American Volunteer.

BY JOHN B. BRATTON. "OUR COUNTRY—MAY IT ALWAYS BE RIGHT—BUT RIGHT OR WRONG, OUR COUNTRY." AT $2,00 PER ANNUM.

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John B. Bratton.

TERMS.

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COMMONWEALTH

vs.

FRANCIS PERRIER,

Indicted and tried for Murder in the Oyer and Terminer of Cumberland County, at August Sessions, 1858.

The following is the opinion of the Court, in this case, which we publish at large as delivered to the jury. The facts of the case we have already alluded to, and some of the papers have published them in full. The opinion of the Court is an able and full review of the law on the subject, and defines with clearness and precision the various degrees of Murder, and the circumstances which will reduce the offence from the higher to lower grades.

The charge also reviews fully the law on the subject of drunkenness (one branch of defence in the case) and the kind it must be, to have the effect of reducing the grade of offence committed under its influence.

CHARGE OF THE COURT.

The prisoner at the bar stands charged with the crime of wilful and deliberate murder.—Upon the indictment you may find the defendant guilty of murder of the first degree, of murder of the second degree, or of voluntary manslaughter. Before noticing the distinction between murder of the first and second degrees under the act of 1794, we will first notice the difference between murder at common law and voluntary manslaughter.

Murder as defined at common law is where a person of sound memory and discretion, unlawfully kills any reasonable creature in being, and in the peace of the Commonwealth, with malice aforethought, either express or implied.

Manslaughter is "the unlawful killing of another without malice either express or implied." From these definitions you will observe it is malice which distinguishes between murder and manslaughter. The term malice in the legal, as contradistinguished from the popular sense of the word, does not denote a revengeful or malevolent feeling against the deceased in particular, but that the fact of killing has been attended with such circumstances as evince a wicked, depraved, and malignant spirit; a heart regardless of social duty and fatally bent upon mischief. Express malice is where the killing is the result of a sedate, deliberate mind and formed design, the internal feeling being manifested by external circumstances, such as former threats or unfriendly feeling, or concerted schemes to do the party bodily harm. The law implies malice from any deliberate cruel act committed by one person against another, however sudden; or where the act is attended with such circumstances as carry with them the plain indications of a wicked and diabolical spirit.

To reduce homicide, which is the killing of any human creature, from murder to manslaughter, no provocation by words however abusive or opprobious is sufficient, if the defendant used a weapon likely to kill and death was the consequence. Judge King, a learned and experienced jurist, in the case of the Commonwealth vs. Daley, in his charge to the jury on the question of the intent to take life, remarks: "That in the solution of such a question an easy and safe criterion of the intent with which the act was done, may be found in the means by which the homicide has been committed. If the means of death is a deadly weapon used in an unequivocal manner, the inquiring mind can come to no other conclusion, but that the death of the victim was intended. Thus, if one man shoot another through the head with a musket or pistol ball—if he stab him in a vital part with a sword or dagger—if he cleave his skull with an axe—it is almost impossible for a reflecting and intelligent mind to come to any other conclusion than that the perpetrators of such acts intended to kill."

In applying the law of homicide to the facts of this case to determine the guilt or innocence of the prisoner, the most orderly mode of considering the case would be first to inquire whether the evidence satisfies your minds beyond a reasonable doubt that the prisoner perpetrated this homicide. That a cruel and bloody homicide was perpetrated on the person of JOHN M'NAMARA, upon the street of our Borough, about 12 o'clock in the night of the day of the third of June last, is clearly proved and not controverted. Your first enquiry will be did the prisoner cause the death of decedent at the time and in the manner charged in the bill of indictment. No witness is called who saw the fatal wound inflicted, no one who saw the dagger plunged to the heart of deceased. The evidence which points to defendant as the perpetrator of this act is not positive but circumstantial. But evidence of this kind may be, and frequently is, quite as satisfactory and conclusive as positive proof. A chain of connected circumstances and facts irreconciliable with the defendant's innocence is quite as satisfactory as the positive evidence of one or two witnesses. A witness may be mistaken or he may be perjured—but a connected chain of circumstances proved by a number of witnesses is not subject to this objection. To convict of a criminal offence the evidence should satisfy the juror's mind beyond a reasonable doubt of the guilt of the accused, but the juror's oath imposes no obligation upon him to doubt, where no doubt would exist in its absence. On the contrary, the oath imposes on the juror the important and solemn duty of expressing the undoubted conclusion of his mind from the evidence honestly and candidly without attempting to conjure up a doubt, where no doubt would be sought for if no oath had been administered.

The evidence relied on to connect the defendant with this homicide is, his cap found within a few feet of the dead body, his gloves bought on that evening are spotted with blood. A dirk knife similar to one he bought a few days before is found on the street some distance from the body. The prisoner is in town that night certainly till a very late hour and not in his room until some time after twelve on that night, the hour when the homicide was perpetrated. These circumstances are all left unexplained and unaccounted for, consistent with the prisoner's innocence. If these circumstances do not satisfy you beyond a reasonable doubt that the prisoner inflicted the fatal blow that caused the death of deceased, you ought to acquit the defendant. But if you are satisfied from the evidence that the prisoner caused the death of the deceased, then it will be your duty further to inquire of what crime the prisoner is guilty. To make the homicide justifiable or excusable the proof must come from the defendant, and in the absence of proof showing the homicidal act to be justifiable or excusable, the law presumes it to be felonious. If the act was malicious it is murder—if the killing was unlawful but without malice, either express or implied, it would be manslaughter. We have said the law implies malice from any deliberate cruel act committed by one person against another, or where the act is attended with such circumstances as carry with them the plain indications of a wicked and diabolical spirit, and we have also said that no provocation by words, however abusive or offensive, is sufficient to reduce the killing from murder to manslaughter, if a weapon is used likely to kill and death is the consequence. If the fatal stab was given by the prisoner upon being called a d——d liar by decedent, as indicated by the testimony of Augustus Jeremiah, this would not reduce the crime from murder to manslaughter, but if given in the heat of passion caused by a personal conflict, under such circumstances passion induced by sufficient cause arising out of a personal conflict would repel the presumption of malice and reduce the crime to manslaughter.

Should you believe the defendant guilty of murder, you must then determine and find by your verdict the grade of murder of which the prisoner is guilty.

In Pennsylvania murder is of two grades or kinds. Murder of the first and murder of the second degree. The act of 1794 provides "that all murder which shall be perpetrated by means of poison or lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, robbery or burglary, shall be deemed murder of the first degree, and all other kinds of murder shall be deemed murder in the second degree; and the jury before whom any person indicted for murder shall be tried, shall, if they find such person guilty thereof, ascertain in their verdict whether it be murder of the first or second degree."

From the provisions of this act you will observe it will be your duty if you find the defendant guilty of murder, to say by your verdict, whether he is guilty of murder of the first or second degree; and this will be a most important inquiry.

If he is guilty of murder it was not perpetrated by means of poison or lying in wait, nor in the perpetration or attempt to perpetrate any of the causes enumerated in the act of 1794. To constitute murder in the first degree the killing in this case must have been wilful, deliberate and premeditated, for this is the only other kind of killing mentioned in the act which is murder of the first degree. The words "wilful, deliberate and premeditated," as used in this act, have no technical meaning attached to them.—They are to be understood in their usual and ordinary sense. What then is the proper meaning of these words thus used in the act of 1794 to designate the crime of murder of the first degree?

A wilful act is one done designedly, intentionally or purposely, as contradistinguished from accident, inadvertance or absence of intention or design.

Deliberation is the act of considering, of weighing the reasons for and against a measure or act. An act to be deliberate must be done after consideration, weighing and balancing in the mind its nature and consequences, as distinguished from an act done upon sudden impulse, without thought or reflection and without the approval of the will.

Premeditation means to think beforehand.—An act to be premeditated must have been the object of thought before it was carried into effect, thought about before it was done, as contradistinguishing it from an act which the mind has not conceived and matured, and which has not received the assent of the will and sanction of the judgment to its accomplishment.

This appears to us to be the proper meaning of the words "wilful, deliberate and premeditated," as used in the act of 1794, to distinguish between murder of the first and second degrees. Where there is malice, but no deliberate premeditated intention to take life, it is murder in the second degree.

But where combined with malice, the evidence shows a deliberate & premeditated intention to kill, it is murder in the 1st degree. Taking the life of another by means of poison or lying in wait, or any other kind of wilful, deliberate and premeditated killing, is murder of the first degree. Murder by poison or lying in wait must necessarily be deliberate and premeditated. The victim is selected, the time and place appointed, the means prepared. All the circumstances attendant upon the commission of the act show it to have been done deliberately and with premeditation. So murder committed by other means than poison and lying in wait, must be attended with circumstances that satisfy the minds of the jury that the act was wilful, deliberate and premeditated to make it murder of the first degree, and these attendant circumstances must be proved, they cannot be presumed. We do not say that to convict the prisoner of murder of the first degree, the evidence should satisfy you that he had the same time for deliberation and reflection as when it is perpetrated by poison or lying in wait; this we do not consider necessary. The law has fixed no specific length of time for deliberation—no length of time before the act is done is required, further than there must be sufficient time to think upon, plan and mature the act. The design to take away life must be first formed in the mind and then carried into effect with the concurrence and assent of the will.

On the part of the prisoner it is alledged that the evidence shows that he had been drinking freely for some days before this fatal occurrence. That he was drunk on the night M'Namara was killed, and that from the effects of intoxication the mind was deprived of its power to form a design with premeditation and deliberation, and consequently that he cannot be convicted of murder of the first degree, deliberation and premeditation being essential ingredients of that crime.

It is a rule of the common law that voluntary intoxication is no excuse for crimes committed during its existence. If, therefore, the jury believe the prisoner committed the act while under the immediate influence of intoxicating liquors, he would nevertheless be guilty of murder.—But if you believe at the time the act was committed, the mind of the prisoner, from intoxication, was deprived of the power to form a design with deliberation and premeditation, he would not be guilty of murder of the first degree, but he would be guilty of murder of the second degree. In the language of Judge Thompson, "it is the operation of the mind that gives the capital quality alone to murder. Not that the mind does not exist in both grades, but it deliberates and purposes in the one, acts impulsively in the other. Passion from great provocation has always been held to mitigate the grade, because of the inference from it, negativing deliberation. So, too, has drunkenness, when made out. It is equally as obnoxious to deliberation as passion, and requires as careful consideration in the judicial investigation. It does not excuse crime, but if its existence is incompatible with the ingredients constituting crime of a particular grade, then it cannot be of that grade—it must belong to a lower one if the law so provides."

The defendant's counsel have presented certain legal propositions upon this branch of the defence, which we will here read to you and answer.

1st point. Where murder has been committed & the killing has been done with malice, and not in the perpetration or attempt to perpetrate any of the felonies enumerated in the act of Assembly, of 22d April, 1794, to constitute it murder in the first degree, there must have been a deliberate, settled purpose—a disposition of mind leading its victim into murder, all aware of its wicked pursuit, and intent upon the result—and this purpose must be proved according to law beyond the probability of a reasonable doubt—otherwise it is deemed to be murder in the second degree. If not proved to belong to the first class, it is presumed to belong to the second.

Answered in the affirmative.

2d point. If the Jury believe that the killing was perpetarated with malice aforethought, either express or implied, but was not "wilful, deliberate and premeditated," it is murder of the second degree, unless there is something which reduces it to a lower grade of offence.

Answered in the affirmative.

3d point. The law is well settled, that when a wilful and deliberate intent is the subject of investigation "if the mind, from intoxication or any other cause, is deprived of its power to form a design with deliberation, the offence is stripped of the malignant features required by the statute to place it in the list of capital crimes;" and if, therefore, the Jury believe that the prisoner was intoxicated, and there was no wilful and deliberate intention to kill but that life was taken by a blow inflicted with a knife suddenly drawn, in a sudden quarrel, the offence committed was not murder of the first degree, but a lower grade of offence.

Answered in the affirmative.

4th point. That if the Jury believe the killing was done without malice aforethought, either express or implied, upon sudden heat or quarrel, or in an angry altercation, or in consequence of reasonable provocation, or grew out of an assault, under circumstances which do not or would not excuse on the ground of selt-defence, the offence committed was voluntary manslaughter.

Answered as follows:

If the killing was done without malice it would be but voluntary manslaughter. But no provocation by words alone, unless there was personal conflict, would be sufficient to repel the legal presumption of malice and reduce the killing from murder to manslaughter when a weapon likely to cause death was used and death was the consequence.

5. That drunkenness when made out is equally as obnoxious to deliberation as passion, and requires as careful consideration in a judicial investigation, and if, therefore, the Jury believe that the prisoner was drunk at the time when the offence with which he is charged was committed, such drunkenness is incompatible with the ingredients of murder in the first degree, and the offence committed must have been one of a lower order.

5th answered thus: If by the terms "drunkenness" and "drunk," as used in this point, we are to understand a person whose reason is disordered or perverted, his passion excited or inflamed, or his mental faculties so perverted, stupified or deranged, in consequence of the use of intoxicating drink, as to prevent the ordinary and appropriate exercise of their powers, we answer it in the affirmative. But it must be apparent to even a superficial observer, that the effect produced by spirituous liquor or intoxicating drink upon the human system, is almost as various as the human countenance. Its effect upon some is to arouse, inflame and excite the passions and transform the quiet, inoffensive citizen into a very madman or demon.—Upon others, indulgence to the same extent, produces no apparent effect upon the mind, while the body is almost paralized and they are unable to exercise the power of locomotion, they retain full possession of their mental powers and the faculty of deliberation and premeditation.

We cannot say to you, that if you believe the prisoner was drunk at the time the offence with which he is charged was committed, "such drunkenness is incompatible with the ingredients of murder in the first degree." In other words, that a drunken man, in the ordinary and usual meaning of that term, cannot commit murder in the first degree. This would be a most dangerous doctrine, and one which most probably would be productive of the most disastrous consequences to the peace and safety of society. The true criterion as to the capability of the prisoner to commit murder in the first degree is not whether he was drunk or sober, but whether he had the power at the time deliberately to form and plan in his mind the design and intention of killing his victim. If he had such power and did deliberate, plan and conceive the intention and design of killing M'Namara before the fatal blow was given, and the mortal wound was inflicted in pursuance of such previously formed design and intention, then the crime would be murder of the first degree. But if from intoxication or other cause the mind is deprived of the power to form a design, to plan, deliberate upon, and purpose the death of another, if such act is the result of impulse, not of deliberation, then the purpetrator would not be guilty of murder of the first degree.

We have said in a former part of our charge, that to constitute murder in the first degree, the Commonwealth must prove the killing was wilful, deliberate, and premeditated. This is an essential ingredient of the crime and must be proved, and cannot be presumed; but like all other operations of the mind, it is generally proved or disproved by the circumstances attending and surrounding the commission of the act. Thus were two strangers to meet upon our street and one grossly insult the other by some indignity to his person, which is resented by sending a dagger to the heart of the aggressor. This would be an act prompted by impulse and passion, not the result of reflection and deliberation.

Again, were one man without a word of provocation or semblance of excuse, to shoot down a passer by on the street, from the calm unprovoked nature of the act, no rational mind would hesitate in pronouncing it a wilful, deliberate and premeditated homicide.

It is a principle of the criminal law, that if the jury entertain a reasonable doubt of defendant's guilt, such doubt ought to produce an acquittal, and this principal is applicable to the different grades of homicide. Thus if you doubt whether this crime was committed deliberately and premeditatedly, such doubt would be sufficient to acquit of murder of the first degree, but if this should be the only doubt you entertain of his guilt, then he would be guilty of murder of the second degree.

You will then determine whether the prisoner caused the death of the deceased. If he did not, acquit him. If he did, you will then find of what crime he is guilty—manslaughter, murder of the first, or murder of the second degree.

To reduce the killing to manslaughter in this case, where a deadly weapon was used, it is necessary that the fatal wound should have been inflicted in the heat of passion, caused by an attack on the person of the prisoner. If this is not proved, (and the proof to extenuate the crime must be made by the defendant, after the homicide is proved by the Commonwealth,) then the defendant would be guilty of murder.

If the fatal blow was inflicted in pursuance of a previously formed design and intention to kill the deceased, the prisoner is guilty of murder of the first degree. But if given upon sudden impulse without a deliberately formed purpose to kill, then he would be guilty of murder in the second degree.

The Jury returned a verdict of *voluntary manslaughter.*

CONSTITUTION OF THE JUNIOR AGRICULTURAL SOCIETY OF CUMBERLAND COUNTY.

Article 1. This Society shall be styled the Junior Agricultural Society of Cumberland County.

Article 2. The object of this Society shall be the advancement of Agriculture in all its branches and the encouragement of rural economy.

Article 3. The officers shall consist of a President, Vice President, a Recording Secretary, a Corresponding Secretary, and a Treasurer, to continue in office one year. All officers to be elected by ballot at the annual meeting in January.

Article 4. It shall be the duty of the President to appoint one member from every township to call meetings in their respective townships for the discussion of agricultural subjects. Every member so appointed shall report the minutes to the President.

Article 5. The duties of the President shall be, to preside at all the meetings of the Society, to superintend the general concerns of the Society, and to call special meetings. He may from time to time make such communications as he may think proper.

Article 6. The duty of the Vice President shall be to preside at a meeting, if the President should not be able to attend.

Article 7. The duties of the Recording Secretary shall be to attend all meetings of the Society—to keep a list of all members, to superintend all publications ordered by the Society, to give public notice of all meetings, and keep a record of all the proceedings.

Article 8. The duties of the corresponding Secretary shall be to correspond with other Societies and individuals on all subjects of the Society and transmit notices of the appointments of honorary members.

Article 9. The duties of the Treasurer shall be to keep the money and property of the Society; to keep a regular and just account of all receipts and expenditures, to be exhibited at each annual meeting and when called for, also a list of the members: and when his time of office expires to deliver the book funds and property of the Society to his successor.

Article 10. The Society shall hold a regular annual meeting in Carlisle on the first Saturday of January of every year; when all officers of the society for the ensuing year shall be elected, and such other business be transacted as occasion may require.

Article 11. The President, Vice President, and delegates from each township, together with the Secretaries and Treasurer shall constitute a Board of managers of the Society.

Article 12. The Board of Managers shall meet at least twice a year at such times as shall be provided by the By Laws. In the absence of the President, the Vice President shall preside, and if the Vice President should not be present a delegate shall be called to the chair. A quorum for business shall consist of not less than seven members. Any members of the Society may be present at any meeting of the Board of Managers.

Article 13. Any person may become a member of this society by paying to the Treasurer 50 cents annually.

Article 14. The board of managers may elect Honorary members by a vote of two-thirds of the members present.

Article 15. The Board of Managers shall have power to make all By Laws, rules and regulations as may be proper for the better regulation and government and to promote the interests of the Society.

Article 16. The Constitution shall not be altered except at a regular meeting; and then only by a vote of two-thirds of the members present; and of which amendment, previous notice shall have been given by the Secretary.

Article 17. The members of the society do hereby pledge themselves each to the other that they will support the society and use their influence and opportunities to promote its design.

BY LAWS.

1. At all meetings of the society, the proceedings as to all subjects of discussion, shall be governed by parliamentary laws, of which the presiding officer shall be Judge: with the right of appeal from his decision to the members present.

2. Reports of delegates from the different townships shall always be in writing and handed to the President, as provided by the fourth article of the Constitution.

In accordance with the fourth article of the constitution the following board of managers were appointed.

S. Augustus Pague, North Middleton.
Wm. Stuart, South Middleton.
Jos. Stayman, Monroe.
P. W. Harman, Silver Spring.
Henry Cocklin, Upper Allen.
Henry Neidig Lower "
Milton Stayman, Hampden,
Levi Burnhart, East Pennsbor'o.
J. B. Bricker, West "
Andrew Sharp, Dickinson.
James Wallace, Frankford.
Isaac Black, Mifflin.
Sharpe Woodburn, Newton.
Samuel Adams, Southampton.
Jos. Baum, Shippensbug twp.
Carson Elliott, Hopewell.

The board of managers will meet in the committee room on the second day of the Fair (October 14th.) at 2 o'clock, P. M. By order of J. H. BOSLER, *Pres't.*

J. FRANK CULVER, *Sec'y*

Attempted Assassination of a Clergyman in the Pulpit.

A correspondent of the London *Christian Times*, in Amsterdam, Holland, under the date of August 2, says:—

An atrocious crime which happened yesterday, (Sunday) morning, has filled the city with horror. A Jewish lad, about sixteen years of age, has stabbed the Rev. C. Schwartz, missionary of the Free Church of Scotland, with a dagger, when that gentleman had just ascended his pulpit and was engaged in prayer.

It appears, from what persons who are closely connected with Mr. Schwartz have told me, that the deeply-rooted hatred of the Jewish population of this city against Mr. Schwartz (we number about 24.000 Jews) has been very much increased by some recent proceeding in the attempt to evangelize that ignorant and stubborn people.

When yesterday morning Mr. Schwartz was about to conduct the service in his chapel, as usual, it struck every one of his hearers, that there were many Jews assembled near his pulpit, for I learn that usually, scarcely any Jew attends Mr. Schwartz's service. Among them there was a lad of about sixteen years, who, as I am told, before Mr. Schwartz ascended his pulpit, requested the doorkeeper to be permitted to set down on the steps of the pulpit, alleging that he was rather deaf, and was very anxious to hear the sermon. Most likely, it was the intention of this unhappy boy to stab the reverend gentleman when coming up the steps. From some reason or other, however, he was prevented from carrying out his plan. But scarcely had Mr. Schwartz ascended the pulpit, and shut the door behind him, than the lad rushed up the steps and tried to open the door. He was unable, however, to open it, and so the boy, in order to lose no time, pushed his hand, now armed with a dagger, over the door. It seems that Mr. Schwartz meanwhile had turned, perhaps thinking that the doorkeeper had come up to give him some information. He then received a stab in his chest, on the left side, and while trying to turn off the further attack with his arm, he was wounded in the hand and arm. Of course the lad was immediately dragged down, and Mr. Schwartz left the pulpit stained with blood. You may picture to yourself the consternation of the numerous auditory. Meanwhile Mr. Schwartz was taken to the nearest surgeon, who applied the first bandage to stop the bleeding; then carrried to his house, he was submitted to a further examination. Soon we were rejoiced by the intelligence that the wound in the chest (for the others are insignificant) did not apyear to be dangerous.

☞ Ye cannot believe it, men: but the only reason why women ever assume what is more appropriate for you, is because you prevent them from finding out what is fit for themselves. Were they free, were they wise fully to develop the strength and beauty of women, they would never wish to be men, or man like.

☞ In all ranks, those who are gentle and uncomplaining, too candid to intrigue, too delicate to encrouch, suffer much. They suffer long, and are kind; verily, they have their reward.

THE SONG OF SEVENTY.

[There are few rhymes for the perusal of old folks, in the whole range of English poesy, that are more smoothly worded and are imbued with a more soothing spirit, than the annexed little poem affords. It is one of the latter productions of Martin Farquhas Tupper—and was first published some dozen or fifteen years ago.]

I am not old, I cannot be old,
Though three score years and ten
Have wasted away, like a tale that is old,
The lives of other men.

I am not old: though friends and foes
Alike have gone to their graves,
And left me alone to my joys or my woes,
As a rock in the midst of the waves.

I am not old, I cannot be old,
Though tottering, wrinkled and gray;
Though my eyes are dim, and my marrow is cold,
Call me not old to-day.

For, early memories round me throng,
Old times, and manners, and men,
As I look behind on my journey so long,
Of three score years and ten.

I look behind and am once more young,
Buoyant, and brave, and bold,
And my heart can sing, as of yore it sung,
Before they called me old.

I do not see her—the old wife there—
Shrivelled, and haggard, and gray,
But I look on her blooming, and soft, and fair
As she was on her wedding day.

I do not see you, daughters and sons,
In the likeness of women and men,
But I kiss you now as I kissed you once,
My fond little children then.

And, as my own grandson rides on my knee,
Or plays with his hoop or kite,
I can well recollect I was merry as he—
The bright little wight!

'Tis not long since, it cannot be long,
My years so soon were spent,
Since I was a boy, both straight and strong,
Yet now I am feeble and bent.

A dream, a dream, it is not all a dream!
A strange sad dream, good sooth;
For old as I am, and old as I seem,
My hear is full of youth.

Eye hath not seen, tongue has not told,
And ear hath not heard it sung,
How buoyant and bold, though it seem to grow old,
Is the heart, forever young.

Forever young, though life's old age,
Hath every nerve unstrung;
The heart, the heart is a heritage
That keeps the old man young.

Wanted---A Young Man of Industry, Integrity, &c.

This meets one's eyes daily in the column of "Wants," and it is as true as the Pentateuch. Wanted! Of course they are—always wanted. The market can never be overstocked; they will be called for, and never quoted "dull," or "no sale." Wanted for thinkers, wanted for workers; on the main, in the field, and in the vast forests.

Tools are lying idle for want of a young man, a pen is waiting to be wielded, a tree to be felled, a plough to be guided, a village to be founded, a school to be instructed.

They talk about staples and *great* staples. Honest, industrious, able young men are the staples in this world of ours. Young man, you are wanted: but not for a doctor. No, nor a lawyer. There are enough for this generation, and one or two to spare. Don't study a profession, unless it is the profession of bricklaying or farming, or some other of the manual professions. Don't use tape if you can help it. It is honorable and honest, and all that: but then, perhaps, you can do no better. Of all things, don't rob the women. It is their prerogative to handle silks and laces, tape and thread. Put on your hat, like a man, don an apron, and go out of doors. Get a glow on your cheeks, the jewelry of toil on your brow, and a good set of well developed muscles. We would go, if we could: but then we were young longer ago than we like to think, and you know when one's "old he can't."

Besides, if you become a doctor, you'll have to wait. "Because you havn't the experience," says an old practioner, "because you are too young," say all the women. If you are a lawyer, and likely to rise, they will put a weight on your head, *a la* Swiss, to keep you under, or if you make a good argument, some old opponent as gray as a rat, will kick it all over by some taunt or other, because you were not born in the year *one*. And so it will go, until you grow tired and soured, and wish you had been born a tinker, perhaps an immortal one, or any thing but what you are.

Be a farmer and your troubles are over, or rather they never begin. You own what you stand on, from the centre of the earth up to the skies, as they used to say; you are as independent as possible all day, and tired, not weary, at night, for there is a great difference between the two words, if one stops to think about it. The more neighbors you have, and the better farmers they are, the more and better for you.

There is one thing more, young man. You are wanted. A young woman wants you.—Don't forget her. No matter if you are poor, with proper economy you will soon be rich and happy. Don't wait to be rich. You need a companion while you live, not after you have done living. Effort is life, and cessation therefrom, a grand and gloomy 'has been.' So do not wait till your time is all in yesterdays; if you do, ten to one if you are fit to be married at all, to anybody that is fit to be married.—Marry while you are young, and struggle up together, lest in years to come, somebody shall advertise "Young men wanted," *and there are none to be had.—B. F. Taylor.*

Low Necked Dresses.

In the early days of Pennsylvania there was a law which states as follows:

"That if any white female, of ten years or upwards, should appear in any public street, lane, highway, church, court-house, tavern, ball room, theatre, or any other place of public resort, with naked shoulders, (*i. e.* low necked dresses,) being able to purchase necessary clothing, shall forfeit and pay a fine, not less than one or more than two hundred dollars."

The closing paragraph of the law, however, permitted women of questionable character to bare their shoulders as a mark of distinction between the chaste and unchaste.

This distinction exists in the minds of all sensible men, without the necessity of any law in relation to the matter. No really chaste and modest woman bares her shoulders and bosom to public inspection—at least, so gentlemen believe and act accordingly.

☞ I've heard said that wedlock's like wine—not to be properly judged of till the second glass.

Perpetual Sunshine.

Bayard Taylor, who last summer made a journey to the North Cape, writes from Hemmerfest, Finmark, his impressions of the continuous polar daylight of the Arctic latitudes, from which we extract the following:

"I am tired of this unending daylight, and would willingly exchange the pomp of the Arctic midnight for the starlight darkness of home. We are confused by the loss of night; we lose the preception of time. One is never sleepy but simply tired, and after a sleep of eight hours by sunshine, wakes up as tired as ever. His sleep at last is broken and irregular; he substitutes a number of short naps, distributed through and finally gets into a state of general uneasiness and discomfort. A Hammerfest merchant, who has made frequent voyages to Spitzbergen, told me that in the latitude of 80 degrees he never knew certainly whether it was by day or night, and the cook was the only person on board who could tell them.

"At first the nocturnal sunshine strikes you as being wonderfully convenient. You lose nothing of the scenery; you can read and write as usual; you never need be in any hurry, because there is time enough for everything. It is not necessary for you to do your day's work in daytime, for no night cometh. You are never belated, somewhat of the stress of life is lifted off your shoulders. But, after a time, you would be glad of an excuse to stop seeing and observing and thinking, and even enjoying.

"There is no compulsive rest, such as darkness brings—no sweet isolation—which is the best refreshment of sleep. You lie down in the broad day, and the summons 'arise' attends on the re-opening of your eyes. I never went below and saw my fellow passengers asleep all around me without a sudden feeling that something was wrong, that they were drugged or under some unnatural influence, that they thus slept so fast while the sunshine streamed in through the port holes.

"There are some advantages of this Northern summer which have presented themselves to me in rather a grotesque light. Think what an aid and shelter is removed from crime—how many vices which can only flourish in the deceptive atmosphere of night must be checked by the sober reality of daylight! No assassin can dog the steps of his victim; no burglar can work in sunshine; no guilty lovers can hold solemn interviews by moonlight—all concealment is removed, for the sun, like the Eye of God, sees everything, and the secret vices of the earth must be bold indeed, if they can bear his gaze. Morally, as well as physically, there is safety in light and danger in darkness—and yet give me the darkness and danger! Let the patrolling sun go off his beat for awhile; and show a little confidence in my ability to behave properly, rather than worry me we with this sleepelss vigilance."

Spare Moments.

A lean, awkward boy came to the door of the school of a celebrated principal, one morning, and asked to see him. The servant eyed his mean clothes, and thinking he looked more like a beggar than anything else, told him to go round to the kitchen. The boy did as he was bidden, and soon appeared at the back door.

'I should like to see Mr. ——,' said he.

'You want a breakfast more like," said the servant girl, 'and I can give you that without troubling him.'

'Thank you,' said the boy, 'I should like to see Mr. ——, if he can see me.'

'Some old clothes may be you want,' remarked the servant again eyeing the boy's patched clothes. 'I guess he has none to spare—he gives away at sight.' And without minding the boy's request, the servant went about her work.

'Can I see Mr. ——,' again asked the boy, after finishing his bread and butter.

'Well, he is in the library. If he must be disturbed, he must. He does like to be alone sometimes,' said the girl in a peevish tone.

She seemed to think it very foolish to take such a boy into her master's presence. However she wiped her hands and bade him follow her.

Opening the library door, she said: "Here's somebody who is dreadful anxious to see you, and so I let him in."

I don't know how the boy introduced himself, or how he opened his business; but I know that after talking awhile, the principal put aside the volume he was studying, and taking up some Greek books began to examine the newcomer. The examination lasted some time. Every question the principal asked the boy, was answered readily.

'Upon my word,' exclaimed he, 'you do well,' looking at the boy from head to foot, over his spectacles. 'Why, my boy, where did you pick up so much?'

'*In my spare moments*,' answered the boy.

He was a poor, hard working boy, with few opportunities for schooling, almost fitted for college, by simply improving his spare moments. Truly are spare moments the gold dust of time. How precious they should be! What account can you give of your spare moments? What can you show for them? Look and see. This boy can tell you how much can be laid up by improving them; and there are many other boys, I am afraid, in the jail, and in the house of correction, in the gambling house, in the tippling shop, who if you were to ask them where they began their sinful courses might answer, '*In my spare moments.*'

Oh, be very careful how you spend your spare moments! The tempter always hunts you out in these small seasons; when you are not busy he gets into your hearts, if he possibly can, in just such gaps. There he hides himself, planning all sorts of mischief. Take care of the spare moments.—*Mrs. H. Knight.*

☞ To think that two or three yards of damp flax should so knock down the majesty of man!

☞ Had he to cut his neighbor's throat, he'd first sharpened his knife on the church marble.

☞ Miamio, daughter of Enoch, was 508 years of age when she married. Take courage, ladies!

☞ When pinks are in flower, their beauty may be prolonged by giving them a little shade in mid-day.

☞ The character that needs law to mend it is hardly worth the tinkering.

☞ Ask a woman to a tea party in the Garden of Eden, and she'd be sure to draw up her eyelids and scream, "I can't go without a new gown."—*Douglas Jerald.*

☞ A lady asked a gentleman the other day, why so many tall gentlemen were bachelors. The reply was that they were obliged to lay cornerwise in bed, and a wife would be in the way.

☞ The soft arms of affection will not suffice for me, unless on them I see the steel bracelet of strength.

The Love of Home.

It is only shallow minded pretenders who either make distinguished origin a matter of personal reproach. Taunt and scoffing at the humble condition of early life affect nobody in America but those who are foolish enough to indulge in them, and they are generally sufficiently punished by public rebuke. A man who is not ashamed of himself, need not be ashamed of his early condition. It did not happen to me to be born in a log cabin; but my elder brothers and sisters were born in a log cabin, raised among the snow drifts of New Hampshire, at a period so early, that when the smoke first rose from its rude chimney, and curled over the frozen hills, there was no similar evidence of a white man's habitation between it and the settlements on the rivers of Canada.

Its remains still exist. I make to it an annual visit. I carry my children to it, to teach them the hardships endured by the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections, and the touching narratives and incidents which mingle with all I know of this primitive family abode. I weep to think that none of those who inhabited it are now among the living; and if ever I am ashamed of it, or if ever I fail in affectionate veneration for him who reared it, and defended it against savage violence and destruction, cherished all the domestic virtues beneath its roof, and, through the fire and blood of a seven years' revolutionary, shrunk from no danger, nr tail, no sacrifice, to serve his country, and to raise his children to a condition better than his own, may my name, and the name of my posterito, be blotted forever from the memory of mankind!—*Webster.*

Both Sides.

In the old time in Philadelphia, the disciples in the faith of William Penn invariably wore the single-breasted drab or snuff-colored coat, and were strict in their notion of having the buttons thereof on the left side of the coat aforesaid.

At a dinner given by him, Friend Elias Breasy had secured a big buck darkie to tend table, to whom he gave imperative orders to hand things to the guests at the left side.

"Thee will always know by their coat buttons, Cæsar, which is the left side."

Among the guests was a French gentleman who wore a double-breasted coat—a worldly garment. The darkie, in handing round the soup, paused behind the French gentleman, looked at his coat and stood, for a moment, an ebony statue of despair, struggling with doubt and a plate of soup.

Presently he yelled out, "Mass Lias—'tain't no use—buttons on boff sides," and handed the plate to the French guest over his head. "Dat de fust time I ever seed a man dat was leff handed on boff sides uf his coat!"

Be Brief.

An industrious student once pasted a placard on his study door, inscribed in big letters, "Be Brief." It was a significant hint to bores, more blunt than polite, but to the point, and comprehensible to the plainest capacities. "Be Brief!" Would that it could be printed on the Speaker's desk in Congressional and Legislative halls, and over the doors of the White House!

"Be Brief." Time, flying on with unfaltering speed, proclaims, "Be Brief!" The people, whose money you are wasting by your long yarns, exclaim, "Be Brief." Your wretched audience, who in their secret hearts are pouring anathemas on your head, say, with every glance, "Be Brief." Your own reputation echoes the cry, for in this age of business and constant employment, few will read a long speech, and those who do will think less of the abilities of a man who does not know how to condense.

Statesman, orator, preacher, if you wish to carry the hearts of your audience in your hand, and leave on their minds an impression favorable to you and your cause, study to be brief.

A Minister's Walk and Conversation.

The editor of the North Carolina Presbyterian, who is at the Virginia Springs, has heard a good story of Speaker Orr and the Rev. Dr. W., of Lexington. Not long since, as the story goes, they were both at the Warm Springs, and met in a public room of the hotel. They had been sitting with other company, and after awhile the Dr. rose and walked across the room with the usual limp in his gait. Mr. Orr immediately recognized him, and asked him if he were not the chaplain at the University of Virginia at such a time, naming the year. The Dr. replied he was. "I was there," said Mr. Orr, "a student at the University, and I knew you by your limp." "Well," said the Dr., "it seems my *limping* made a deeper impression on you than my *preaching*." The joke placed Mr. Orr in an awkward predicament, and most men would have been unable to extricate themselves, but he replied with ready wit: "Ah, Dr., it is the highest compliment we can pay a minister to say he is known by his *walk* rather than by his *conversation*."

A Short Clergyman.

A few miles from Poughkeepsie, N. Y., there now lives, and has lived for several years past, a worthy clergyman—a man, however, very short in stature. Upon a certain Sunday, about eight years ago, this clergyman was invited by the pastor of a church to fill his pulpit for the day. The invitation was accepted, and Sunday morning saw Mr. —— in the pulpit. Now it happened that the pulpit was a very high one, and accordingly very nearly hid the poor little clergyman from view. However, the congregation, out of respect, managed to keep their countenances, and with pious faces, seemed religiously anxious for the text. They were not obliged to wait long, for a nose and two little eyes suddenly appeared over the top of the pulpit, and in a squeaking, tremulous voice, proclaimed in nasal tones the text:

"Be of good cheer, it is I, be not afraid!"

—A general roar of laughter followed the announcement—the clergyman turned all sorts of colors. Many in the general uproar left the church, and it was a long time before the minister was enabled to proceed with a sermon so abruptly broken off.

Afternoon came, and the little man standing on the footstool, had a fair view of his audience. The text was announced in due form.

"A little while ye shall see me, and again a little while ye shall not see me!"

In the course of his sermon he repeated his text with great earnestness, and stepping back lost his elevated footing and disappeared from his hearers. The effect may be more readily imagined than described.

☞ It is the order of nature that children should complete the education, moral and mental, of parents, by making them think what is needed for the best culture of human beings, and conquer all faults and impulses that interfere with their giving this to those dear objects who represent the world to them. Father and mother should assist one another to learn what is required for this sublime priesthood of nature. But, for this, a religious recognition of equality is required.

☞ On a canal boat, not long ago, a jar, containing preserved fruit of some kind, was under the inspection of several of the male passengers, one of whom left it fall. Of course, it was broken to pieces. The stewart coming up on hearing the racket, made a great fuss, when the young man who broke the jar exclaimed:

"Sir, I broke the jar, what's it worth, I am willing to pay for it."

"Hugh!" *said the stewart, I don't caa a d— faw the jaw, oney faw the zawves!*"

☞ The Sunday Atlas, in a fit of revolutionary enthusiasm, says; "Hurrah for the girls of '76!" "Thunder!" cried a New Jersey paper; "that's too darned old. No, hurrah for the gals of 17!"

☞ It's my belief that that, when woman was made, jewels were invented only to make her the more mischievous.