The North Carolina Standard.

THOMAS LORING, EDITOR AND PROPRIETOR.

THE CONSTITUTION AND THE UNION OF THE STATES—THEY "MUST BE PRESERVED."

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TERMS:

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TO THE PEOPLE OF THE STATE OF NORTH CAROLINA.

We addressed, some time since, a printed circular to certain of our constituents, who had made inquiries of us, as to the proofs of charges that had been made against General HARRISON, in relation to a law of Indiana, and a law of Ohio, subjecting white citizens to sale for the non-payment of fines and costs of prosecution. We considered that our fellow-citizens had a right to make these inquiries, and that it was our duty to answer them. As the letters we had received upon this subject were very numerous, we determined to give a general answer to them all; and, as we meant to say nothing but the truth, and, unlike some other politicians, had no objection that any thing we said or wrote should be published, we issued a short reply to the inquiries thus made of us in a printed circular, under the responsibility of our names.

This appears to have given great offence to some of our colleagues. Messrs. STANLY, WILLIAMS, DEBERRY, and RAYNER, have addressed you in a publication in yesterday's Intelligencer, in which we are denounced as "having descended from high stations to make unfounded charges and misrepresentations!" and these gentlemen are "mortified beyond measure" that this should have been done by members who come from N. Carolina.

We cannot say that we are either sorry or surprised at the course of our colleagues. We might, to be sure, have expected a very different course from these gentlemen as our colleagues, and so very sensitive for the honor of our State. If we had really misstated any fact, or had, in relation to those laws, misunderstood them and misrepresented their true meaning, why did not these gentlemen, instead of undergoing the mortification of publicly denouncing us, call on us, and at least endeavor to show us our mistakes, and desire us to correct them? We appeal with confidence to such of you as know us, whether you do not believe that, if any errors or misrepresentations had been thus pointed out to us, we would not readily have corrected them, and publicly repaired any wrong we had done?

These gentlemen knew well we would have done so; and they did not thus call on us, because they did not believe they could show us any unfounded fact or misrepresentation. If they had called upon us, although they are some of them lawyers, and we but plain citizens, we think, upon the subject of these laws and other matters in their address, we could have enlightened them so far as to have saved them from the mortification they must feel from the exposure we are about to make of them.

We undertake to place them in this position as charging us with misrepresentation, having no other way of making it out but by being guilty of the grossest misrepresentations themselves.—Now to the proof—and we begin with the Indiana law; and we aver that we have stated its terms and its meaning correctly, and that these gentlemen have totally misrepresented them.

Now as we have published this law, so have they. They do not pretend that we have not given it fairly, fully, and correctly. Here it is again, as we both agree—read it for yourselves:

Extract from the Laws of the Indiana Territory, printed at Vincennes, by Messrs. Stout & Smoot, in 1807, 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 at 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, 1807.
WILLIAM HENRY HARRISON.

The difference between us, then, is as to the meaning and effect of this law. We said it was a law "to sell white men and white women for sheriffs' fees, clerks' fees, and lawyers' fees, and fines imposed by Courts." This our accusers deny—this they say is a misrepresentation; and thus they make it out. They say:

"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 costs of prosecution.' The reading of the law exposes the groundless charge, because it says 'with or without the costs of prosecution.' Messrs. M. and 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 the costs of prosecution.'"

We have here a lawyer's quibble about the words "with or without the costs of prosecution."

How do these words show our charge to be groundless? We say they mean that when the Court sentences the person to pay a fine only, "without the costs of prosecution," then he is to pay the fine only, and when the sentence is to pay a fine "with the costs of prosecution," then he must pay the fine and costs, and the costs are sheriffs' fees, clerks' fees, and lawyers' fees, and the man unable to pay, is to be sold to pay the fine and these fees. This we say is the law; and our accusers (lawyers too) are either so blinded by passion and prejudice, or believe that you are blind and ignorant enough to take any version of it they may give you, that they deny this plain meaning of these words, and seem to understand them as a part of the sentence of the Court—that the Court sentences the man to pay "a fine with or without the costs of prosecution." That is, the man is to pay the fine, "with or without the costs," as he pleases—so that he is never compelled, by the sentence under this law, to pay the costs, unless he chooses to do so; only the fine, without the costs. And thus they make out our misrepresentation in saying that a man could be sold under this law for costs, or clerks', sheriffs', and lawyers' fees.

Let any man of common sense say whether the absurd and ridiculous meaning they give to these words, can be the meaning of the law.—Did not the law mean that the person convicted was to be sentenced to pay a fine, with the costs; that is, the costs also, if the Court thought fit to so sentence him? Did it mean that he was to pay the fine only, and never pay the costs; having this option of paying the fine with the costs, or without the costs, as he pleased? If so, why did the law say any thing about costs? and why say, in the subsequent part of the section, that the sheriff is to sell or hire, &c., "to pay the said fine and costs"? It is plain, then, the man could be sold for the costs, and we are right, and our accusers are wrong; and they, ought, to be mortified beyond measure," that members from N. Carolina, even if they were not lawyers, should make such a misrepresentation. But their mortification ought to be far deeper for a far greater misrepresentation on this subject. They say of this act, "it was intended as a punishment for crimes, such as horse stealing, hog stealing, burglary, arson, &c."

Now, here is a most unfair intimation that the white persons, men and women, subject to the punishment of this act, were such as were convicted of the crimes they have enumerated, or such crimes. To be sure there is &c. but that, it was thought, you would not notice or understand, and would therefore think that it was for infamous crimes like those they mention, that persons were to be sold under this act, and not (as the law says) "for *any* crime or breach of *any* penal law."

Again, they say—"it was intended as a punishment for crimes, such as horse stealing, hog stealing, burglary, arson, &c." It was intended for no such thing: for this very same law punishes, all these offences they have specified with severer punishments than fine and costs, some of them with death. And indeed, who ever heard of a law punishing such crimes merely by fines and costs? Here then is a pretty plain misrepresentation. They say this law "was intended as a punishment for crimes such as horse stealing, hog stealing, burglary, arson, &c. which are expressly mentioned in the law;" And these crimes are expressly mentioned in the law, not as punishable by a sentence for fine and costs only, but by whipping, imprisonment, pillory, and death; so that this law did not apply to these crimes. And in this same law, assaults and batteries, riots and other offences are mentioned, and made punishable by fines and costs only; so that for these the law was intended; for these lesser misdemeanors or breaches of penal law, as are not attended with any moral turpitude. Did not these gentlemen see that this law applied distinctly and clearly to any crime, any penal law? Did they not know that assaults and batteries, and other misdemeanors we have mentioned, were within its operation? If they did, why, when they mentioned horse and hog stealing, burglary and arson, did they not go on to assault and battery and riots before they closed the catalogue with this cunning "&c."?

Because they will not acknowledge and do not want you to see that their favorite, General Harrison, signed this law to sell white men and women and subject them to thirty nine lashes, if too poor to pay fines and fees for assaults and batteries, and such like petty offences.

Here then is a double misrepresentation.—First, in adroitly intimating that the law was only intended for such heinous crimes as they mention; and second, in saying that it was intended for horse stealing and the other crimes they specify, which are never so mildly-punished as by a sentence for fines and costs.

But this is not all. Their whole defence of General Harrison rests on this pretence, and their whole charge of our misrepresentation as to this act, is the same—the law was only meant for infamous criminals, horse thieves, and such like. General Harrison was only for a law for selling such offenders. This they repeat continually. Thus they say:

"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 take it for granted that every intelligent man will see this misstatement, will see that we have acquitted ourselves and proved our accusers guilty of what they charged upon us. The issue between us is a plain one. If this law was intended for thieves and persons convicted of forgery or perjury, if they only were liable to be sold under this law of General Harrison, then we are wrong; but if otherwise, if the persons to be sold under this law were not these heinous offenders, as the law itself shows, but persons guilty of assaults, riots, and other lesser offences then we are right, and the misrepresentation is upon our accusers, and respectable and good neighbor men might be sold under this law for assaults and batteries, for we have known such persons to be sometimes guilty of such offences, and we presume that at least one of our accusers knows of such a case.

We did not advise our constituents "to oppose the election of General Harrison because he wished to punish thieves, forgers, and perjured wretches," but because he wished to punish, with this cruel and disgraceful punishment of sale and whipping, persons who were guilty of assaults and batteries and such smaller offences as very honest people may sometimes be tempted to commit, if they were too poor to pay the fines and costs of prosecution.

Yet these gentlemen ask, "how could honest people suffer by such a law?" "No honest man could complain of it." Now we think there are many laws for slight offences, which very honest people may sometimes violate, and the law thinks so too, for it punishes, in such cases, simply by the payment of fines and costs. And we complain of General Harrison, because he thought such people, if they were poor, ought to be subject to be sold and whipped. We say it shows that he belongs to that class of politicians whose sympathies are all with the rich. They are to pay their fines and costs, which they can do without feeling it, but the poor are to be sold. Nay, he carries the matter still further than this. He is for a law which, while it provides for selling the poor, protects the rich from prosecution. Look at this section of the Ohio law.

"SEC. 17. *Be it further enacted*, That when any person shall be apprehended for, or charged with committing an assault, or assault and battery, if the party accused can agree, compromise, or settle with the party injured, no further proceedings shall be had on account of such offence, either by indictment or otherwise."

General Harrison was for this. This vote is in Ohio journal for 1820, page 305.

Thus it appears that General Harrison is for permitting a man who, with his money, is enabled to satisfy the party he has assaulted, to *escape all prosecution*, although his conduct may have deserved the most exemplary punishment; and the man who is too poor to do this, must be tried, and if convicted, and too poor to pay his fine and fees, may be sold. This is General Harrison's way of distributing criminal justice to the rich and the poor. Their money is to give impunity to the one, their poverty, servitude, and stripes, to the other.

This is what our colleagues know they have to defend for their candidate; and unable to defend it, they deny it, and misstate the law. We pronounce this attempt an unworthy artifice, unbecoming members of Congress representing honest men. Fellow-citizens: we call upon you to read this short, plain law of General Harrison's, and judge between us. It says: "Any crime," "breach of any penal law," our colleagues 'grossly insult your understandings," by insinuating, over and over again, in their publication, (what they dared not plainly assert,) that it does not mean any crime, any penal law, but was 'intended for horse thieves, hog thieves, burglary, arson," etc.

Now the law itself before them, published horse thieves, hog stealing, and arson, in page 30, and burglary in page 21, by severer punishments than the payment of fines and costs, therefore, this section was not intended for them. And the same law punishes assaults and battery in page 28, and riots in page 23, and also other offences, by imposing fines and costs; and therefore this section applies directly to such lesser offences. And now, we ask you, have you never known honest men, good neighbor men, to be guilty of assaults, riots, obstructions to lawful authority, and such other breaches of law? And we ask you to say what you think of a law which would expose such persons to sale, and to be whipped? And what you think of the man who approved such a law, and of the men who stop at no sort of misstatements and artifice to uphold him for so doing?

But our colleagues have made a great discovery. They have found a law of North Carolina as bad as this of Indiana; so that "the assertion we made as to the Indiana law, may be made with as much truth of this law as of the Indiana law."

And here again we mean to prove upon them another misrepresentation. We will rescue our State from a charge which we consider disgraceful, thus thrown upon it by some of its own representatives. It has no such law in its code.—They say:

"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 behaviour, 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."

Now mark these worthy colleagues, who are so zealous for the honor of their State, so mortified that "members who should have come from North Carolina" should make misrepresentations. It seems they "quote this law from memory, not having the book before them." This way of quoting the law was, no doubt, the most convenient, for they could remember to insert such parts as might suit their purpose, and remember to forget the rest. Accordingly, "not having the book before them," they can only remember that "it is provided that certain persons who are idle, disorderly in their conduct, (not confined to those who are convicted of crime, as the Indiana law was,) should be hired out; and then, "not having the book before them," they are favored with such a marvellous power of memory, that they quote all the rest of the section; and from the same page, being eight or nine lines, word for word, exactly as if they had the book before them. We have nothing to do, therefore, with this latter part, which they have remembered with such surprising correctness.

Those persons who could not be hired out, nor pay, nor give security, are to be whipped. But who are they that are to be dealt with with such severity? Every thing depends on that. Are they such persons as the Indiana law subjected to sale and whipping?—persons guilty of assault, riots, &c.? or are they vile profligates, hardened offenders, deserving such punishment?—For this, we must refer to that part of the law where those gentlemen's memories failed them, as remarkably as it helped them in the other part of it.

Who, then, are the persons to be thus punished? Those gentlemen say, "persons who are idle and disorderly in their conduct," "not convicted of crimes, as the Indiana law was."

Then, according to the representation these gentlemen give from memory of a law of their own State, persons who are only charged with idleness and disorder, and have not been convicted of crimes, are to be punished by this law of North Carolina; and if so, as they intimated, it would be a harder law than that of Indiana, for the punishment there was after conviction; here, according to their memory, it is without it.

Now, let the law speak for itself: vol. 1, Revised Statutes, page 201, sec. 44:

"If any person or persons, who have no apparent means of subsistence, or neglect applying themselves to some honest calling for the support of themselves and their families, shall be found sauntering about, and endeavoring to maintain themselves by gaming or other undue means, it shall and may be lawful for any justice of the peace of the county wherein such person may be found, on due proof made, to issue his warrant for such offending person, and cause him to be brought before said justice, who is hereby empowered, on conviction, to demand security for his or their good behavior, and in case of refusal or neglect, to commit him or them to the jail of the county for any term not exceeding ten days; at the expiration of which time he shall be set at liberty, if nothing criminal appears against him, the said offender paying all charges arising from such imprisonment; and if such person be guilty of the like offence from and after the space of twenty days, he or they so offending shall be deemed a vagrant, and be subject to one month's imprisonment with all costs accruing thereon, which, if he neglect or refuse to pay, he may be continued in prison until the next court of the county, which may proceed to try the said offender; and if found guilty by a verdict of a jury of good and lawful men, said court may proceed to hire the offender for any time not exceeding the space of six months, to make satisfaction for all costs; but if such person or persons be of ill fame, so that he or they cannot be hired 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."

Now, we see what a strange perversion of this law is given by our colleagues. Are the persons it thus punishes only idle, and disorderly, and unconvicted?

Before the law can affect the party at all, he must be a person who has no apparent means of subsistence, or neglects applying himself to some honest calling for support, then such person must be found sauntering about and endeavoring to maintain himself by gaming or other undue means.

When he does this, it becomes lawful for any justice, on due proof made, to issue a warrant for him. When brought before the justice, he is required to give security for his good behavior. And this is all he is required to do. If he gives it, he is discharged, paying neither fines nor costs. If he neglects or refuses, then he is to be committed to jail for any time not exceeding ten days, "at the expiration of which time he shall be set at liberty, if nothing criminal appear against him, paying the charges of his imprisonment." Then, if he is again guilty of the like offence after twenty days, he shall be deemed a vagrant, and be subject to one month's imprisonment with the costs, "which if he neglects or refuses to pay, he may be continued in prison until the next court of the county, which may proceed to try the said offender, and if found guilty by a verdict of a jury of good and lawful men, said court may proceed to hire the offender for any time not exceeding the space of six months, to make satisfaction for all costs."—Then comes the part of the law the gentlemen remember so well: if he be of ill fame and cannot be hired out, then he is to be whipped.

So that, by this law, no man can be thus punished only for living idle and disorderly; he must be a vagrant, living by gaming or other undue means. Nor are they unconvicted. After refusing or neglecting to give security for their good behavior, they are to be committed for ten days. Then, if again guilty, he is to be deemed a vagrant, and be committed for a month; and then, if he neglects or refuses to pay the costs, is to be continued in prison till the court sits, and then to be tried and convicted by a jury—all this, so unfortunately forgotten by these gentlemen, thus libeling the institutions of their own State, must precede the hiring out or the whipping.

And on whom but the infamous outcasts of society, vagrants, and common nuisances, could this punishment fall? And how does it compare with the Indiana law, by which honest men and good neighbors, committing no offence involving moral turpitude, but guilty of assault or other petty violation of law, were to be sold for an unlimited time, if too poor to pay their fines and costs, and without trial by jury, (to which by our law, even infamous vagrants were entitled) to be whipped, if they absconded, with thirty-nine stripes?

Such laws as this of our State for the punishment and restraint of vagrants, are to be found every where, and no honest man, however poor, can suffer from them. But where, in what State or country which pretends to be free, can a law be found like this of Indiana for selling and whipping free white citizens, who have been convicted of the trifling offences that are punishable only by the payment of fines and costs, because they are too poor to pay them?

We had said, in our comments upon this law, that these unfortunate paupers might be sold to a free negro. According to this law they certainly might, for it says they may be sold "to any person or persons who will pay the said fine and costs." We supposed, therefore, that this law was like the one in Ohio, and that free negroes might be the purchasers. We had never heard, and knew of no other law. Our colleagues, however, have found one, and they think us much to blame that we did not find it, because "it is in the same book." We now admit that there is a law prohibiting free negroes from being the purchasers of these white persons. It is in a subsequent part of the book, and we were not bound to read the whole book to see if there was any other law altering the provisions of the one we were examining.

We therefore agree, that after passing this law authorizing the sale to "any person or persons," it was fortunately thought proper to mitigate the law, so far as not to allow free negroes to be their purchasers; and we think it strange, that when the case of these poor creatures was thus reconsidered, some further mitigation had not been thought reasonable. But this was so far from being the case, that this very law to which our colleagues have referred us, while it prohibits free negroes from buying them, places them under new restraints and punishments, so cruel and intolerable as to make this law, also approved by General Harrison, a fit companion for the one we have reprehended.

By the thirteenth section, if one of these servants, (and let it be remembered that honest persons, if poor, may be made servants, and for an indefinite time, in the opinion of the court,) if they cannot pay these fines and costs, shall be found ten miles from the tenement of his master without a pass, he may be carried before a justice, and be "by his order punished with stripes, not exceeding thirty-five, at his discretion."

By the fourteenth section, if he goes to the dwelling house or plantation of any person whatever, without leave from his owner, "it shall be lawful for the owner of such plantation or dwelling house," (we presume even if such owner be a free negro, unless some other law restricting these general expressions be found,) "to give or order such slave or servant ten lashes, on his or her bare back."

The eleventh section enacts, that "in all cases of penal laws, where free persons are punishable by fine, servants shall be punished by whipping, after the rate of twenty lashes for every eight dollars."

Our colleagues are welcome to all the proofs they can gather from these provisions, of General Harrison's humanity and kindness to the poor. We think the condition of those servants will be considered hard enough, under such a system of laws, although they were not liable to be sold to free negroes.

The tenth section of this law deserves a remark: this punishes the persons who "shall buy, sell, or receive of, to, or from, any servant, any coin or commodity whatsoever, without the leave or consent of the master or owner of such servant; and if any person shall presume to deal with any servant, without such lease or consent, he or she so offending shall forfeit and pay to the master or owner of such servant four times the value of the thing so bought, sold, or received, &c. and shall also forfeit and pay the further sum of twenty dollars to any person who will sue for the same, or receive on his or her bare back thirty-nine lashes, well laid on, at the public whipping post; but shall nevertheless be liable to pay the cost of said suit."

Here, then, is another law of General Harrison's, and we thank our colleagues for referring us to it, which affords another sample of his commiseration for the poor, and shows his sympathies are with the rich.

Let any man or woman "presume to deal," however ignorantly, with one of the white servants of these lordlings, who buy their white fellow-citizens, when too poor to pay fine and fees; and if he or she so presumes, without the master's leave, they are to pay fourfold to the master, and forfeit twenty dollars to the informer; and if too poor to pay it, are to receive at the public whipping post thirty-nine lashes on his or her bare back, well laid on; and then they are further to be liable to pay the costs of such suit.

We should like to know if our colleagues think this "a law that no honest man need complain of," and if they can find a law of North Carolina any thing like this. So much for these Indiana laws. We have been particular on this topic, because we wished to justify ourselves from a charge most wantonly brought against us, and to make good our retort of it upon our censors. We need not touch upon the other accusations against us, after this exposition, at much length.

As to the Ohio law, it speaks for itself. It is of the same character, and breathes throughout the same spirit—sympathy for the rich, severity for the poor—for the one, the 17th section of this law, before quoted, provides impunity, to be purchased by their money—for the other, public sale upon ten days' notice, & delivery to a master.

Will it be pretended that this law also was intended for horse thieves, and other infamous criminals, specified by our colleagues, and not for assaults and other minor offences? This cannot be, for the Ohio laws punish all these infamous crimes enumerated in this publication, not with fines and costs, but with confinement in the penitentiary. And these laws punish assaults, destroying fruit trees, and other lesser offences, by imprisoning, fines, and costs. So that this law manifestly applies to these latter offences only. The sale it authorizes is of "any person" imprisoned, or under execution "for the non-payment of a fine, or costs, or both.' Costs are clerks', sheriffs', and lawyers' fees. For these, therefore—for these fees the man may be sold. When it was under consideration it was discussed. General Harrison was aware, when he voted for it, of the objections to it. It was alleged to be applicable to cases of assault; it was shown by Governor Lucas, then in the Senate, how it might apply to an old Revolutionary soldier who, upon sudden provocation, might commit an assault, for which he might be sold, and a free negro might buy him. General Harrison denied none of this, but voted for retaining the section; and all this was true, for it is not pretended that there was any other law of Ohio prohibiting free negroes from purchasing at such sales. So that, under this section, if General Harrison could have carried it, an honest good neighbor man might undoubtedly have been sold, as we asserted, and a free negro might have bought him.

Where then is the misrepresentation as to this law? With us or our colleagues? They say "a poor man could not suffer by this law." We say he could. They allege we have not published the 37th section of another act to which this section refers. This is true; and why should we? for it does not affect the charge. We could not have meant to conceal it; for we published the passage in the Journal referring to this 37th section, and were not aware that any ingenuity could make any thing out of it in the shape of an excuse for this vote of General Harrison; and now that our colleagues have published it, how do they pretend that it affects the section for which General Harrison voted? It provides that when it is made to appear to the satisfaction of the county commissioners that a person imprisoned for a fine and costs cannot pay them, they may order his discharge. This only made it discretionary on the commissioners—they may discharge: but although satisfied the man could not pay, they may not discharge; and the section we quoted, and for which General Harrison voted only says this discharge under this 37th section shall not be prevented by this act; still leaving it discretionary. They may discharge; and then adds these words: "if it shall be considered expedient to grant such discharge." Now we are at a loss to see how this affects the section so as to excuse General Harrison for voting for it. The man who does not pay his fine and fees, it shall be lawful for the sheriff to sell. But the county commissioner, if satisfied that he cannot pay, may discharge him "if it shall be considered expedient." All we said was, that a man might be sold under this law if unable to pay fine and fees; and is it not plain that he could be? It is true the county commissioner, if satisfied of his inability, may discharge him if it shall be considered expedient; but it is also true that though satisfied of his inability, they may not consider it expedient, and may not discharge him. And is this a proper subject—the sale of a free white citizen, whose inability to pay is found to be left to a commissioner as a question of expediency? We should have thought no one could be found who would not say that if the man was poor and could not pay, he ought to be discharged absolutely. But General Harrison thought otherwise, and our colleagues think with him, that expediency is to determine whether he shall be discharged or sold. These gentlemen are for high doctrines and strong powers. The people are not to have their rights secured absolutely. Those who govern must have a discretionary authority to give or withhold their rights, as they may see fit. This will make the people submissive and obedient; the poor will be humble and submissive to the rich, and vote as they please when they are made to depend upon them. And rulers, and judges, and commissioners will be obeyed and respected, when they can order a man, who is proved to be poor, either to be discharged or sold, to be free or have a master, as they may consider it expedient. We cannot believe that our colleagues have done much good to their cause, or their candidate, or themselves, by referring you to this section, and claiming the right thus to dispose of their fellow-citizens as slaves according to expediency. They have betrayed their principles; and the people will understand how they are to be governed, if the party which advocates this sort of legislation shall be trusted with the power they are seeking. It is on this account that the exposition of this subject becomes interesting and important. We shall therefore follow it a little further, and take some notice of the letter of General Harrison himself on this subject, which the publication of our colleagues quotes with commendation: and shall justify, from this letter alone, all we have said of these laws and of the principles of those who advocate them.

In the first place, we see the same unfair effort to evade this charge, and to misrepresent the effect and intention of the act. He says it was not intended to be applied to unfortunate debtors, "but to infamous offenders;" and he gives a detail of amendments to the penitentiary law, changing the punishment for thefts under fifty dollars, "as if these were the infamous offenders for whom this law was intended. We have already exposed this. It is untrue that the law was intended "for infamous offenders, persons convicted of assaults and other similar transgressions, are not infamous." And General Harrison knew the law applied to them. It was so shown in the debate on it, and General Harrison did not deny it.

So the letter cavils as our colleagues do about the terms used in this charge against him. It repels the accusation of his having voted for a law to sell white people for debt. He is quite indignant that he should be charged with such a thing. Strictly speaking these fines and fees for which they might be sold, are perhaps not properly debts, though as it is something which a man owes, and is obliged to pay, it is pretty much the same thing as a debt, and may have been so spoken of, without any substantial mistake. We however, had not used this term. We did not speak of debts, but of fines and fees. The letter admits that to sell debtors is "an abominable principle," and that voting for such a law would deserve "the execration of every honest man in society." Now we ask where is the difference between selling a man for debt, and selling him for a fine, and for clerks, and lawyers' fees? If the first is an "abominable principle." what is the other? So that it comes to this; we charge and prove that General Harrison voted for a law to sell poor white people for fines and fees; and this letter is held up to show that he was not for selling them for debt; no, that would be abominable." To which we need only say that selling them for fines and fees was bad enough. The General thinks otherwise, and proclaims himself a great lover of the people, the friend of the poor. He would not sell the poor creatures for debt. He loves them too well for that; but when they have to pay fines and fees for an assault, then they may be struck off to the highest bidder. He does not love them well enough to object to that. This letter seems to consider it quite a trifle to be sold at auction, and have a master; and that the people ought to think nothing of being thus exposed, and disposed of. See what soft words he gives to the proceedings; it is only to "be transferred to the comfortable mansion of some virtuous citizen," and they ought to be glad of it.

See, ye poor white men and women! what love General Harrison and his supporters have for you! what kind provision they are willing to make for your comfort! It is true you may be sold at auction; but what of that! It will be to a virtuous citizen, for the sale is to the highest bidder, and the rich will buy and they of course are virtuous citizens. Then you will be delivered over to your master, (the law does not say you shall be tied,) and he will take you to a comfortable mansion, not a log cabin, and his admonitions will check your vicious propensities.

This is the way General Harrison thinks and feels about the sale of a free citizen; & our colleages concur with him, and think no honest man need complain of it.

Fellow-citizens, does not such language betray the true principles of the men who are seeking to conciliate your favor? It shows how they undervalue your intelligence as men, and your feelings as freemen. They know nothing of you. They know nothing of the high spirit with which the honest laborer goes forth to his daily toil, returnes to his rude fare and humble home, and rejoices in the proud consciousness that what he sees around him is his own, and that there is "none to make him afraid."