

PATRICK HENRY.

The Life and Character of PATRICK HENRY, by WILLIAM WYTT Esquire, recently published in Philadelphia by JAMES WEBSTER, has been reviewed in the "Richmond Enquirer" of the eighteenth inst.—from which we have selected the following interesting sketches:—

PATRICK HENRY.

As our Author informs us, was born on the 29th of May, 1736, in the county of Hanover. His parents were not rich, but in easy circumstances and of respectable character.—The son seems to have given in his youth no evidence of his future greatness.—His companions recollect nothing that distinguished him advantageously from other young men, unless a certain propensity to observe and comment upon the human character might be so regarded. He was nurtured in idleness, and had none of the benefits of a regular education. At the age of 18 he was placed behind the counter of a country merchant, and the next year was with his brother William "set up in trade." This proved a most unfortunate adventure, and was not long in coming to its usual catastrophe. At the age of eighteen he married a Miss Shelton, the daughter of an honest but needy farmer: and "Mr. Henry had to delve the ground with his own hands for subsistence."—"Such," exclaims our author, "are the vicissitudes of human life!—It is curious to contemplate this giant genius, destined in a few years to guide the councils of a mighty nation, but unconscious of the intellectual treasures which he possessed, enumerated, at the early age of eighteen, with the cares of a family; obscure, unknown and almost unpitied; digging, with wearied limbs and with an aching heart, a small spot of barren earth for bread, and blessing the hour of night, which relieved him from toil. Little could the wealthy and great of the land, as they lolled along the highway in splendor, and beheld the young rustic at work in the course garb of a laborer, covered with dust and melting in the sun, have suspected that this was the man who destined not only to humble their pride, but to make the prince himself tremble on his distant throne, and to shake the brightest jewel from the British crown. Little indeed, could he himself have suspected it; for amidst the distresses which thickened around him at this time, and threatened him not only with obscurity but with famine, no hopes came to cheer the gloom, nor did there remain to him any earthly consolation, save that which he found in the bosom of his own family."

Soon after this period, Mr. Henry having devoted six weeks to the study of the law applied for and obtained a license to practise it. For three years he lingered in obscurity, until at length a controversy to which the legislature and people were parties on the one side, and the clergy on the other, called forth his gigantic talents. An act had passed in 1758, authorising persons indebted for tobacco to commute the debt for money at the rate of 16s. 8d. per hundred. This act deeply affected the interests of the clergy, whose stipends were payable in tobacco, and they resisted it on two grounds; first because the act of 1758, not having received the royal assent, had not the force of a law; and secondly, because the King in Council had declared that act null and void.—In a suit instituted by the reverend James Maury, vs. the collector of Hanover and his securities, the question of law came to be argued on a demurrer assigning as causes of demurrer these reasons, and was determined in favor of the plaintiff. The case then came before a jury on a writ of enquiry of damages, and it was on this question that Mr. Henry made his debut before the public. Our author's account of the whole matter is extremely interesting, but we confine ourselves to the following extract, detailing what took place in Court.

"Soon after the opening of the court, the cause was called. It stood

on a writ of inquiry of damages, no plea having been entered by the defendants since the judgment on the demurrer. The array before Mr. Henry's eyes was now most fearful. On the bench sat more than twenty clergymen, the most learned men in the colony, and the most capable, as well as the severest critics before whom it was possible for him to have made his debut. The court-house was crowded with an overwhelming multitude, and surrounded with an immense and anxious throng, who not finding room to enter were endeavoring to listen without, in the deepest attention.

But there was something still more awfully disconcerting than all this; for in the chair of the presiding magistrate, sat no other person, than his own father.—Mr. Lyons opened the cause very briefly; in the way of argument he did nothing more than explain to the jury, that the decision upon the demurrer had put the act of 1758 entirely out of the way and left the law of seventeen hundred and forty-eight as the only standard of their damages; he then concluded with a highly wrought eulogium on the benevolence of the clergy. And now, came on the first trial Patrick Henry's strength. No one had ever heard him speak, and curiosity was on tiptoe. He rose very awkwardly, and faltered much in his exordium. The people hung their heads at so unpromising a commencement; the clergy were observed to exchange sly looks with each other—and his father is described as having almost sunk with confusion, from his seat. But these feelings were of short duration, and soon gave place to others, of a very different character.—For now were those wonderful faculties which he possessed, for the first time developed; and now, was first, witnessed that mysterious and almost supernatural transformation of appearance, which the fire of his own eloquence never failed to work in him. For as his mind rolled along, & began to glow from its own action, all the *exuviae* of the clown, seemed to shed themselves spontaneously. His attitude, by degrees, became erect and lofty. The spirit of his genius awakened all his features. His countenance shone with a nobleness and grandeur which it had never before exhibited. There was a lightning in his eyes which seemed to rive the spectator. His action became graceful, bold, and commanding; and in the tones of his voice, but more especially in his emphasis, there was a peculiar charm, a magic, of which any one who ever heard him, will speak as soon as he is named, but of which no one can give any adequate description. They can only say that it struck upon the ear and upon the heart, in a manner which language can not tell. Add to all these, his wonder-working fancy and the peculiar phraseology in which he clothed its images; for he painted to the heart with a force that almost petrified it. In the language of those who heard him on this occasion "he made their blood run cold, and their hair to rise on end."

"It will not be difficult for any one, who ever heard this most extraordinary man, to believe the whole account of this transaction which is given by his surviving hearers; and from their account the court house of Hanover county, must have exhibited on this occasion, a scene as picturesque, as has been ever witnessed in real life. They say, that the people, whose countenances had fallen as he arose, had heard but a very few sentences before they began to look up; then to look at each other with surprise, as if doubting the evidence of their own senses; then, attracted by some strong gesture, struck by some majestic attitude, fascinated by the spell of his eye, the charm of his emphasis, and the varied and commanding expression of his countenance, they could look away no more. In less than twenty minutes, they might be seen in every part of the house, on every bench, in every window, stooping forward from their seats in death like silence; their features fixed in amazement and awe; all their senses listening

and rivetted upon the speaker, if to catch the last strain of some heavenly visitant. The mockery of the clergy was soon turned into alarm; their triumph into confusion and despair; and one burst of his rapid and overwhelming invective, they fled from the bench in precipitation and terror. As for the father, such was his surprise, such his amazement, such his rapture, that, forgetting where he was, and the character which he was filling, tears of ecstasy streamed down his cheeks, without the power or inclination to repress them.

"The jury seem to have been so completely bewildered, that they lost sight not only of the act of 1748, but that of 1758 also; for thoughtless even of the admitted right of the plaintiff they had scarcely left the bar, when they returned with a verdict of *one penny damages*. A motion was made for a new trial; but the court too, had now lost the equipoise of their judgment, and overruled the motion by an unanimous vote. The verdict and judgment overruling the motion were followed by redoubled acclamation, from within & without the house. The people, who had with difficulty kept their heads off their champion, from the moment of closing his harangue, no sooner saw the fate of the cause finally sealed, than they seized him at the bar, and in spite of his own exertions, and the continued cry of "order" from the sheriffs and the court, they bore him out of the court house, and raising him on their shoulders, carried him about the yard, in a kind of electioneering triumph."

[To be continued.]

Legislature of N. Carolina.

IN SENATE—Nov. 21, 1817

Wm. Bethell, the Senator from Rockingham, appeared, qualified, and took his seat.

Mr. Allen, from the select committee on the petition of John Walker, reported a resolution requesting the Governor to grant a pardon to said Walker. On motion of Mr. Murphey, the report was amended by striking out the whole of the resolution and substituting a Bill to pardon John Walker, &c. The bill passed the first reading and was sent to the House.

Saturday, Nov. 22

Mr. Bruton introduced a bill to establish the Fairfield Academy in Lehigh county, read the first time and sent to the House.

On motion of Mr. Murphey, Resolved that a select joint committee be appointed to examine the State of the public Library, and to lay out in the purchase of books for the use of the General Assembly the annual fund appropriated for that purpose.—Messrs Murphey and Yancey were appointed on the part of the Senate, and Messrs. Burton, A. Moore, Robert H. Jones, and Caldwell of the Commons.

Monday, Nov. 24.

Mr. Leatherman presented a bill to divide the Counties of Rowan and Currituck, which passed its first reading and was sent to the House.

On a ballot for Brigadier General in the 3d Brigade, to supply the vacancy occasioned by the resignation of W. W. Jones; Edward B. Dudley, Esquire was elected.

Mr. Outlaw, from the committee on increasing the Governor's Salary, reported a bill for increasing the salary to \$2,000—passed its first reading and sent to the House of Commons.

Received from the House of Commons a bill to direct the manner of granting pardons in certain cases.—Read the first time and rejected.

On motion of Mr. Allen, resolved, that the committee on the penal code be instructed to enquire into the expediency of amending the laws respecting the trial of slaves for capital offences.

Tuesday, Nov. 25.

Mr. Glisson introduced a bill relative to the emancipation of Slaves—Read and sent to the House of Commons.

Mr. Pickett presented a bill to increase the penalty for failing to

work on public highways—read and sent to the commons.

Mr. McKay presented a bill to cede to the United States certain lands, which was read and sent to the Commons.

HOUSE OF COMMONS.

FRIDAY, NOV. 21.

On motion of Mr. Burton, Resolved that a joint select committee be appointed to examine & revise the several Inspection Laws of this State: Messrs. Burton, West J. C. Williams and Lockhart for the Committee on the part of this House.

Mr. Webb, of Lincoln, presented a petition from a number of Citizens of Burke, Lincoln, and Rutherford, praying a road to be opened from Morganton to the town of Fayetteville.—Read and referred to the committee of propositions and grievances, & sent to the Senate.

On motion of Mr. Calloway, a Committee on arrearages of Taxes was appointed.—Consisting, on the part of this house, of Messrs. Calloway, Pinkham, Spencer, Mixson.

Mr. Dudley presented a bill to incorporate the Female Benevolent Society of Wilmington—read and sent to the Senate.

Mr. Winslow presented a bill concerning the stemming and Manufacture of Tobacco at Fayetteville—passed the 1st. reading and sent to the Senate.

The resignation of William Watts Jones, of Wilmington, as Brigadier General, and Dennis Dozier of Currituck, as Colonel were read and accepted.

On motion of Mr. Jacobs, Resolved that a joint select committee be appointed to revise and amend the patrol laws of this State.—Messrs. Jacobs, Ward, Gilchrist & Maney, for the Committee on the part of this house.

Received from the Senate a message proposing to ballot on Monday next for a governor of this State, which was on motion of Mr. Stanly, laid on the table, and a committee appointed to enquire into the expediency of increasing the Governor's salary.—The committee consists of Messrs. Outlaw and Pickett of the Senate, & Messrs. Stanly, Love, and Dudley of this House.

Received from the Senate the report of the joint Committee on the petition of John Walker of Rockingham County, recommending the passage of a bill to pardon said Walker of Felony.—The report was read and disagreed to, and the papers recommitted to the same committee, with instructions to report the facts.

Saturday, Nov. 22

The bill to incorporate the Benevolent Society of Wilmington passed its second reading.

Mr. Nash, presented a bill to direct the manner of granting pardons in certain cases.—Read the first time and sent to the Senate.

Mr. Calloway, from the committee on the petition of John Walker, made a favourable report, which was rejected on the ground that the Legislature had no right to interfere in the business.—A debate of some interest arose on this question, in which Mr. Stanly, Mr. Robt. H. Jones, Mr. A. Moore, Mr. Burton Mr. Webb, and Mr. Calloway, delivered their opinions.

Mr. Burton said he perfectly agreed with the gentleman from Newbern, that this House had no right to interfere in the present case. The General Assembly have no powers except those that are given to it by the Constitution of North Carolina, and he defied any gentleman to shew any clause in the Constitution which authorises the Legislature to pardon offences like the present.—The Constitution has expressly delegated to the Governor the power of pardoning all crimes, except in cases where the prosecution is carried on by the General Assembly or the law shall otherwise direct.—It was not pretended that the present case comes within either of those exceptions. It is not a prosecution carried on by the Assembly, nor has the law taken away the power of pardoning from the Governor.—It is admitted that the Legislature have pardoned in some instances, and it is high time that the error should

be corrected.—The idea was taken from the British Parliament having the power of pardoning in all cases; but we are certainly placed in a very different situation—they have no written Constitution—they can pass what laws they may think proper—for instance the same Parliament which were elected for three years, declared they would hold their seats for seven years, and such is their unlimited authority that it is called the omnipotence of Parliament.—We are bound down by the terms of the Constitution, and cannot depart from what is therein prescribed.

Monday, Nov. 24.

Mr. Cook presented the petition of Wm. Raiford of Wayne, praying authority to collect arrears of taxes—Read and referred.

Tuesday, Nov. 25.

Mr. H. Y. Webb presented a bill to erect a poor house in Lincoln.—Mr. R. H. Taylor a bill to prevent Wardens of the poor from serving on Juries.

On motion of Mr. Caldwell, Resolved, that the committee on the penal code, be directed to enquire into the expediency of repealing or modifying the act of 1806, which takes away the benefit of clergy for house breaking in the day time—and also the act of 1811, declaring the stealing growing or standing corn larceny.

A joint committee was appointed to revise the wreck laws of this State.

On motion of Mr. Brittain, the military committee were instructed to enquire into the expediency of establishing one or more arsenals in this State.

Wednesday, Nov. 26.

On motion of Mr. Spencer, Resolved that the committee on that part of the Governor's Message which relates to Internal Improvement be instructed to enquire into the expediency of opening a navigable canal from Roanoke, near Plymouth, in Washington County, to Pungo river in Hyde county.

Mr. Stanly presented a bill to incorporate the Newbern Steam Boat Company, which was read the first time and passed: [This bill asks for no exclusive privilege.—Mr. Stanly stated that \$50,000 had already been subscribed, and that it was contemplated to raise a capital of \$100,000.—The company have it in view to run a Steam Boat from Newbern, to Elizabeth, by which, with the aid of a line of Stages from Wilmington to Newbern, and from Elizabeth to Norfolk, a passenger may go from Wilmington to Baltimore in 3 or 4 days.]

Mr. Winslow presented the memorial of the Board of the Directors of the Cape Fear Bank, praying for a reversion of the existing law under which the institution recovers monies due them.—Read and referred.

Mr. Winslow presented a petition of James Seawell of Fayetteville, praying the exclusive right of navigating the waters of Cape Fear river with Steam Boats for ten years.—Read and referred to Messrs. Dudley, Stanly, & Winslow.

Thursday, Nov. 27.

Received from the Senate a bill to alter the mode of electing sheriffs in future in this State, [contemplates electing them by the people] & a bill concerning strays—each passed their first readings in this house.

On motion of Mr. King, Resolved that a select joint committee be appointed to enquire into the expediency of erecting a monument to the memory of Brigadier General Francis Nash, who fell at the battle of Germantown, and of Brigadier General W. L. Davidson, who fell at the Battle of Cowansfort, in Mecklenburg County.—Messrs. King, Brittain, Cowan and Sellers were appointed on the part of this house.

Received from the senate the report and bill from Judiciary Committee, which was read and ordered to be printed. The bill contemplates establishing two Supreme Courts, one in Raleigh and one, perhaps, in Salisbury, to be held by judges to be appointed for the purpose.

Mr. Dudley, presented a bill to