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TERMS.

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MR. PHILIPS' SPEECH.

[Concluded.]

Thus, gentlemen, did this Janus fronted traitor, abusing Mrs. Kirwan by fabricated crimes—defaming Mrs. Fitzgerald by previous conduct; confiding in all, extorting from all, and betraying all—on the general credulity and the general deception found the accomplishment of his odious purposes; There was but one feature wanting to make his perfidy peculiar as it was infamous. It had the grand master touches of the demon, the outlines of gigantic towering deformity, perfidy, adultery, ingratitude and irreligion, flung in the frightful energy of their combination: but it wanted something to make it despicable as well as dreadful; some petty, narrow, grovelling meanness that would dwarf down the terrific magnitude of its enormity, and make man scorn, while they shuddered—and it wants not this. Only think of him when he was thus tramping, betraying and drossing, actually end-avering to wheedle the family into the settlement of an annuity on his intended prostitute. You shall have it from a witness—you shall have it from his own letter, where he says to Mrs. Fitzgerald, "where is your annuity? I dare say you will answer me you are perfectly indifferent, but believe me I am not." Oh, no, no, no!—the seduction of a mother; the calamity of a husband; the dissolution of a household; the utter contempt of morals and religion; the cold blooded assassination of character and of happiness, were as nothing compared to the expenditure of a shilling: he paused not to consider the ruin he was inflicting, but the expense he was incurring; a prodigal in crime, a miser in remuneration; he brought together the piousness of youth and the avarice of age, calculating on the inheritance of her plundered infants to defray the harlotry of their prostituted mother! Did you ever hear of turpitude like this? Did you ever hear of such brokerage in iniquity? If there is a single circumstance to rest upon for consolation, perhaps, however, it is in the exposure of his parsimony. He has shown where he can be made to feel, and in the commission of his crime providentially betrayed the only accessible avenue to his punishment. Gentlemen of the jury, perhaps some of you are wondering why it is that I have so studiously abstained from the contemplation of my client. It is because I cannot think of him without the most unaffected anguish. It is because, possible as it is for me to describe his sufferings, it is not possible for you adequately to conceive them. You have home and wife and children dear to you, and cannot fancy the misery of their deprivation. I might as well ask the young mountain peasant, breathing the wild air of health and liberty, to feel the irons of the inquisition's captive. I might as well journey to the convent grate, and ask religion's virgin devotee to paint that mother's agony of heart who finds her first born dead in her embraces! Their saddest visions would be sorrow's mockery; to be comprehended, misery must be felt, and he who feels it most, can least describe it. What is the world with its vile pomps and vanities now to my poor client? He sees no world except the idol he has lost; wherever he goes her image follows him; she fills that gaze absent on vacancy; the highest noon of fortune now would only deepen the shadow that pursues him; even

"Nature's sweet restorer, balmy sleep," gives him no restoration; she comes upon his dream as when he saw her first in beauty's grace & virtue's loveliness; as when she heard him breathe his timid passion and blushed the answer that blessed him with its return; he sees her kneel; he hears her vow; religion registers what it scarce could chasten, and there, even there, where paradise reveals itself before him, the visionary world vanishes, and wakes him to the hell of his reality. Who can tell the misery of this? Who can fancy it that has not felt it? Who can fancy his soul-living endurance while his foul tormenter gradually goaded him from love into suspicion, and from suspicion into madness! Alas!

"What damned minutes tells he o'er,
"Who doats, yet doubts—suspects, yet stoningly loves."

Fancy if you can the accursed process by which his affection was shaken; his fears aroused; his jealousy excited until at last a mistaking accident for design, and halows for confirmation, he sunk under the pressure of the human vampire that crawled from his father's grave to clasp him into ruin! Just imagine the catalogue of petty frauds by which in his own phrase he made himself impenetrable; how he invented; how he exaggerated; how he pledged his dupe to secrecy, while he blackened the character of Major Brown, with whom he daily associated on terms of intimacy; how he libelled the wife to the husband and the husband to the wife; how he wound himself round the very heart of his victim, with every embrace coiling a death-torture, till at last he drove him for refuge in the woods, and almost to suicide, for a remedy. Now, gentlemen, let us concede for a moment the veracity of his inventions. Suppose this woman to be even worse than he represented; why should he reveal it to the unconscious husband? All was happiness before his interference; all would be happiness still but for his murderous amity; why should he awake him from his dream of happiness? Why should he swindle himself into a reluctant confidence for the atrocious purpose of creating discord? What family would be safe if every little exploded calamity was to be revived, and every forgotten ember to be fanned into conflagration? Is such a character to be tolerated in the community? But even this insolent defence is wanting; you will find that self was his first and last and sole consideration; you will find that it was he who soured this woman till she actually refused to live any longer under the roof with her husband & her children; you will find that in the midst of his counsel, his cant and his sensibility, he himself was the profligate adulterer; you will find that he ruled her with a rod of iron; you will find that having once seduced her into crime, he compelled her to submit to degradation too loathsome for credulity, if it was not too monstrous for invention; you will find that his pretence for enforcing this disgusting ordeal was a doubt of her previous innocence, which it alone, he asserted, could eradicate; you will find her on her knees, weeping, almost fainting, offering oaths upon oaths to save herself from the pollution; and you will find at last, when exhausted nature could no longer struggle, the foul adulterer actually-perpetrating—but no; the genius of my country rises to rebuke me; I hear her say to me, "Forbear, forbear; I have suffered in the field; I have suffered in the senate; I have seen my hills bedewed with the blood of my children; my diadem in dust; my throne in ruins; but nature still reigns upon my plains; the morals of my people are yet unconquered; forbear, forbear; disclose not crimes of which they are unconscious; reveal not the knowledge whose consequence is death." I will obey the admonition; nor from my lips shall issue the odious crimes of this men-

dant adulterer; not by my hand shall the drapery be withdrawn that screens this libertine sensuality from the public execration! God of nature! had this been love forgetting forms in the pure impetuosity of its passions; had it been youth, transgressing rigid law and rigid morals; had it been desire, mad in its guilt, and guilty even in its madness, I could have dropped a tear over humanity in silence; but when I see age; powerless, passionless, remorseless avaricious age, drugging its impotence into the capability of crime, and zealous its enjoyment by the contemplation of misery, my voice is not soothed but stifled in its utterance, and I can only pray for you, fathers, husbands, brothers; that the Almighty may avert this omen from your families!

Gentlemen of the jury, if you feel as I do, you will rejoice with me that this odious case is near to its conclusion. You will have the facts before you; proof of the friendship; proof of the confidence; proof of the treachery, and eye witnesses of the actual adultery. It remains to enquire what is the palliation for this abominable turpitude. Is it love?—Love between the perpetrator and the victim? Why, he has a daughter older than his victim! He has a wife whose grave alone should be the altar of his nuptials! He is of an age when a shroud should be his wedding garment! I will not insult you by so preposterous a supposition. Will he plead connivance in the husband; that fond, affectionate, devoted husband? I dare him to the experiment; and if he makes it, it is not to his intimates, his friends, or even to the undeviating testimony of all his enemies, that I shall refer you for his vindication; but I will call him into court, and in the altered mein, and mouldering form, and furrowed cheek of his deceiving youth, I will bid you read the proof of his connivance. But, gentlemen, he has not driven me to conjecture his palliation; his heartless industry has blown it through the land; and what do you think it is? Oh, would to God I could call the whole female world to its disclosure! Oh, if there be within our island's boundaries one hapless maid who lends her ear to the seducer's poison, one hesitating matron whose husband & whose children the vile adulterer devotes to desolation, let them now hear to what the flattery of vice will turn; let them see when they have levelled the fair fabric of their innocence and their virtue, with what remorseless haste their foul destroyer will rush over their ruins! Will you believe it? That he who knelt to this forlorn creature, soothed her vanity, adored her failings, and deified her faults, now justifies the pollution of her person by the defamatory of her character? Not a single act of indiscretion; not an instance, perhaps, of culpable levity in her whole life, which he has not raked together for the purpose of publication. Unhappy woman! may Heaven have pity on her! Alas! how could she expect that he who sacrificed a friend to his lust, would protect a mistress from his avarice? But will you permit him to take shelter under this act of dishonorable desperation? Can he expect not even sympathy but countenance from a tribunal of high minded honorable gentlemen? Will not you say, that his thus traducing the poor fallen victim of his artifices, rather aggravates than diminishes the original depravity? Will you not spurn the monster whose unnatural vice, combining sensuality, hypocrisy and crime, could stoop to save his miserable dress by the defamatory of his victim? Will you not ask him by what title he holds this inquisition? Is it not by that of an adulterer, a traitor, a recreant to every compact between man and man, and between earth and Heaven?

I this heartless palliation was open to all the world, is not he excluded from it? He, her friend; her husband's friend; her husband's father's friend; her family adviser,

who quaffed the cup of hospitality, and pledged his host in poison; he who, if you can believe him, found this young and inexperienced creature tottering on the brink, and, under pretence of assisting, dragged her down the precipice! Will he, in the whole host of strangers, with whose familiarity he defames her, produce one this day vile enough to have followed his example; no out of even the skipping, dancing, worthless tribe, whose gallantry has sunk into ingratitude, whose levity has sublimed itself into guilt? No, no; "imperfectly civilized" as his countrymen have called us, they cannot deny that there is something generous in our barbarism; that we could not embrace a friend while we were planning his destruction; that we were not sit at his table while we were profaning his bed; that we could not preach morality while we were perpetrating crime—and, above all, if in the moment of our nature's weakness, when reason sleeps and passion triumphs, some confiding creature had relied upon our honor, we could not dash her from us in her trial hour and for purse's safety turn the cold blooded assassin of her character. But, my Lord, I ask you not as a father; not as a husband; but as a guardian of the morals of this country, ought this to be a justification of any adulterer? And if so, should it justify an adulterer under such circumstances? Has any man a right to scrutinize the constitution of every female in a family, that he may calculate on the possibility of her seduction? Will you instil this principle into society? Will you instil this principle into the army? Will you disseminate such a principle of palliation? And will you permit it to palliate—what? The ruin of a household; the sacrifice of a friend; the worse than murder of four children; the most inhuman perfidy to an host; a companion, and a brother in arms! Will you permit it? I stand not upon her innocence: I demand vengeance on his most unnatural villainy. Suppose I concede his whole defence to him; suppose she was begrimed & black as hell, was it for him to take advantage of her turpitude? He a friend; a guest; a confidant; a brother soldier! Will you justify him even in any event, in trampling on the rights of friendship, of hospitality, of professional fraternity, of human nature? Will you convert the man into the monster? Will you convert the soldier into the foe, from being the safe-guard of the citizen? Will you so defame the military character? Will you not fear the reproaches of departed glory? Will you fling the laurelled flag of England, scorched with the cannon flame, and crimsoned with the soldier's life-blood; the flag of countless fights, and every fight a victory; will you fling it across the couch of this accursed harlotry, without almost expecting that the field sepulchre will heave with life, and the dry bones of buried armies rise reanimate against the profanation? No, no; I call upon you by the character of that army not to contaminate its trophies; I call on you in the cause of nature to vindicate its dignity; I call on you by your happy homes to protect them from profanation; I call on you by the love you bear your little children, not to let this christian Herod loose amongst the innocents. Oh! as you venerate the reputation of your country; as you regard the happiness of your species; as you hope for the mercy of that all-wise and protecting God who has set his everlasting cannon against adultery; banish this day by a vindictive verdict the crime and the criminal forever from amongst us.

After a trial which lasted for seventeen hours, the jury found a verdict for the plaintiff, of FIFTEEN HUNDRED POUNDS * damages, and 6d costs.

* Equal to SIX THOUSAND SIX HUNDRED & SIXTY-SIX DOLLARS and sixty-six cents.

BUENOS AYRES.

We have been favored with a copy of the following letter written by Mr. Gilbert H. Rogers, son of Mr. David Rogers, jun. of this city, which we are persuaded will be interesting to most of our readers.

N. Y. Com. Adv.

BUENOS AYRES, APRIL 20, 1819.

The town of Buenos Ayres, as you read in history, was settled about 200 years ago, and has 100 000 inhabitants. It is situated on the banks of the river La Plata, 170 miles from the sea shore, on a spot considerably elevated above the adjacent country, by which it possesses a very commanding prospect. On the opposite side of the river, which is here 30 miles broad, stands Monte Video belonging to the Portuguese. Buenos Ayres is handsomely laid out in squares, all the streets crossing at right angles; but they are generally narrow and filthy. The houses, which are built of brick, and afterwards whitewashed, are only one story high, with flat roofs; the greater part of them are large and convenient, and some of them have a magnificent appearance. This town might well be styled a town of Forts, as every house can mount a cannon on its top, and in every other respect they are calculated to repel the attacks of an enemy.

The houses have only one door in front, which opens into a large square court yard, out of which you enter the different apartments, the floors of which are paved with brick and are often elegantly furnished. On each side of the door there is a grated window, similar to our jail windows, being the only aperture for admitting light and air in the front. You will be surprised when I inform you, that there is but one chimney in the whole town. The fact is, the inhabitants have very little use for fire except in cooking, which is done in a corner of the court yard by means of a small oven. The climate is remarkably fine, with a pure air which renders the situation very healthy. Sickness indeed is rare here, and all classes are strangers to those distressing and fatal complaints, consumptions, dropsies, &c. &c. to which the rest of the world are subject. They uniformly live to a great age. The sailors affirm that the old women never die, but are finally blown off by the Pomparos, a terrible wind which prevails here at certain seasons, and frequently does great damage to the shipping.

It being the latter part of their summer when I arrived here I had the pleasure of witnessing their rich harvest of luxuries so natural to this country, the soil of which is so fertile that it produces in great abundance with little or no labour. Peaches grow wild in large groves, and are the finest I ever beheld; they excel not only in beauty but in taste and flavor. Their strawberries also are the largest I ever saw. Oranges, lemons, figs, melons, with mangle, and a variety of other exquisite fruits grow here in great perfection. These, with abundance of vegetables, are exposed by cart-loads in the market place, which is one of the most interesting objects in Buenos Ayres. It forms an oblong square, occupying about two acres, with a row of handsome buildings extending through the centre, in the middle of which there is an archway to facilitate the communication with all parts of the town. The lower part consists of dry good stores, and the top, which is entirely flat, is surrounded with a railing and cannon mounted on it.

There are a great many churches in Buenos Ayres, some of which are very old, and in a decayed state, resembling huge piles of bricks with ten or twelve bells suspended therefrom at different points. Those of later erection are equally large, and display considerable taste. Some of their spires are gilt and decorated with images; but the interior is most interesting to strangers; here, in an uninterrupted space of about 200 feet, you may see at all times of