.

Mr Randall recommends passing this roller in and increase vegetation and smoothing it afterwards with a brush harrow. Though it may seem to be a bold experiment, I think it is probable it might have better effect than harrowing, which is much ap proved by many, as the tines would penetrate deeper, and the plants be less exposed to extirpation than by the horizontal motion of a harrow.

#### P. Durkin, J. Henderson and J. Williams. AVING taken Robert Henderson and H. Francis M'. H Kenna, into co-partnership, their business will in fu. ture be conducted under the firm of

Durkin, Hendersons & Co. Who offer for Sale, THE ENTIRE CARGO,

Of the brig GRACE, M. Martin, master, from Liverpool, now landing-consisting of 206 packages of Hardware, Cutlery and Dry Goods, comprising a general assortment. 12 boxes London Mustard, 1-41b bottles. 200 kegs Lon. don White Lead. 20 hds. Copperass. 146 crates Earthen Ware, well assorted. 10 setts Dinner China. 2 hhds. containing setts Elegant Gilt and Burnished Breakfast China, Wine and Butter Coolers, with Glasses. 18 crates Glass Bottles. 200 boxes I C and X Tin Plates. 500 sacks Liverpool stoved Sait.

FRONCHET C.

## AGRICULTURAL.

Philipsburg, Centre county, Penn. 17th May, 1815.

Mr. Poulson-In your paper of the 12th ultimo [copied into the Star April 21] burning the soil is highly recommended-and it is asserted, "that it is not owing to the ashes, but to the effects of fire, that lands are thus benefited"-and that this process " restores to a worn out soil its latent heat" which the writer appears to consider one of the most effectual means of restoring its fertility.#

In the backwoods we are compelled to become practically acquainted with the effects of fire on soil-for the timber being our princiup very wide and high-others are less, and some are formed with brush alone.

Thus, without the aid of a moveable furare for some time luxriant, particularly where the burning has been considerable; for on such spots, wheat and small grain become so rank that they often fall to the ground-and while the Alkaline Salts produced by the ash-es, continue in the soil, these burnt places are moist, while the rest of the field is dry. So with the theory in your paper ; but we find, deal, one or two crops are sufficient to destroy has been done. the fertility of the burnt places, and to render them but little better than a barren waste .--But if the soil be deep and rich before it is

• I am at a loss to understand what the writer means by latent heat—he appears evidently to confound it with the sensible heat of the earth. If he means it as under-stood by Chymists he must first prove, before his theory be admitted, that worn out so ils have parted with it.

I shall conclude with remarking, that if it can be proved that the stimulus arising from erecting substances can be best obtained by far an actual and extensive practice accords the destruction of the only known enriching substances themselves, the practice of burning if the soil is rather this previously to this or- the soil should be adopted. But not until this

## [From the New Hampshire Centinel: ] SPIKY ROLLER.

A wooden Roller, armed with spikes, is of important use in husbandry.

This instrument was formerly just mentioned by Mr. Ellis; but has been of the late brought into use by the ingenious Mr. Randall of York, in Eng tersburg and Richmond prices.

Petersburg, Va. June 20.

#### STATE OF NORTH-CAROLINA, ORANGE COUNTY.

Court of Pleas and Quarter Sessions, May term, 1815. James S. Smith, Justices executi-

John Cooke, executor of Peter Smith deceason, levid, John Hitton and wife, Elisha Kirkman and (ed on wife, John Corry and wife, Ludwick Comer and | land. wife, and Hannah Smith, widow.

I' appearing to the satisfaction of the Court, that the defendants in this cause, reside without the limits of this State ..... it is therefore ordered by the court, that publication be made in the Raleigh Star, for five weeks, that the said defendants appear at the next County Court to be held for Orange County, on the 4th Monday of August next, and show cause, if any they have, why said hand should not be sold. JUHN TAYLOR, jun c c.

#### STATE OF NORTH-CAROLINA, ORANGE COUNTY.

Court of Pleas and Quarter Sessions, May term, 1815 John Umstead,

John Cooke, executor of Peter Smith, deceased, John Hilton and wife, Elisha Kirkman and wife, John Corray and wife, Ludwick Cotner and wife, and mannah Smith, widow.

Justices execution, levied on land:

IT appearing to the satisfaction of the Court that the defendants in thus cause reside without the limits of this State-it is therefore ordered by the Court, that publication be made in the Raleigh Star, for five weeks, that the said defendants appear at the next County Court, to be held for Orange county, on the 4th Monday of August next, and shew cause, if any they have, why said land should not be sold. JOHN TAYLOR, jun c.c.

## WINDSOR CHAIRS.

G EORGE W. GRIMES respectfully informs the citien g zens of Raleigh and the public generally that he has taken the House on Hillsborough street, opposite to Mr. Wm. Boylan's, where he intends carrying on the Windson' Chair making, in all its various branches. He will also, carry on the Sign and Military Colour Painting, in the neatest and most elegant manner. The Chairs will be made to any fashion, and finished in a stile of elegance interior to none in the Union. Orders from the country will be thankfully received and dispatched with celerity.

32 3m Raleigh, June 2, 1815. N. 3. An Apprentice to the above business, of good family and about 14 or 15 years of age, will be taken.

# NEW & CHEAP GOODS.

HE Subscribers return their hearty thanks to their customers for past favors, and inform them and the public at large, that they have just received from New-York, an elegant assortment of FANCY GOODS, Hard Ware, and Cutlery; amongst which are Mill, Pitt & cross ware, and Cuttery : amongst which are all, 14t & cross Cut Saws, Smith's files, rasps, and screw plates; Cabinet Workman's and Sadier's materials; large Gilt framed House Glasses, an assortment of Paints, Painters and o-ther brushes; Weston's Gentlemen's and Servants patent water proof Hats, with fine and coarse Hats of common quality. All of which they are determined to sell low for CASE, and in no other way; it is therefore hoped that Ao merson will call for evadit person will call for credit.

CAIN & HARGIS. P. S. Dry Goods sold by the piece at or below the Pe-