

AND

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THE MARQUIS DE LA FAYETTE.

This gentleman so universally known and so generally esteemed, it is not to be wondered at that his remarks should excite interest every where, but particularly in our country, which has been the scene of many of the most important acts of his life, in fact, it may be said it was the "stepping stone" to that greatness and fame which have since accompanied him through life.

It was from the destruction of this regime, that we saw disappear that corporation of clergy, which, exercising all sorts of influences and refusing all share in the common burthens, increased continually, and never alienated its immense riches, but divided them among themselves.

We saw disappear that corporation of sovereign courts, where the privilege of judging was venal of right, and in fact hereditary in the nobility; when feudal judges, chosen and revocable by their Seigneurs presided; when the diversity of codes, and the law of arrests, made you lose before one tribunal the cause you had gained before another.

We saw disappear that financial corporation, oppressing France beyond endurance, and by leases, whose monstrous government exceeded in expense and profit the receipts of the Royal Treasury, whose immense order, no where recorded, formed an occult science, which its agents alone had the right or the means of interpreting and which, in rewarding per- and informers, exercised over all unprotected men a boundless & remorseless tyranny.

We saw disappear those distinctions of provinces, French conquered, foreign, &c. each surrounded with a double row of custom-house officers & smugglers, from whose intestine war the prisons, the galleys, and the gibbet, were recruited, at the will of the stipendiaries of him who farmed the revenue, and those other distinctions of noble or common property, when the parks and gardens of the rich paid nothing, while the land and the person of the poor man were taxed, in proportion to his industry, when the tax upon the peasant and upon his freehold recalled, to nineteen-twentieths of the citizens that their degradation was not only territorial, but individual and personal.

By its destruction that constitutional equality was consecrated which makes the general good the only foundation of distinctions acknowledged by law. The privileged class lost the right of distributing among themselves exclusive privileges and of treating with contempt all other classes of their fellow-citizens. No Frenchman was now excluded from office because he might not come of noble blood, or degraded, if noble, by the exercise of an useful profession.

What more is there to regret? Is it the scheme of taxation, regulated by the King, at the will of a minister of finance, whom I myself have seen changed twelve times in fourteen years, and which taxation was distributed arbitrarily among the provinces, and even among the contributors?

Is it the capitation tax, established in 1702 to achieve the peace, and never afterwards repealed? the twentieths diminished in the contributions of the powerful, and made heavier on those of the poor, the land tax, of which the basis was in Auvergne 9 sons out of 20, and amounting sometimes to 14, on account of the vast increase of privileged persons, created by the traffic in places? Finally,

is it the odious duties on consumption, more odious than the *droits reunis* of Napoleon? Is it the criminal jurisprudence, when the accused could neither see his family, his friends, his counsel nor the documents by which he was to be tried?

When the verdict, obscurely obtained, might be aggravated, at the pleasure of the judges, by the torture. (Exclamations and interruption on the right)—for the torture preparatory to the examination had been alone abolished.

Must we regret that state of religious intolerance which condemned a great portion of the population to a legal state of concubinage, bastardy, and dishonour; that mode of legislation, striking at all natural and moral rights and duties, which Louis 14th established, and which an illustrious prelate characterized "as the worst work of his reign, the most assured proof, and most glorious exercise of authority"—which forbade, under the severest penalties, all individuals from receiving into their houses, under the pretext of charity, any sick person of the Protestant religion; that legislation which prevailed even to the time of Louis 16, at whose consecration, contrary to the advice of Turget and Malesherbes, the oath to exterminate heretics was still administered?

Shall we regret the ecclesiastical and seignoral tithes, the feudal duties, burdensome and humiliating, whether discharged in kind, or commuted by a payment which recalled its origin; the manor privileges, which forced the citizen only to grind at the mill of his lord; the game laws, and those districts where, by right, the harvest was reserved for the voracity of the game, and the labors of the field subjected to the caprice and the extortions of game-keepers; when punishments, amounting even to perpetual condemnation to the galleys, were awarded by a tribunal named by the commander of the District, and which decided upon the testimony of the informer alone? Do we regret the "lettres de cachet" distributed blank to ministers, governors, intendants, &c. &c.

Yes, Frenchmen, this was the ancient regime, which the revolution destroyed, the restoration of which was the avowed object of the emigration to Coblenz, and of the coalition of Pillnitz, and the spirit of which has not ceased to animate that more or less hidden interest at court, in comparison with which ministers are nothing, and which, as early as 1814, officially proclaimed, "let us enjoy the present—answer for the future."

It has been said at this tribune, that Napoleon was "the incarnate revolution." It is a mistake; that was no longer the revolution of '89, when the leader of the state declared that a veil should be cast over the declaration of rights, and concurred in that frightful system of terror which, profaning the most respectable names, was itself excluded from every political denomination.

It has been said, with more truth, that the restoration is the counter revolution. We did hope, however, to have succeeded in erecting barriers against the partizans of the old regime. But this hope is completely destroyed, and after having last session pointed out the progress of this counter revolution, which is invading all our rights, and spoken of the new duties which in my opinion it imposes upon us: after having denied that omnipotence to Parliament, when claimed by former governments, which the counter revolutionists now assert, I have only here to proclaim aloud my fear that our institutions, as now conducted, are insufficient to the salvation of the country. I vote against the budget. The House, after a discussion on the subject, refused to print this speech; which was replied to by the Minister of Foreign Affairs.

THE INEFFICIENCY OF CAPITAL PUNISHMENT.

From the Belfast Irishman.

Those who in despite of the evidence of history, and the testimony of the most experienced, still repose confidence in the efficacy of Capital Punishments, will derive some information from reading the following examination of one of the most (perhaps the most) intelligent Solicitors in the Criminal Court of London. Mr. Harmer, with the experience of 20 years, bears attestation to facts that outweigh whole volumes of theory; in his 20 years practice he has found Crime protected, and Innocence suffer, by the practice of Capital Punishment; he has seen the humane and the tender-hearted stand between the criminal and the execution of a cruel and sanguinary law—and the crime which that sanguinary law had it in contemplation to punish, multiply under the wretched disproportion between the guilt and the suffering. In America no man suffers death but for Murder, a pun-

ishment sanctioned by the command of God, as well as the reason of man; but in these countries he is a foolish robber who will not destroy the evidence of his crime, because should murder be discovered he can only be exposed to the same punishment which is inflicted on the robber or the forger. It is matter of surprize that robbery is so seldom unattended with murder, because the indiscriminate slaughter of the robber and the murderer has a direct tendency to corrupt and brutalize the heart. That great and good man, Sir Samuel Romilly, had he lived, would have washed the bloody stain out of our Statute Book. Sir James Macintosh, a powerful and humane mind, may live to accomplish this most desirable object—the wishes of all good men go with him.

CRIMINAL LAWS.

The following is the evidence given before the Committee of the House of Commons on the Criminal Laws:

James Harmer, Esq. called in, and examined.

You are a Solicitor, residing in Hatton-Garden? I am.

You have had considerable experience in crown practice at the Old Bailey? I have.

For how many years? Twenty years, within a few months, for myself; and upwards of three years previous to that time in the office of Messrs. Fletcher and Wright, to whom I was last attested.

Have you any observations to make, with respect to the effect of capital punishment? I have; first, as to forgery; it appears to me that the punishment of death has no tendency to prevent this crime. I have, in many instances, known prosecutors decline proceeding against offenders, because the punishment is so severe. Instances have come within my knowledge, of bankers and opulent individuals, who, rather than take away the life of a fellow-creature, have compromised with the delinquent. Instances have occurred of a prosecutor pretending to have had his pocket picked of the forged instrument; in other cases prosecutors have destroyed, or refused to produce it, and when they have so refused, they have stated publicly that it was because the person's life was in jeopardy.—I will relate a recent circumstance, that occurred under my observation at the Old Bailey. A person through whose hands a forged bill had passed, and whose appearance upon the trial was requisite to keep up the necessary chain of evidence, kept out of the way to prevent the conviction of the prisoner; it was a private bill of exchange. I also know another recent instance, where some private individuals, after the commitment of a prisoner, raised a thousand pounds for the purpose of satisfying some forged bills of exchange; and they declared, and I have good reason to know the fact, that if the punishment had been any thing short of death, they would not have advanced a farthing, because he was a man whose conduct had been very disgraceful—but they were friends to the man's family, and wished to spare them the mortification and disgrace of a relative being executed, and therefore stepped forward and subscribed the before-mentioned sum. I have frequently seen persons withhold their testimony, even when under the solemn obligation of an oath to speak the whole truth; because they were aware that their testimony, if given to its full extent, would have bro't the guilt home to the parties accused; and they have therefore kept back a material part of their testimony. In all capital indictments, with the exception of murder and some other heinous offences, I have often observed prosecutors show great reluctance to persevere, frequently forfeiting their recognizances; and indeed I have, on many occasions, been consulted by prosecutors as to the consequences of refusing to conform to their recognizances, that is to appear and prosecute the prisoner.

When you speak of the cases of murder and other heinous offences, do you mean offences accompanied with violence to the person, or which are likely in their consequences to inflict serious injury? Certainly; those are the offences to which I allude; I know that many persons who are summoned to serve as jurymen at the Old Bailey, have the greatest disinclination to perform the duty on account of the distress that would be done to their feelings, in consigning so many of their fellow-creatures to death, as they must now necessarily do, if serving throughout a session; and I have heard of some who have bribed the summoning officer to put them at the bottom of their list, or keep them out altogether, so as to prevent them from discharging this painful duty; and the instances I may say are innumerable, within my own observation; of jurymen giving verdicts, in capital cases, in favor of the prisoner, directly contrary to the evidence. I have seen acquittals in forgery, where the verdict has excited the astonishment of every one in Court, because the guilt appeared unequivocal,

and the acquittal could only be attributed to a strong feeling of sympathy and humanity in the jury to save a fellow-creature from certain death. The old professed thieves are aware of this sympathy, and are desirous of being tried rather on capital indictments, than otherwise; it has frequently happened to myself in my communications with them, that they have expressed a wish that they might be indicted capitally, because there was a greater chance of escape. In the course of my experience, I have found that the punishment of death has no terror upon a common thief; indeed it is much more the subject of ridicule among them, than of serious deliberation; their common expressions among themselves, used to be, "such a one is to be twisted," and now it is, "such a one is to be topt."—The certain approach of an ignominious death does not seem to operate upon them, for after the warrant has come down for their execution, I have seen them treat it with levity. I once saw a man, for whom I had been concerned, the day before his execution, and on my offering him condolence, and expressing my sorrow at his situation, he replied with an air of indifference, "Players of bowls must expect rubbers." Another man I heard say, that it was only a few minutes, a kick and a struggle, and it was all over; and that if he was kept hanging for more than an hour, he should leave directions for an action to be brought against the sheriffs and others; and others I have heard state, that they should kick Jack Ketch in their last moments. I have seen some of the last separations of persons about to be executed, with their friends, where there was nothing of solemnity in it, and it was more like parting for a country journey than taking their last farewell. I heard one man say (in taking a glass of wine) to his companion, who was to suffer next morning, "Well, here's luck." The fate of one set of culprits, in some instances, had no effect even on those who were next to be reported; they play at ball, and pass their jokes, as if nothing was the matter. I mention these circumstances to show what little fear common thieves entertain of capital punishment; and that so far from being arrested in their wicked courses, by the distant possibility of its infliction, they are not even intimidated at its certainty; and the present numerous enactments to take away life, appear to me wholly inefficient. But there are punishments which I am convinced a thief would dread, and which, if steadily pursued, might have the most salutary effect—namely, a course of discipline totally reversing his former habits. Fidelity is one of the prominent characteristics of a professed thief—put him to labor. Debauchery is another quality, abstinence is its opposite—apply it. Dissipated company is a thing they indulge in—they ought therefore to experience solitude.—They are accustomed to uncontrolled liberty of action—I would consequently impose restraint and decorum; and were these suggestions put in practice, I have no doubt we should find a considerable reduction in the number of offenders; I say this, because I have very often heard thieves express their great dislike and dread of being sent to the House of Correction, or to the hulks, where they would be obliged to labor, and be kept under restraint; but I never heard one say he was afraid of being hanged. Formerly, before Newgate was under the regulations that it now is, I could always tell an old thief from the person who had for the first time committed a crime; the novice would shudder at the idea of being sent to Newgate, but the old thief would request that he might be committed at once to that prison, by the magistrate, because he could there associate with his companions, and have his girl to sleep with him; which some years back used to be allowed or winked at by the upper turnkeys; but since the late regulations, certainly, I have not heard of such applications being made by thieves, because now they are as much restrained and kept in order in Newgate, as they are in other prisons. From my observation, I am quite certain that a thief cannot bear the idea of being kept under subordination. As to transportation, I with deference think it ought not to be adopted, except for incorrigible offenders, and then it ought to be for life; if it is for seven years, the novelty of the thing, and the prospect of returning to their friends and associates, reconciles offenders to it, so that in fact, they consider it no punishment; and when this sentence is passed on men, they frequently say, "Thank you my Lord." Indeed this is a common expression, used every session by prisoners, when sentenced to seven years transportation.

(Published by request.)
RELIGIOUS INTELLIGENCE.
From the Newbern Centinel.
According to appointment, a Camp-Meeting was held at Adams' Creek, in Craven County, under the superintendence of the Rev. William Compton. The meeting commenced on Thursday the 13th ult, and terminated

the Monday following. Few or no instances of misbehaviour occurred. The ministers of the gospel were indefatigable in their labors, and much good was done in the name of the Holy Child Jesus.

However fastidious some may be in their stand against this mode of religious worship, we are persuaded that the benefit resulting in this instance, to individuals and the neighbourhood, is signally realized and irrefragably established. We are aware that no sweet is without its bitter; no fragrant rose without its attendant thorn. As such, we are resigned to the unfavorable conclusions of prejudiced minds, and are happy to know, that while heaven sees fit to bless the means, it is our high prerogative to triumph in the glorious effect. Beside the minor advantages of this meeting, we rejoice to compute 45 or 50 souls who professed the knowledge of sins forgiven, and were able to say, "I know that my Redeemer liveth."

While we express our joy at the favorable state of religion in the more immediate circle of our own knowledge, with gratitude we embrace the distinguished privilege of christians, and rejoice to hear of the prosperity of the Church in any part of the world where it may please the Lord to pour out his Spirit. By a communication from a friend in the lower part of Virginia, information is received of the happy conversion of upwards of 100 persons, at a Camp-Meeting recently held;—that the work still prospers in the surrounding country, and sinners are anxiously returning to the fold of Christ.

The glorious revival which commenced a good while ago in Connecticut, is progressing with increased rapidity. Several letters have been received giving the most favorable and elating accounts of the wonderful work. In Hartford, a goodly number have, from time to time, been added to the several societies, to the amount of about 500! In Farmington, more in number, and in New-Haven, nearly one third of the people have been awakened, and multitudes have been brought in. Churchmen, Congregationalists, Yale College, and Methodists—each reaped their harvest. The number added to the communion of the Protestant Episcopal Church, for the year, is seventy; Yale College, they say thirty; to each of the two Congregational Churches, about one hundred and twelve; and to the Methodist, one hundred and eighty.—Thus we see, that New-Haven, so eminent for literature, has truly become eminent for the religion of Jesus. O! ride on, victorious IMMANUEL! until every knee shall bow, and all the world be bro't to say JEHOVAH OUR RIGHTEOUSNESS shall be glorified! This blessed work is not confined, but extends its influence through a vast region of country. More than forty towns and villages have witnessed a copious outpouring of the Spirit of God, and the most stubborn sinners have been bro't to bow to the feet of Jesus, and cry "What shall we do to be saved?" This is the Lord's doing, and it is marvellous in our eyes. When JEHOVAH hath a work to be done, men and means are at his command; prejudice is prostrated, and He that sitteth in the Heavens, shall laugh at his opposers, and even the wrath of man may be turned to His praise. May the benignant cloud, big with mercy, move o'er our southern clime, and burst with blessings on our favored town. We hope all are willing to say—AMEN!

RALEIGH & TARBORO' STAGE.

THE subscriber having received a transfer of the contract for carrying the Mail by, before we begin to find fault with the

MARRIED.
In Currituck county, on the 4th ultimo, Mr Samuel Shaw, aged 85, to Miss Judith Scarborough, aged 25.

DIED.
In this city, on Wednesday last, after a long illness, Mrs. Helen Shaw, wife of David Shaw, confectioner.

At Cahawba, Alabama, a few days since, Col. John Taylor, Receiver of Public Monies, and formerly Member of Congress from the State of South-Carolina.