

# Phillipsborough Recorder.

UNION, THE CONSTITUTION, AND THE LAWS—THE GUARDIANS OF OUR LIBERTY.

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For the Recorder.

EXCERPTS.

The tongue of the just choice silver.

Proverbs.

Bread is the nourishment of the animal, but knowledge is the food of man; by the one we grow to the world, by the other we reach to heaven.

Charity is reason made perfect by grace.

A sense of religion, without hope, is a state of frenzy and distraction, void of all inducements to love and obedience, or any thing praiseworthy. — *Sherlock.*

To act steadily a man must think solidly. — *Lecl.*

There will come a time when three words uttered with charity and meekness, shall receive a far more blessed reward than three thousand volumes written with disdainful sharpness of wit.

He that has learned to pray as he ought, has got the secret of a holy life. — *Bp. Wilson.*

All inquiries about the nature of the reason-able soul, must be bound over at last to religion; there to be determined and defined; for otherwise they still lie open to many errors and illusions of sense. For seeing the substance of the soul was not deduced and extracted in her execution from the mass of heaven and earth, but immediately inspired from God, and seeing the laws of heaven and earth are the proper subjects of philosophy, how can the knowledge of the substance of the soul be fetched from philosophy? But it must be drawn from the same inspiration from whence the substance thereof first flowed. — *Bacon.*

It is a trouble to some to commit a sin.

A man's heart and eye may be in heaven, that is, in a state of perfection, long before he sets his feet upon the golden threshold. — *Bp. Taylor.*

If an angel were sent to find the most perfect man, he would possibly not find him composing a body of divinity, but perhaps a cripple in a poor-house, whom all the parish wish dead, and humbled before God with far lower thoughts of himself than others think of him.

I never saw a work stand well with out a check.

When we first enter the divine life we propose to grow rich; God's plan is to make us feel poor.

Abel pleased God; and yet Cain killed Abel for envy of his goodness. Therefore it is a dangerous thing to please God, if there be no future state. — *Newton.*

The weaker you are, the fitter instrument you become for the designs and for the glory of God. — *Massillon.*

To him that knoweth not the point to which he is hastening, no wind can be favorable; neither can he who has not yet determined at what mark to shoot, direct his arrow aright. — *Leighton.*

All the works of the Lord are exceeding good; and his commandment is done whatsoever pleases him. He seeth from everlasting to everlasting; and there is nothing wonderful before him. — *Ecclesiasticus.*

A Good Joke — There are two houses of entertainment in a village in the Old Dominion, between the proprietors of which (one a Whig the other a Democrat) the best of feelings does not exist. Each indulged in ire against his opponent until two of their favorite negro servants took up the cudgels and fought, for which offence against the civil law both were flogged. Conway, the Whig negro and friend of Harrison, received five stripes and his antagonist Sam, the Democrat and friend of Van Buren (being the aggressor) was ordered ten stripes, the last of which being applied, he bounded with great agility and shouted "hurra for Van—he's five ahead!"

Removing the Deposites. — The Recorder states, that three years ago Mr. M. Ireland, of Raleigh, had his money drawer repeatedly robbed, without being able to discover the robber, until a few days ago, in recollecting his store, he found \$35 in bank notes lying in a mouse's nest, besides many fragments of notes. — *Fayetteville Obs.*

## To the People of the State of North Carolina.

We have seen, with mingled feelings of surprise and mortification, a circular issued by W. Montgomery and M. T. Hawkins, dated House of Representatives, 6th June, 1840. We are surprised that members of Congress should have descended from their high stations to have made charges so unfounded in fact, and we are mortified beyond measure that those members should have come from North Carolina. We deem it a duty to you, we deem it due to ourselves, to expose the misrepresentations of this circular, and, in doing so, we shall endeavor to treat its authors with all due respect, while we avoid their example, and remember to maintain our own self-respect.

Much of the abusive language applied to General Harrison we shall not notice. His character is beyond the reach of such assaults. For a long period he has been in the service of his country—he has often risked his life for that country—he risked his political life, and sacrificed his seat in Congress on account of his regard for the rights of the Southern States. We challenge the most rigid examination into his character. We defy the most severe exercise of malicious criticism into his military conduct and into his civil history. Thus far, every attack has proved he was better than he appeared before, and, as Americans, proud of the reputation of our distinguished countryman, we invite attention to his history. The miserable exploded slander, that he is a "bank, federal, abolition" candidate, is utterly unworthy of notice. The policy of the Van Buren party has created and fostered hundreds of state banks. We will at any time compare notes, and will prove hundreds of telegraphists to belong to the same party. Numerous instances can be given of their receiving high offices from Mr. Van Buren. Nothing is more susceptible of proof than the fact that the abolitionists have nominated candidates of their own, and that they are opposing Harrison, shoulder to shoulder, with the Van Buren party.

To show the People of our state who are the abolitionists, who are laborers with Messrs. Montgomery and Hawkins in their unworthy warfare, we ask that the letter of Duncan, of Ohio, may be examined. To give evidence of the fiendish malignity with which the South is assailed by Van Buren men, we hope the declarations of Tappan may be remembered—the man who offered to subscribe \$500 to buy powder and shot for the negroes, to aid them in insurrection! These men are members of the same party with our colleagues—all uniting in vilifying an old soldier who has served his country well—all uniting in their efforts to elect a man President of the United States who approves of the proceedings of a Court Martial in which negro testimony was admitted against a white man!

But we dismiss this. It has been too often refused to claim further notice at our hands. The authors of this circular could not have made any man in his senses believe this charge, before they wrote this extraordinary circular. After such an exhibition of disregard of facts as this circular affords, they and their endorsers must rely upon something beyond bare assertion to gain credit for their statements.

But what do they say in this circular? General Harrison is charged by them, on the first page of their circular, with "acts and votes" in favor of laws to sell "white men and white women for sheriffs' fees, clerks' fees, and lawyers' fees, and fines imposed by courts, who, from their poverty, were so poor as to be unable to pay these costs in money." We submit whether the statement does not bear its own refutation on its face. The act related to "crimes and punishments." It applied only to those who were sentenced on conviction of any crime or breach of any penal law, to pay "a fine or fines, with or without the cost of prosecution." The reading of the law exposes the groundless charge; because it says "with or without the costs of prosecution." Messrs. M. & H. would have you believe that, in enacting this law, the clerks', lawyers', and sheriffs' fees were alone consulted. It was intended as a punishment for crimes, such as horse stealing, hog stealing, burglary, arson, &c.; which are expressly mentioned in the law, when the criminals were "on conviction" sentenced to pay a fine, "with or without costs of prosecution."

Messrs. M. & H. seem to think this law would operate only on those who, from their poverty, were so poor as to be unable to pay these costs in money! If it had been intended to affect those only who, from their poverty were so poor, we suppose those who "from any other cause were so poor" would never have been sold under this law! Messrs. M. & H. seem to think there are two classes of poor men first, "the poor" simply, and then, secondly, those who "from their poverty, are so poor!"

But we are willing to give these authors the full benefit of their extract from this law, and we quote the law of Indiana, as contained in the circular:

Extract from the Laws of Indiana Territory, Printed at Vincennes, by Messrs. Stout & Smoot, in 1837, and now in the Library of the State Department, Washington city.

### CHAPTER VI.

An act respecting Crimes and Punishments.

Sec. 30. When any person or persons shall, on conviction of any crime or breach of any penal law, be sentenced to pay a fine or fines, with or without the costs of prosecution, it shall and may be lawful for the court before whom such conviction shall be had to order the sheriff to sell or hire the person or persons so convicted to service to any person or persons who will pay the said fine and costs, for such term of time as the said court shall judge reasonable.

And if such person or persons, so sentenced and hired or sold, shall abscond from the service of his or her master or mistress before the term of such servitude shall be expired, he or she so absconding, shall, on conviction before a justice of the peace, be whipped with thirty-nine stripes, and shall, moreover, serve two days for every one so lost.

Sec. 31. The judges of the several courts of record in this Territory shall give this act in charge to the grand jury in each and every court in which a grand jury shall be sworn.

JESSE B. THOMAS,

Speaker of the House of Representatives.

B. CHAMBERS,

President of the Council.

Approved, September 17, 1837.

WILLIAM H. HARRISON.

Indiana, at this time, was a Territory; she had not become a State; she had no penitentiary—probably she had few jails in her borders. If a sinner had robbed a man of his horse, or stolen his hog, although the vagrant might have owned property to the amount of a thousand dollars, still, under this law, he might have been "hired to service." The object of the law was to punish and to reform offenders. Under this law a notorious offender could be hired out, for six or twelve months, and made to work instead of being confined in jail, and fed at public expense out of the taxes paid by honest "good neighbor men."

The law reached not only those who "from their poverty were so poor" as to be unable to pay costs, but those who might be able to pay costs, and who deserved to be hired out and made to work. It is perfectly plain, therefore, that this law was made for poor, not for rich, persons convicted of crimes, and it could only be carried into effect after indictment by a grand jury, and after conviction by twelve free men, who heard testimony on oath. And yet Messrs. M. and H., in their circular, say that under this law, poor white men and white women could be "sold by the sheriff, at public auction, as slaves!"—Are "slaves" sold for such term of time as Courts deem reasonable, on conviction for crimes? As well might it be said apprentices are sold as slaves. Is it not an insult to you, does it not evince a contempt for your understandings, when such statements are published for your examination? But we will not misrepresent—we quote the words from the third page of the circular:

"We deem comment useless, and will therefore only say that, on the 17th of September, 1837, General William H. Harrison, the then Governor of the Territory of Indiana, and holding the sole control of all the laws in his own hands, actually signed the above bill which provides that poor white men and women, who are from their poverty unable to pay sheriffs' fees, clerks' fees, lawyers' fees, and court fines, should be sold by the sheriff at public auction as slaves. How would you feel to see one of your poor but respectable and good neighbor men sold at auction by the sheriff of your county as a slave, under this Harrison law, to some free negro?"

And only think of what would be your feelings to see one of your poor but respectable neighbor women knocked off under the sheriff's hammer to a free negro, as his slave, to be under his commands, and compelled to obey them, whatever they might be; and should she resist and disobey and leave her black master's service, and he should apprehend her, and drag her before a single justice of the peace, and under this Harrison law, have thirty-nine lashes inflicted upon his white female slave, and then compel her to serve two days for every one she has lost from her black master's service, would you be willing to vote for such a man as President? And this is the bank, federal, Whig candidate's former opinions and acts to which he refers us, and adopts as his present opinions and principles; and this man, with these principles, is the nominee of the great Harrisburg and Baltimore bank, federal, abolition Conventions for President of these United States; and they strongly solicit your votes for him, and particularly demand the votes of poor men, while at the same time he actually refuses to be seen by, or even spoken to by a poor man; and you are asked by

these federal Whigs to take him upon his former expressed opinions and acts, and they as above stated."

We take it for granted that any intelligent man will see at once this misstatement, and will, as soon as the law is read, be entirely satisfied that selling a horse thief, or a hog thief, or one who had committed forgery or perjury, after he had been "convicted" by twelve men, cannot properly or with truth be said to be selling "respectable and good neighbor men" for lawyers' fees.

We know the People, "the respectable and good neighbor men," of North Carolina too well to believe, for one moment that they will oppose the election of Gen. Harrison because he wished to punish thieves, forgers, and perjured wretches. One who did not know our people would suppose that North Carolina was a den of thieves, from reading this circular. How could honest people suffer by such a law? No honest man could complain of it. It was passed to protect honest men against those who violated the laws of God and man, and relieve honest men from taxes. And surely no North Carolinian, residing in that state, remarkable for the general good character, the orderly and correct deportment of its people, can be influenced by such appeals. We pronounce this attempt an unworthy artifice, unbecoming members of Congress, representing honest men, as the authors of this circular do, and insulting to the people of North Carolina, who would suffer as little by such laws as any other people in the world.

But there is another misrepresentation in the extract last quoted, which either betrays an unpardonable ignorance in those who profess to hold themselves ready to answer "any inquiries which may be asked," or shows a wilful departure from the truth. Messrs. M. and H. say that they were electioneering among convicts from a penitentiary, and "How would you feel to see one of your poor but respectable and good neighbor men sold at auction by the sheriff of your county, as a slave, under this Harrison law, to some free negro?" If Gen. Harrison had ever sanctioned a law by which a free negro was authorized to buy a poor and respectable man, he would deserve, and would receive from us, nothing but the severest reprobation. Instead of feeling justly proud, of Americans, of his glorious victories in the field over the British and Indian forces, we should blush to hear the name of Harrison. Instead of reflecting, with feelings of exultation, on the events of a long and well spent life, on the unblemished integrity of his character as a soldier and a statesman, we should say he deserved the curses we should respect a good neighbor man." But what is the real state of the case? In many of the States of the Union there are similar laws, and the idea of a white man being sold to a free negro seems never to have been thought of by any one but Messrs. Montgomery and Hawkins.

The law of North Carolina, which many of the members of Assembly in North Carolina voted for, does not contain any clause forbidding a free negro to hire a convict. Like penitentiaries among the Athenians, there was no law to prevent it, for no man, it was thought, could be wicked enough to commit the crime. Will it be said that the members of the Legislature of North Carolina ever voted for a law to sell poor "but respectable neighbor men" as slaves to free negroes? We hope not, yet the assertion may be made with as much truth of this law as of the Indiana law. Examine for yourselves the law of North Carolina.

By this law of our own State, which we quote from memory, not having the book before us, it is provided that certain persons who are idle and disorderly in their conduct (not confined to those who are convicted of crimes, as the Indiana law was) should be "hired out," "but if such persons were of ill fame, so that he or they could not be hired out for the costs, nor give sufficient security for the same, and his or their future good behavior, in that case, it shall and may be lawful for said court to cause the offender or offenders to receive thirty-nine lashes on his or their bare back, after which he or they shall be set at liberty, and the costs arising thereon shall become a county charge; which punishment may be inflicted as often as the person may be guilty, allowing twenty days between the punishment and the offence."

Consult the journals of the Legislature, when the revised statutes were adopted, and learn how many supporters of the Administration voted for this law.

But to show how careful General Harrison was, as he has always been, of the rights of the poor, we call your attention to the following section of a law of the Territory of Indiana:

"Extract from the laws of the Indiana Territory, printed at Vincennes, by Messrs. Stout and Smoot, in 1837, and now in the library of the State Department, Washington city."

Yes, extract from the very same book from which Messrs. Montgomery and Hawkins copied their extract.

We copy the following from page 343, chapter 48, section 9th, of the same book: Section 9. No negro, mulatto or

Indian, shall at any time purchase any servant other than of their own complexion, and if any of the persons aforesaid shall nevertheless presume to purchase a white servant, such servant shall immediately become FREE, and shall be so held, deemed, and taken."

Signed as follows:  
JESSE B. THOMAS,  
Speaker of the House of Representatives.  
B. CHAMBERS,  
President of the Council.

Approved, September 17, 1837.

WM. HENRY HARRISON:

Now, fellow-citizens, we can repeat the words of the circular, and say "we deem comment useless," and will therefore only say "that on the 17th day of September, 1837, Gen. Wm. Henry Harrison, the then Governor of the Territory of Indiana," (the same man who is the son of Benj. Harrison, a signer of the Declaration of Independence; the same man who was appointed Governor of the Territory of Indiana by Thomas Jefferson, the author of the Declaration of Independence, in the year 1803 and in 1806, afterwards by Mr. Madison in 1809, after this law had been passed; the same man who fought and conquered at Tippecanoe and the Thames; the same man whom cut-throat abolitionists, and all horse thieves, hog thieves, horse-breakers, and forgers, who do not wish to be made to work, hate so bitterly; his same man who lost his seat in Congress because he defended Southern rights; his same man Wm. Henry Harrison) "actually signed the above bill" which forbade a negro to purchase a white servant although that white servant had been convicted by a jury! Now, fellow-citizens, "how would you feel" if one of your were the representative of "respectable, good neighbor men," and published such a circular? "And only to think of what would be your feelings," if one of you had published such charges against an honest old soldier, and said "the above is a true statement of facts on record!" "We appeal to every honorable man among you, (not totally blinded by party prejudice,) who loves his friends, his liberty, and his country, to pause, reflect, and examine well the principles and recorded acts" of those men who all thus grossly insult your understandings.

We leave the Indiana laws here.

Messrs. Montgomery and Hawkins also give an extract from the journal of the Senate of Ohio in 1821, from which we take the following:

"Mr. Fishburn then moved to strike out the 19th section of the bill as follows:

"Be it further enacted, that when any execution of a judgment for the non-payment of a fine or costs, 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 effected, the sheriff shall give to the purchaser a certificate thereof, and deliver over the prisoner to him, from which time the relation between such purchaser and the prisoner shall be that of master and servant, until the time of service expires, and for injuries done by either remedy shall be had in the same manner as is or may be provided by law in case of master and apprentice. But nothing herein contained shall be construed to prevent person 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 disposed of agreeably to the provisions of this act."

Which motion was decided in the affirmative: Yeas 20, nays 12."

Among the 12 nays, it seems, the name of Harrison is found. This law seemed in its terms to prescribe that the relation between the parties should be that of "master and apprentice." It only related to those who were "imprisoned." Messrs. Montgomery and Hawkins have not ventured to say that "neighbor men and neighbor women," under this law, could be sold as slaves. This is only charged as to the Indian law. But let us examine this Ohio law, which has heretofore been very much misrepresented.

The first charge against General Harrison was, that he voted for a law to sell men for debt. In 1821, when this law was brought against Gen. Harrison, he wrote a letter to the Editor of the Cincinnati Advertiser, from which we copy the following:

"I would appeal to the candor of your correspondent to say whether, if there were an individual confined under the circumstances I have mentioned, for whose fate he was interested, he would not gladly see him transferred from the filthy enclosure of a jail, and the still more filthy inhabitants, to the comfortable mansion of some virtuous citizen, whose admonitions would check his vicious propensities, and whose authority over him would be no more than is exercised over thousands of apprentices in our country, and those bound servants which are tolerated in our as well as in every other State in the Union. Far from advocating the abominable principles attributed to me by your correspondent, I think that imprisonment for debt, under any circumstances but that where fraud is alleged, is at war with the best principles of our Constitution, and ought to be abolished. "I am, sir, your humble servant,  
WM. H. HARRISON."

In 1835, Gen. Harrison wrote a letter to Mr. Pleasant, relating to this subject, from which we quote the following:

"So far from being willing to sell men for debts which they are unable to discharge, I am, and ever have been, opposed to all imprisonment for debt. Fortunately, I have it in my power to show that such has been my established opinion; and that, in a public capacity, I avowed and acted upon it. Will those who have preferred the unfounded and malicious accusation refer to the journals of the Senate of the United States, 2d Session, 19th Congress, page 235; it will there be seen that I was one of the committee which reported a bill to abolish imprisonment for debt. When the bill was before the Senate, I advocated its adoption; and on its passage voted in its favor. [See Senate journal, 1st Session, 20th Congress, pages 101 and 102.]

"It is not a little remarkable, that if the effort I am accused of having made, to subject men to sale for the non-payment of their debts, had been successful, I might, from the state of my pecuniary circumstances at the time, have been the first victim. I repeat, the charge is a vile calumny. At no period of my life would I have consented to subject the poor and unfortunate to such a degradation, nor have omitted to exert myself in their behalf, against such an attempt to oppress them.

"I am, dear sir, with great respect,  
your humble servant,  
WM. H. HARRISON.  
J. H. PLEASANTS, Esq."

Although this charge is not made in the circular, it has been made in many newspapers, and we feel bound to let the whole truth be known to you. Like all the other thousand slanders against Gen. Harrison, the examination reduces to his credit. He was influenced by feelings of humanity in wishing to relieve prisoners from the loathsome vapors of a dungeon, that they might, as apprentices, work out their fines.

Mr. Mason, of Ohio, who is well acquainted recently made by him, very satisfactorily explains this vote. Mr. Mason says:

"Sir, I wish now to call your attention to the vote of Gen. Harrison, and the circumstances under which it was given. The attention of the Legislature of Ohio, during its session of 1820-'21, was anxiously directed to the consideration of some plan for the relief of the people, then suffering under a degree of distress and embarrassment unexampled in the history of that state. With a currency depreciated and deranged, the financial resources of the state crippled, and a treasury exhausted, the people loudly complained of the almost intolerable burden of taxation; they demanded retrenchment and reform in the expenses incident to the administration of the criminal laws of the country. In this posture of public affairs, with a gradually increasing expenditure for the prosecution and punishment of offenders, and a penitentiary crowded with convicts, that had become an annual charge on the Treasury, the Legislature assembled, and undertook to provide a remedy for the grievances complained of, by instituting a revision of the entire criminal code of the state. The task was one of great difficulty and labor; but it was accomplished with as much success as was attainable in the then condition of the country. The great object in view was to diminish the public expenditures, in criminal cases, by reducing them to the lowest point consistent with the ends proposed to be secured by the due and proper administration of punitive justice. To effect this, the House of Representatives passed a bill entitled

"An act supplementary to an act for the punishment of certain offences therein named," and sent it to the Senate for concurrence. Several new provisions were introduced into this bill. By it certain offences which had before been punished by imprisonment in the penitentiary were made punishable by fine and imprisonment in the county jails."

It was this bill "for the punishment of certain offences therein named," which contained the 19th section to which we have just referred. In that 19th section it will be seen as follows: "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," &c.

In the act for the punishment of certain offences therein specified, passed February 11, 1815. (See Chase's statutes, 2d vol., pages 893, 4, 5, 6, 7.) you