

an unfortunate being doomed to confinement and hard labor in your Penitentiary. Confinement from which he receives no alleviation or respite labor from which he receives no compensation or benefit—deprived of that liberty which is the boast of our country—destitute of a single individual who takes an interest in his fate—the voice of consolation, or sympathy never enters the walls of his prison—poor fare—the sound of the driver's whip—the rough imprecations of contempt and authority are his daily companions, his nights are spent upon a bed of straw in a solitary cell, where reflection would but drive such an image of misery to madness. Sir, does not such an object in such a situation make a more lasting, a more permanent impression on the mind than the fleeting punishment of death. The greatest, the wisest man that ever adorned humanity in all countries and in all ages, have thought so. That great man whose humanity and wisdom gave existence to our present penitentiary system, was of that opinion. He has passed from amongst us, he sleeps with his fathers, but, sir, so long as my native country contains a democratic republican, his memory and his opinions will be cherished and revered, and, sir, may that be as long as the earth bears a plant or the sea rolls a wave.

Under the Porcian law of the Romans, death was never inflicted. In more modern times under the separate reigns of Elizabeth and Catherine the second of Russia, capital punishment was not known. Yet all history bears testimony that Rome was never more flourishing than when the humanity of the Porcian law was in full force, and that the substitution of exile instead of death in Russia, had a tendency to diminish crimes throughout that vast empire.

Hence, sir, reason, history, experience, all combine to demonstrate the futility, the inefficacy, the demoralizing tendency of capital punishments.

If a limb of your body is diseased and communicates pain to the whole system, would you be so absurd as to send for a surgeon and have it amputated?—I presume not. You would apply to the physician for a remedy which might restore it to its original strength and utility. You would reflect, that the human body is liable to pain and disease—and reason would dictate that the first effort should be to remove the disease and not to sever the limb in which it is situated. So, sir, you ought to reflect, that humanity is liable to err; and the noblest effort that man can make is to check that error by gentle, but salutary correction.

If a rude storm of wind was to destroy the straight position of a fruit tree in your orchard, would you cut the roots by which it is anchored to the soil, destroy its vegetation, and leave its fruits to wither on the ground? Or would you like a good husbandman apply a prop in order to restore it to its original position, so that its fruits might come to maturity and be of benefit to your family? And, sir, if an individual in a rude storm of passion, or operated on by the darker feelings of the human heart, in an unguarded moment unfortunately commit an outrage against society, would you be so absurd as to exterminate instead of reform? Would you take from him that vitality which you have no power to give? Reason and justice forbid it. Would you have the folly to take that life, which when placed under proper restrictions, might make some atonement for the injury inflicted on the community?—Would you be so impious as to take that life which is the exclusive gift of God, and which he alone has the right to demand at the hand of his creature? For Moses' law of retaliation passed away with that solemn, that distressing, yet glorious event, which redeemed mankind from eternal darkness, and promised "a bright reversion in the sky" for the whole human family.

Sir, it may be thought that I am too zealous upon this subject; but, sir, you will recollect that I am pleading the cause of humanity, and I should execrate myself if I felt less. My views upon the object of this amendment of our criminal law may be erroneous; but if I err it is on the side of humanity, and if, sir, to err on the side of humanity be a sin, then in the consoling words of that great master of the human heart "the chorub that bears that sin to Heaven's chancery will bluish as he hands it in, and the recording angel as he writes it down will drop a tear and blot it out forever."

I am in hopes gentlemen will give this subject the most mature and attentive deliberation. It is one of no minor importance. It is now passed our usual time for adjourning, and I shall dismiss it for the present, lest, as Goldsmith says—
"Go on refining
And talk of reform
Whilst you think of dining."
The amendment was rejected.

Mr. Rowan offered the following resolution, which was unanimously adopted.

Resolved by the Legislature of the Commonwealth of Kentucky, That the recurrence of this day is calculated to
*The Hon. John Breckenridge.

waken in every American bosom sensations of joy and gratulation. The 8th day of January, 1815, was distinguished by a victory the more splendid as it was achieved by the proud votaries of civil liberty, ever the disciplined vassals of an ambitious monarch. *New-Orleans and this day*, form a combination of time and place, alike humiliating to England and gratifying to America. On this memorable day she was vanquished and driven from the land of freemen. While she trembles, let us rejoice, and that we may evince the proud sensations connected with the day, and the valor of our brave officers and soldiers.

Resolved, That our venerable acting governor, (who is himself respectfully remembered with the day and subject) be requested to cause the Artillery Company of the town of Frankfort, forthwith to parade upon the public square, near the capital, and there to discharge 19 rounds of cannon, a round for each state in our happy union, in commemoration of the achievements of our arms on that glorious day.

This resolution being unanimously agreed to by the Senate, and approved by the Lt. Governor—the house adjourned.

FROM SOUTH AMERICA.

Boston, Dec. 25.
Capt. Williams, who has arrived in Salem from Lagaira, via at Martinique, contradicts, in the Salem Gazette, the late report from St. Thomas, that Lagaira and Caracacas had been taken by the Patriots; but states, that they were in the hands of the royalists the middle of November. He adds, that the defeat of Bolivar was not so disastrous as was at first represented. That Sir George M'Gregor joined Bolivar's forces at the moment they were repulsed, and Bolivar had made his escape, rallied the patriot forces and compelled the royalists to retreat in their turn: That he then advanced into the interior, where he was assured of plenty and reinforcements; and from thence lately marched upon and captured Barcelona; That M'Gregor had 6000 troops, with several English, French and American officers, and it was supposed he had taken Cumana, as the Governor and his family had arrived at Lagaira about the 14th November: And that at Lagaira, the fall of that place, Caracacas, and the strong key of Augustura, was daily expected.

FROM THE NANTUCKET GAZETTE.

Capt. Myrick has arrived here from St. Thomas, which he left the 2d inst. He informs, that a few days before he sailed; the famous Gen. Gregor M'Gregor arrived there from the Spanish Maine, bound to Mexico, to join the Spanish Patriots there. That the General informed Capt. M. that the patriots had totally defeated the royalists, and had obtained possession of all that part of the country; and that the cause of his, M'Gregor's, leaving the patriots of Venezuela, was dissatisfaction at their conduct respecting neutrals.—Capt. M. was frequently in company with the General, who wore a plain dress.

LONDON, NOVEMBER 4.

Advices on Saturday reached Lloyd's of the capture on the 6th ult. off Cadiz, of the Cuentia, a Spanish vessel, from Havana, by the Potosi privateer, from Buenos Ayres, after a sharp action.—The Cuentia was laden with colonial produce, and 21,000 dollars for the Cadiz merchants. The Potosi carried 6 guns, and has a crew of 150 men, all natives of the United States with the exception of one Spaniard. The commander is John Chace, of Baltimore, the same person, we believe, who was recently tried and acquitted in America on a charge of piracy, for having detained one of his own country vessels under the commission he holds from the Buenos Ayres government. The crew and passengers of the Cuentia, 51 in number, were put on board an American ship arrived at St. Ubes on the 9th ult. Several of them were wounded, some dangerously.

The London papers speak of an attempt to snatch Bonaparte from St. Helena.

A French paper says it was the Americans that attempted to release Bonaparte, and that the vessel employed was the Carpenter, fitted out with the knowledge of the government for the purpose.

Parliament was prorogued on the 4th of November to the 2d of January. A letter of the 5th ultimo mentions, that the Pacific would sail for New-York in a few days.

The guards of the kingdom of Wirtemberg in July, August and September, arrested 26100 individuals, being robbers, vagabonds, beggars and deserters.

The seraglio of the grand seignor of Constantinople, took fire and burnt down on the 20th of September. All his wives, 51 in number, narrowly escaped the flames.

The French chambers were opened on the 4th ultimo.

EARTHQUAKE.

The Vincennes Sun of the 30th ult. says that a shock of an Earthquake was severely felt, in that place on the 16th.

The Kentucky Advertiser.

WINCHESTER:
SATURDAY, JAN. 25, 1817.

Extract of a letter from a member of the Kentucky Legislature to his friend in Montgomery County.

One of the fundamental principles of democracy is, that all power emanates from the people. If I do not obey him that made me, then I deny his authority to govern. If I do not act in conformity to the will of those who have intrusted me with power, I am then no longer their agent, but their master. Any man who would disregard the wishes of the people, (to say the least of it) cannot have correct views as to the genius and spirit of our government. Yet non-interference is the favorite doctrine of our state administration; it is preached by that party loudly and openly at every corner & public place in Frankfort. I am told that some of my best friends in the county are advocating the measures of the present cabinet. I wish they could be here—I wish they could see the federalists who have never disavowed their principles now exulting at the change—men who have been inimical to the principles that have prevailed since '98, considered the year 1817 as a jubilee. But this is not all—Men who profess their admiration of the British government, and their detestation of ours, are rejoicing "with great joy." Yet those are the men who receive the smiles of the cabinet—those are the men who surround and advise it—those men who in public places, when Captain Whiskey had the ascendancy, have fortunately, but unguardedly, given us a glimpse at their politics, by cursing the republicans, and denouncing the republican editors of this state; boasting that printing presses were about to be established, which would in a short time write demerit out of the country. These are facts that they themselves do not pretend to deny.—There is no intercourse between the republicans and the administration, except that formal intercourse which is kept up for the sake of decorum.—If, under all these circumstances, some of the people in my county will advocate Mr. Pope, and will aid him in bringing about this political change; if they will rally around the standard of aristocracy which he has raised; then so be it. It is my duty to sound the tocsin of alarm, and that duty I will perform as soon as I return home. They have an administration paper here, the first number of which was published today; it contains a long letter from our federal congressman, Mr. M'Kee, approving Mr. Pope's appointment; for which letter he is to be imported to our district as our Judge; it has crept out through one of the federalists, who is in the confidence of the cabinet. We are making every exertion against it; I feel some hope that the senate will yet act independently. I wish Capt. Daniel's friends would be active. It is deeply mortifying to the pride of a freeman to have an article imported and forced on him when he has as good, if not better, materials at home. It is not fair play.

The Legislature of Indiana adjourned on Friday the 3d inst. after a session of two months, during which they passed 74 statutes. The Vincennes Bank is adopted the State Bank, under a constitutional provision. The capital is increased by the act to 1,500,000 dollars, one third of which is reserved to the state. The Directors are to locate branches as they shall deem expedient, not exceeding one for every three counties, but it is obligatory on them to locate a branch within any three counties whenever the said counties shall subscribe and pay 30,000 dollars in specie into the Bank. At the close of the session, John Bigelow and associates were incorporated a Canal Company. Capital One Million of Dollars; operations to commence within one year, add to be completed in seven.

ARDENT SPIRIT.

The Synod of Pittsburgh have recommended to all the ministers within their bounds, to endeavor both by precept and example, to abolish the use of ardent spirits except as medicine.—Among the evils resulting from its present extravagant use, they enumerate idleness, poverty, wretchedness; the destruction of health and reputation; discord in families and communities; enervating the strong, and making idiots of the wise; as training up thousands for disgrace, the prison, the gallows, and eternal misery.

Extract of a letter dated New Orleans Dec. 14, 1816.

Flour—The recent advices of the failure of crops in Great Britain, and the certainty that her ports will be opened to the free admission of bread stuff, as well as the scarcity and high price of grain in the Atlantic States, authorises the belief that Flour will maintain good prices, throughout the

season. It is selling in small parcels at 12 dollars.

Corn, & Corn-meal—The same reasoning will apply with full force to these articles. The yellow flint corn will command 15 a 20 cents more per bushel than the white; tho' we have no doubt white will answer extremely well. Yellow corn is worth one dollar seventy five cents in the eastern states, and would bring more than one dollar here. The meal should be yellow, free from the specks produced from excessive kiln-drying, and packed in barrels of 160lb. or quarter bound hds, of 800lb. which would suit for Rum punches.

Tobacco—Your crop is this year so abundant, that we cannot advise a purchase at any thing like the prices of last year. It is nominal at 11 dollars and must fall as the crops come in.

Bagging, Yarns, Bale-ropes, &c.—The former of these articles is imported from Great Britain, so much lower than it can be manufactured in Kentucky, for at the present price of hemp and our stock on hand is so considerable we do not see a prospect of improvement, and would dissuade our correspondents from touching it at the present Kentucky prices—it is as low as 20 a 25 cents. Yarns 3 cents nominal and Rope 9 cents.

Whiskey is abundant and dull at 80 a 65 cents.

Pork—Should be corn-fed and packed with plenty of salt, in good barrels well hooped with 18 hoops—has been in great demand, and worth 20 dollars.

Beef, Lard and Butter—The former very precarious and of little credit.—Lard generally a current article, and Butter usually dull.

RETURNS.

Cotton—The crop short from the injury sustained by the rot. Liverpool prices are encouraging; but the pressure for money is so great, cotton is dull at 25 a 26 cents.

Sugar—A large severe frost has so materially injured the crop, it is estimated to be one third short. It has opened at 10 cents.

British goods are sacrificing at auction daily. Coffee is 20 a 22 cents but will rise when the barges begin to load. Exchange on London, 4 a 6 per cent. Paris at par. New-York and Boston at par. Philadelphia 2 per cent. discount, dull. Baltimore at 4 a 5 unsaleable. Kentucky unsaleable. Kentucky notes 3 discount, in demand. Ohio 10 discount, unsaleable.

FRANKFORT JAN. 17.

On Tuesday last the Legislature proceeded by joint ballot, to vote for Public Printer, Treasurer, and President and six Directors for the Bank of Kentucky. On taking the vote it appeared that Gerard and Kendall were unanimously elected public printers. John P. Thomas, unanimously elected Treasurer—and Robert Alexander President of the Bank by a like vote: For Directors the vote stood thus:

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|---------------------|-----|
| For Peter Dudley | 104 |
| William Gerard | 93 |
| Richard Taylor, Jr. | 68 |
| Anderson Miller | 87 |
| Willis A. Lee | 87 |
| George M. Bibb | 81 |
| Charles S. Todd | 75 |
| John Madison | 47 |
| Oliver G. Waggener | 39 |
| Achilles Sneed | 13 |

The first six were declared duly elected.

The following gentlemen were elected on the part of the share-holders last Monday week, viz.

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|-----------------------|
| John Brown |
| Daniel Weisiger |
| Nathaniel Hart |
| Martin D. Hardin |
| Alexander J. Mitchell |
| John Pope. |

There was an interesting debate on Tuesday last on the subject of amending the duelling law; but not being present, we are not able to report it. The object, as we understand, was to relieve from its disabilities those who, from the peculiarity of their situation, were induced to fight while in the army during the late war.

The House of Representatives have resolved on a final adjournment on Saturday, February 1st.

The House of Representatives yesterday passed the bill appointing a Special Judge to the General Court, with a salary of \$1200, who is also to act as a Circuit Judge in Fayette county.

On yesterday the Senate approved the nominations as Circuit Judges of Messrs. Brodnax and Saml. M'Kee. The latter in place of Judge Barry, resigned.

LONDON, NOV. 14.

Manchester Meeting.—On Monday the 28th October, 1816, a general meeting of the inhabitants of Manchester took place on a large piece of ground near St. Peter's church. Mr. Knight in the chair.

He opened the business in an animated speech, and a number of resolutions were unanimously carried, tending to show the distressed state of Manchester, and of the country in general.

The several speakers recommended the most rigid economy and retrenchment in these times of necessity, and

condemned the folly of keeping a large standing army, merely for the purpose of maintaining a foreign monarch on his throne; and stating the absolute necessity of abolishing all useless places and pensions.

The prince regent was recommended in the strongest terms to discharge his present ministers, who were unworthy the confidence either of him or his people; and that instead of being rewarded with large salaries and pensions, they ought to be brought to an account for their past proceedings.

His royal highness was also told, that nothing could save this country but a reform in parliament, an extension of an elective franchise, so that every household should be in parliament by his representative—and that all elections should be annual—that the future safety, prosperity and happiness of this country demanded it.

That they saw with the deepest regret, the industry of the people swallowed up by taxation, for the support of placemen in luxury and extravagance, while weavers of Manchester & its neighborhood were starving. Thus the following members of the cabinet alone, receive 124,000l. per annum—Earl of Liverpool, 13,100l.—Lord Eldon, 18,000l.—Earl of Westmoreland, 3,000l.—Earl of Harrowby, 1,000l.—Viscount Sidmouth, 7,500l.—Viscount Castlereagh, 1,500l.—E. Bathurst, 30,000l.—Mr. Vansittart, 7,500l.—Viscount Melville, 10,900l.—Mr. Canavan, 4,000l.—Right Hon. Charles Bathurst, 4,850l.—Earl of Mulgrave, 8,160l.—Master of the mint, 10,850l. And that this enormous sum appears, was but a mere drop in the overwhelming vortex of corruption. Upwards of 40,000 persons were assembled, who dispersed in the most orderly manner as soon as the meeting was concluded.

MONEY WANTED!!

WILLIAM POSTO intends to set out for Philadelphia in a few days, and earnestly requests those indebted to make payment immediately.

Those indebted to CAMPBELL & POSTO may take the same hint.
Jan 25 130-3y

A Friendly Call.

ALL those indebted to the subscribers, will confer a favor by calling as soon as possible and settle their respective accounts, as it is a desirable object with them to have all their accounts closed. The books are kept at the store of George G. Taylor, & Co. where those concerned will please call.
A. EUBANK & SON.

As we expect to leave this place on the first of March, all accounts not settled before that time will be put into other hands for collection.
Dec. 21. 125-

TOBACCO WANTED

Of the best quality, for which the highest market price will be given in KENTUCKY BANK NOTES.

C. K. DUNCAN & Co.
N. B. We request all those indebted to us to make payment.
C. K. D. & Co.
Jan 25 130-1f

TOBACCO.

THE subscriber will give the highest price (in Kentucky Bank Notes) for TOBACCO of the first quality.
PETER FLANIGAN.
Winchester, Jan 25 130-1f

Notice.

THE subscribers intending to start to Philadelphia early in March next, request all those indebted to them to come forward and settle their accounts.
They are now receiving first rate crop TOBACCO,

and those intending their crops for them, will do well to bring it in early, as they may not take that article long.
W. N. LANE & Co.
Winchester, Jan 25 130-5f

Notice.

WAS taken off a horse, running at large, on the Christmas holidays, a SADDLE but little worn, a BRIDLE and BLANKET. Also, was found on Thursday the 16th inst. between Winchester and my house, a SADDLE and BLANKET. The owners of the a-bove Saddles, &c. can have them by applying to the subscriber, living on Holder's road, about 6 miles from Winchester and 4 from Combs's landing, and paying the cost of this advertisement.

JOHN PRICE.
Clarke County, Jan 25 130-3f

Take Notice.

ONE of the undersigned wishing to start to the eastward for a fresh supply of goods early in next month, request their customers to call and discharge their accounts as early as possible.
WILLIS R. SMITH & Co.
Jan 25 130-4f

REMOVAL.

Benjamin H. Buckner & Co.

HAVE REMOVED their Store to the house lately occupied by James Mitchell, adjoining the Hotel Tavern, occupied by Mr. Hay Taliaferro, where they have on hand

A Handsome Assortment of Merchandise,

which they are determined to sell at the most reduced prices for Cash, Feathers, Country Linen, and such other articles as may suit them.
They continue to keep on hand a supply of the best IRON and CASTINGS.
Winchester, Jan 4 137-6