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Poetical.

SATURDAY NIGHT.

, BY AGNES B. EMERSON.

Worn toiler, going home to night, Spying far the glimmering light
That, where the door stands half ajar,
Seems unto thee a polar star,
Guiding thy lonely, care-wreeked heart
Into the heaven and the mart Where love's sweet offices are done For smiles and kisses; every one More dear and holy, being bought, Than they had ever been for nought.

Aye, haste thee! bend thy weary step, Not this way, neither that, but keep Thy heart-helm firm and true to home, For lo! a soft voice murmurs, "Come!" for 16 ? a set votes marinars, come And she, to whom thy love is given, Has made for thee a little heaven,— A little universe of love, That only waits on thee to move In all the orbits of its smiles That make thy heart their centre; wiles That bring a light into thine eyes, Whose far reflections but arise To awake a repetition full in force, And thus thyself becomes the source.

Go, enter to thy joys to-night, Worn toiler, seeker for the light, And wait the morrow's rising morn, And wait the morrow's rising morn,
As peace and glory to be born.
So may grim Death's night-shadows
And find thee happily at home;
Not waiting in an awful fear,
Not listening with a deafened ear,
As though the dreary shadows fell.
To bear thee to the gates of helt;
But as one weary with the life. But as one weary with the life, With all its toiling and its grief, And ready to lay down with death-As one that goes to sleep in faith Of rising to a Sabbath's sun,— To joy and happiness begun.

Miscellaneous.

TOM ROCKET. The English Highwayman.

Tom Rocket was a highwayman. No one ever christened him Tom, and his father's name was not Rocket. When he was tried for his life in Warwick assizes, he was arraigned as Charles Jackson, and they were man as Jim, and his true name was Joe, he got off; and when the law was altered, so that hey could get such errors right at the trial, people, leastwise lawyers, thought that the British constitution was being pulled up root and branch. But that's neither here nor there. I cannot tell you how it was that he came to be known as Tom Rocket, and if I fould, it would not have anything to do with story. For six years he was the famous hief in the Midland counties, and for six years to one knew what he was like. He was a lafellow, was Tom; he never came out exept when there was a good prize to be picked and he had his scouts and his spies all ver the place, to give him information about udge by what people said, he was "on the oad" at half a dozen different places at once very day of his life; for you see when any one was robbed of his property, or found it upon Tom Rocket as a sort of excuse for ving it up easily, because you see no one ought of resisting Tom. So it was, that all of conflicting descriptions of his person got abroad. One said that he was an awfully tall man, and had a voice like thunder; another; that he was a mild little man, with black eyes and light hair. He was a fiery fat man, with blue eyes and black hair with some; he had a jolly red face—he was pale as death—his nose was Roman one day—Grecian or snub the next. His dress was all the colors of the rainbow, and as for his horse! that was of every shade and breed that was ever that have yet to be found out. He wore a black half mask, but some how or other it was black half mask. heard of, and of a good many more besides always obliging enough to slip off, so as to give each of his victims a full view of his face, only no two of them could ever agree as to

like to see the man that could rob him on the highway; and as I said before, he did see him, and it was Tom Rocket.

My father was a lawyer, and was at the time I have mentioned, engaged in a great tithe book was to be returned. An hour afterwas that was to be tried at Warwick spring wards, they were to join him on the road three ssizes. So, shortly before Christmas, he had to go over to look at the evidence. There was taking this roundabout course, was to baffle ho cross country coach, so he rode; and be ing, as I have said, a brave man, he rode curely hid about the appointed spot, long bealone. He transacted his business, and my poor mother being ill, and not liking to leave her alone longer than he could help, he set meeting, but when he arrived there, he could out to ride home again about half past nine clock that same evening. It was as beautiful a winter's night as ever you were out in.
His nag was a first-rate hunter, as docile as a "Good night, maister," said the yokel. His nag was a first-rate hunter, as docile as a dog, and fit to carry his weight over or past anything. He had a brace of excellent pistols in his holsters; and he jogged along, humming a merry tune, neither thinking nor caring for any robber under the sun. All of a sud den, it struck him that the pretty bar-maid of an inn just out of Warwick town, where he had stopped to have a girth that he had broken patched together, had been very busy with his pocket, "that ud be tellins. Be yer extense and the state of the those self-same pistols; and suspecting that she might have been tampering with them, he drew the charges and releaded them careful-

This done, he jogged on again as before. He had ridden about ten miles, when he came to a wooden bridge that there was in those days over the Avon. Just beyond it *pse a selfish hill, at the top of which was a stidden bend in the road. Just as my father reached this turn, a horseman suddenly wheel

ed round upon him, and bade him "Stand and jumping down from his seat, and changing his deliver!" It was Tom Rocket! In a second my father's pistols were out, cocked, and sir, and you're Mr. Sandiger, as has been

"Any more?" Tom inquired, as coolly as you please, when my father's second pistol itashed in the pan. "Yes!" shouted my father, in a fury, "one

within an inch of his face as he lay, bade him be quiet, or it would be the worse for him. be quiet, or it would be the worse for him. "You've given a deal of trouble," said "You've given a deal of trouble," said The bridge upon which the money was to Tom, "so just hand over the purse without be placed, consisted of two arches across the

forchead just between his eyes. to have the cold muzzle placed upon your but by going along the causeway, which exhead—ugh! it makes me creep to think of it.

quietly gave up his purse. there's only three and sixpence in it."

watch the heap of stones where the money was to be placed, and the stolen pocket-book left in exchange for it. As soon as Tom Rocket, or any of his friends, removed the bag in which struggling hard but in vain to rise.

"Oh, they are worth something, then," said

Tom, with a grin.
"It would take a deal of trouble to make

"How much trouble?" Tom inquired, with

them if you'll lose your hold, and fight me fairly for it."

"Why, what a ninny you must take me for," he said; "why should I bother myself fighting for what I can get without?"

Immself down into the boat, in which he was immediately joined by the runner.

"It's all right," said Frazer, in a low tone.

"Do you think he will come?" whisnered "You're a cur, that's what you are," my

father shouted in fury.
"Don't be cross," said Tom, "It don't be come you to look red in the face. Now attend to me," he continued in an altered tone, "do you see that bridge? Well, there's a the broad of their backs upon those hurdles, heap of stones in the centre, isn't there?-Very well, if you will place five hundred guines; and for three mortal hours not a sole appears in gold, in a bag amongst those stones at twelve o'clock at night this day week, you shall find your pocket-book and all its contents that the clock struck three, my father, who in the place two hours afterwards."

ty, and warn him of danger. But to your word?" my father replied, a little softened by the hope of regaining, even at so heavy a price, the papers that were invaluable to

im.
"I'm Tom Rocket," replied the robber; se-

muttered, adjusting his disordered dress.
"Shall I help you to catch your horse?"—
Tom asked politely.

said my father savagely. "Give my compliments to your wife," said Tom, mounting his horse.

"Good night," said Tom, with a wave o

It was not quite fair of my father, I must own; but he determined to set a trap for Tom Rocket, baited with the five hundred guineas, was not in the very best of tempers, as you

took his place. It was settled that the runers should comby different roads, and all meet at a wayside an, about five miles from the bridge, at eight the officers, all together, just at the nick of clock. P. M., on the day my father's pocketo'clock, P. M., on the day my father's pocketfields further on. Their object, you see, in Tom's spies and accomplices, and to get se-

fore the appointed time.

My father was a little late at the place of countryman in a smock frock, who was swing-

"Good night to you," said my father.
"Can you tell me who this yer letter's for?"
said the yokel, producing a folded paper. My father saw in a moment that it was his own letter to Bradshaw.

"Where did you get that?" he said quick-

pecting anybody?"
"What's that to you, said my father.
"Oh, nought," said the yokel, "only a gentleman from London—"
"Ha!" cried my father, "what gentleman?"

asked the yokel. from my father's lips.

for his disguise. " All right again, sir," said the same run-

ner—"they will join us. We have not much time to lose, so please to lead the way." So my father led the way, followed by Frawe rest shouted my latiner, in triary, one for your mob!" And seizing the weapon last used by the muzzle, he hurled it with all his might and main at Rocket's head. Tom ducked; the pistol flew over the hedge, and ducked; the pistol flew over the hedge, and different directions. One appeared as a tramp, and the triary over the hedge, and different directions. One appeared as a tramp, and a grant manyle say. my father, thrown out of balance by his exertion, lost his seat, and fell heavily upon the grass by the roadside. In less time than it takes to say so, Tom dismounited, seized my father by the collar, and presenting a pistol within an inch of his face as he lay, hade him on inch of his face as he lay, hade him on inch of his face as he lay, hade him on inch of his face as he lay, hade him on inch of his face as he lay, hade him on inch of his face as he lay, hade him on inch of his face as he lay, hade him on inch of his face as he lay, hade him on the face as a pedlar, another as a gentleman's service want leading a horse, and the fourth a soldier.

any more ado, or by G-d! I'll send a bullet river, and was joined on either side by a long through your skull, just there;" and he laid sort of causeway, built upon piles over mea the cold muzzle of his pistol on my father's dows that in the winter time were generally forehead just between his eyes.

It is bad enough to have to look down the barrel of loaded fire-arms upon full cock, with sales in, and soon the floods were out, so a highwayman's finger upon the trigger; but that there was no way of getting on the bridge My father made a virtue of necessity, and down gradually to the road, on each side of itely gave up his purse.
"Much good may it do you," he said; "for At some places the timbers were covered with ere's only three and sixpence in it."

"Now for your pocket-book," said Tom, not bedding him.

"The policy hock?" inquired my father turn one looking up from underneath could see "Pocket-book?" inquired my father, turning a little pale.

"Rocket-book?" inquired my father, turning a little pale.

"Rocket-book?" inquired my father, turning application of the position in a moment. ing a little pale.

"Aye, pocket-book?" Tom repeated; "a He got two hurdles out of a field close by, and thick black one; it is in the left-hand pocket with some rope that he had brought for antible black one; it is in the left-hand pocket with some rope that he had brought for antible black one; it is in the left-hand pocket. of your riding-coat."

"Here it is," said my father, "you know so much about it that perhaps you can tell what its contents are worth!"

with some rope that he had brought for another purpose, fastened them to the pullies, so that they hung like shelves to the roadway and the flood, one at each side of the bridge, and about twenty yards from it. This was what its contents are worth!"

and about twenty yards from it. This was his plan: Two of his men were to be hidden and unfolding half a dozen legal-looking docon each hurdle, whilst he and my father in a boat that was concealed beneath the main "They are law papers—not worth a rush arch of the bridge, unseen themselves, could

places and secure whoever it might be. If he leaped over the railing of the causeway, and them out again," my father replied sulkily— took to the water, there was the boat in which to follow and capture him. Mr. Frazer was very particular to practice

a meaning look.

"Well," my father answered, "I suppose I know what you are driving at. Hand me them back, and let me go, and I promise to send you a hundred pounds when and where you please"

"And now, sir," Mr. Frazer said to States, multitudes of conscientions and patrisend you a hundred pounds when and where you please."

'You know very well that these papers are worth more than a hundred," said Tom.

''A hundred and fifty, then," said my father."

''Go on," said Tom.

''I tell you what it is, you scoundrel," cried my father, "I'll stake five hundred against them if you'll lose your hold, and fight me fairly for it."

My father gave him the bag, saw him write upon it, and make some scratches on about a dozen of the guineas, and then my father let himself down into the boat, in which he was listened, and to which they may lessend to some of the coins, so as to be able to identify them at the trial."

He had made up his mind to nail master Tom this time.

My father gave him the bag, saw him write upon it, and make some scratches on about a dozen of the guineas, and then my father let himself down into the boat, in which he was

"Do you think he will come?" whispered my father. "Certain," replied Frazer, "but hush! we

must not talk, sir, time's up."

For three mortal hours did my father sit in watching for Tom Rocket to come for his mo of the swollen river was heard. By the time and been nodding for the last twenty minutes "How am I to know that you will keep our word?" my father replied, a little soft cloak, for it was a bitter cold night; but was very speedily aroused by hearing Frazer ery out that they were adrift:

Adrift they were sure enough. The rope that held them had been chafed against the curing the pocket-book upon his person "what sharp corner of a pile (so Mr. Frazer explain-I mean I say; and what I say I stick to do till it broke, and away went the boat, I mean I say; and what I say I stick to.—
Now, get up, and mind," he added, as my father sprang to his feet, "my pistols don't miss fire."

""" I we fo see you hanged," my father and a half down it, before they could get and a half down it, before they could get my father was for returning directly to the bridge, and so was Frazer; but, som how or other, they lost each other in the dark "I'll never rest till I lodge you in jail," and when my father arrived there, having run nearly all the way, he found, to his great sur-prise, that the officers had left. He rushed to he heap of stones, and there the first thing "Confound your impudence," howled my that caught his eye was his pocket-book—the ioney was gone!

Lord, how he did swear! night. He knocked at the door. No answer. My father was a Gloucestershire man. He stood six feet three in his stockings, and measured thirty-six inches across the chest. He could double up half a crown between finger and thumb, and was as brave as a lion. He many a time and oft, when any one talked of the dangers of the road, set his great teeth together, shake his head, and say he should like to see the many that could rob him on the librators and the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the librators are the many that could rob him on the very best of tempers, as you may guess; so he gave the door a big kick.—

In it flow, and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that fair. It is the way and a sight met his view that f street runners. Tom Rocket had managed the business at the bridge himself! How he managed to get scent of the plot, and to seize

One knows to this day.

Upon examining his pocket-book, my father found all his documents, and a paper on which were written these words: "By destroying these writings, I could have ruined you. In doing so I should have injured your client, whom I respect. For his

sake I keep my word, though you have played me false. Ton Rocket." Here Mr. Josh paused, and smoked for some time in silence.
"And what became of Tom?" asked one of

"Well," replied Mr. Josh, "after having been tried three times, and getting off upon some law quibble off each occasion, he who had robbed the worth of thousands of pounds,

found the simpleness of virtue—the integrity and collective, without action and collective, without action and without action and without action. It is to attend to white men, and I make the produced the dangers we would meet, and if possible avert. It is not the recent induced the possible avert. It is not the recent induced the dangers we would make any good, and if we would suggest that the produced the dangers we would meet, and if possible avert. It is not the recent induced the dangers we would make any good, and if we would suggest any good and if we would suggest any good, and if we would suggest any good any g vokel. to the cause of liberty.—Lord Chatham.

Letter from Ex-President Franklin Pierce.

CONCORD, N., H., Dec. 7, 1859. GENTLEMEN: I am honored by the reception f your letter of the 3d instant, informing me that "it is proposed that citizens of Massa-chusetts, who honor and cherish the Union. who mean to maintain the Constitution of the United States, and faithfully to carry out all its repuirements and obligations, assemble in Fancuil Hall, on Thursday, the 8th day of December instant;" and inviting me to be present on that occasion.

Twenty-five years ago, one would have asked involuntarily, upon reading a letter like that before me, what are the dangers which threaten the Union; where are the men who do not honor and cherish that Union, who do not mean to maintain the Constitution of the United States, and faithfully to carry out all its requirements and obligations?" Could we not then, each for himself, have promptly answered—the dangers, if they exist, are too remote, and the men too inconsiderable in numbers, and too wild and extravagant in the principles and purposes which they avow, to make them the cause of even serious consideration, much less of apprehension and dis-

How is it to-day? How is it to be to-morrow. when patriotic hearts will beat in unison in he old Cradle of Liberty, and patriotic lips will repeat the sentiments and doctrines which were enunciated there more than eighty years ago, while the men of Virginia were preparing their crude but trusty weapons, not especially to protect their own borders, which have now been ruthlessly invaded in violation of all law, human and divine, but to come to Massachusetts and mingle their blood with that of our fathers in defence of the common

Undisputed requirements of the Constitution, affecting the rights, the security of life and property of the sons of Virginia's revolutionary men, are set at naught. Lessons in-culcating disobedience to such requirements have been scattered broadcast in our community, and have borne their fruits, not merely in the exhibition of an insurvivious, not merely in the exhibition of an insurvivious spirit, but in an actual invasion of a sister State by an armed organization, the objects of which are not disguised. This is not all. The invasion, and the overtacts of traison and murder, are openly justified and applauded at large meetings of men and women in your midst.

This is a sad truth, but not disheartening It may be well that circumstances have occur-red to arouse us from our lettergy, and to compel us to open our eyes, as if from the delusion of a dream, to the nearness and mag-nitude of impending calamities. It is com-paratively safe to look dangers in the face, and meet them on the advance, but fatal to be appalled by them.

States, multitudes of conscientions and patri-

have given their assent, will pause, long enough at least, to take councel of intelligent

ason. You, upon the soil of Massachusetts, where the first blood of the Revolution was shed, before the coming storm. We may all have regarded with too much indifference the swelnot too late to breast it now. If honest men, who really think the Union worth preserving, will stand forth in the majestr and strength of patriotism and law, and with united purpose and becoming energy, they can and will roll that tide back, to the dismay and liscomfiture of all conspirators against the public peace and the integrity of the sacred bond which holds us a united people.

I am glad to perceive that your meeting is to be composed of citizens of various parties. The high resolve, and the solemn duty to which I have just adverted rise above the range of thoughts and motives which ordinaily connect themselves with political organization and party success. If we are true to ourselves; if we revere the memory, or appreciate the services of our fathers, we shall forget, in the exigency of this crisis, that there is, or ever has been, such thing as party in the ordinary acceptation of the term. A all events, we will forget it, until, through our steady, united efforts, we see the author ty of the Constitution vindicated, and the Union reposing again securely under its old

foundation. You are right in assuming that this is no time for hesitancy; no time for doubting, halting, half-way professions, or, indeed, for more professions of any kind. It is a time for resolute purpose, to be followed by decisve, consistent action.
Shall the fundamental law of the land be

obeyed, not with evasive reluctance, but in good fidelity? Have we the power to enforce obedience to it, and will we exercise that power? If so, then may we continue to enjoy the multiplied and multiplying blessings of the peerless inheritance which has been transmitted to us. If otherwise, fanaticism has not mistaken the significance of its emblem—the National flag with "the Union down." That has waved through three foreign wars, with the Union up; cheering the hearts of brave men, on sea and land, wherever its folds have unrolled in the smoke of battle! How many of our countrymen, as they have seen it floating from the mast-head in a foreign port, or giving its ample sweep to the breeze over a consular office, have proudly and exultingly exclaimed: "I am an American citizen, and there is the ensign which commands for me respect and security wherever throughout the wide world I may roam, or wherever I may choose temporarily to dwell! How one would shut his eyes and cover his face in shame and sorrow, if he bethat flag will float no more. And yet, if agitators and conspirators can have their way, it must be designed by designed and the float having interest and t

strongest apprehension, but the teachings,

still vehemently persisted in, from which it sprung, with the inevitable necessity which evolves the effect from the cause.

So, again, it is to be remembered that those who boldly approve and applaud the acts of treason and murder perpetrated within the limits of Virginia, are not the most dangerous enemies of the Constitution and the Union. Subtle, crafty men, who, passing by duties and obligations, habitually appeal to section al prejudices and passions, by denouncing the institutions and the people of the South, and thus inflame the Northern mind to the pitch of resistance to the clear provisions of the fun-damental law,—who, under plausible pretexts, addressed to those prejudices and pas-sions, pass local laws designed to evade constitutional obligations, are really and truly, whether they believe it or not, the men who are hurrying us upon swift destruction.

Your reprobation of ethical and political teachings which inspire this line of conduct will, I am sure, be pronounced in tones so earnest that no man can mistake their import You will show, on your part, readiness to give to fellow-citizens of other States such just egislation by Congress as shall provide for ne punishment, not only of actual invasion, but for the setting on foot of armed expeditions, and thus do what you may effectually o secure, by constitutional enactments, each State against violence from any other. I shall hope that your meeting will awaken a spirit which will lead Massachusetts and Virrinia to grasp again, the hand of affectionate sympathy and support—of love and honor—as they did in 1776, when, as the elder and more powerful of the colonies, they made up the issue of blood against the power of an unjust Parliament. Why should it not be so? Is there any cause of alienation on our part, which did not exist at the formation of the Sovernment? When have the people of the South invaded our territory, slain our people, or conveyed away our property? Why should not the authority of New Hampshire honor and cherish the authority of Mississipi? Are they not each sovereign, but yet are they not bound and of

bound up together in the endearing bond of a common country? To establish upon a firm ooting these relations between all the States, what is required but cordial, loyal, manly re-cognition and enforcement, in spirit and in act, of all the requirements of the compact en-tered into by the fathers who have passed to their reward? Can it be that there is, among any large portion of our people, North or South, settled purpose to accept the benefits, but deny the burdens of the Constitution? Have all sentiments of patriotism and honor perished together? If that time has come, or you discern its approach, then, indeed, should you, who desire to live under this Constitution, expounded by the august tribunal into whose charge our fathers gave its exposition, raise the voice of warning, and save, if it be possible, the voice of woe. But it has not

come, and it is still in your power to say it shall not. There is no inevitable, irresistible

never be nearer. my fellow-citizens; faith that your example, in this relation, will be followed and your acand where Washington took command of the army in one of the darkest periods of our country's history, darnot gaze listlessly on the gathering clouds, and will not bow tamely who appreciate the blessings which the Constitution has conferred upon them, and who come what may, intend, on their native soil ling tide of reckless fanaticism; but we are and with their children around them, to claim its protection and uphold its authority. I have faith, above all, that the continued favor of the God of our fathers, who watched over our feeble political beginnings, who preserved us through the innumerable perils of the struggle for nationality, will yet make the wrath of man subservient to the peace and

durability of this Union. With thanks of your remembrance of me on this occasion, and regrets that it is impossible for me to meet you at Fancuil Hall, I am, gentlemen, very truly, your friend,

FRANKLIN PIERCE. ALL ABOUT A Pig.-People who are fond of tracing events of great magnitude to com-paratively trivial causes, may experiment me satisfaction in reading the following in cident, which led to the Sau Juan difficulty and the appearance of the venerable Lieuter ant General Scott on the coast:

An American resident of the Island shot a pig belonging to a British resident. The latter made complaint to Governor Douglas, who ent his son to arrest the offender. The American declared that he would not be arrested, but that he would compromise by paying the owner of the pig twice its value. This was This was not acceded to, and he finally told the Governor's son that if he made a forcible attempt to arrest, he would shoot. This was the first act of the drama which promises to end in what diplomatists call an imbroglio, to be followed, doubtless, by important negociations between special ministers, and able letters from Secretary Cass, and a solemn conference at some Zurich or other, and then the reduction of everything to a peace footing.

the following on himself as an actual occur-

"One night, boys, I had an awfully strange dream. A long ladder like Jacob's, reached from the ground toward the 'good place," and t was on this ladder that I went up. I reached the top, I found a space of seven or eight feet intervening between the last round and the celestial gate. I could see within and catch glimpses of the fine things inside. Peter stood at the entrance; he leaned over, reached out his hand, and told me to make a jump. I

The Contested Election Case:

WAGGONER DECLARED ELECTED.

On Thursday last, Judge Granam, having had refered to him the report of Messrs. Quigley, Croft, and Line, who had been appointed mmissioners to investigate the right of Mr. Gongas to hold the office of County Commissioner, filed his opinion. It will be seen that

OPINION OF THE COURT.

This proceeding originated upon the peti-tion of fifty-six qualified electors of Cumberand county, accompanied by the oath of two of the petitioners, setting forth among other things that full returns were made by the proper officers of the general election held in October 19. tober last, and by said returns it appeared most generally by pencil marks and writes that for the office of County Commis

The petitioners further represent that upon an inspection of the marks on the tally list of Monroe township, one of the election districts of said county, as returned by the proper officers, a certified copy of which is attached to written at the side of the erastice. We find their petition, it appears that the number of the two next printed names erased and others votes east for John D. Gorgas was 172, whilst written in pencil. For Prosecuting Attorney the figures annexed to the end of said marks (which ought to be District Attorney, if we indicating the aggregate vote cast for John D. are to be governed by technicalities) the prin-Gorgas was 177, being five votes more than ted name "C. P. Humerich" is erased and the correct counting of the marks would amount "Gillelan," the name of the opposing candito—that this error of five votes changed the date written in pencil; and for Director of the result, and elected John D. Gorgas by a majority of four votes, whereas by a correct count James II. Waggoner was elected by a majority of such as the composing candidate substituted. It is also stated ty of one vote.

admitted that there was an error in the count of the tally list in Monroe township as represented by petitioners, but that the tally list he believed was erroneous, and that he did receive 177 yotes in Monroe township, and asked returned these votes for "John M'Curdy" as the crusted the helder of the round of the country of the helder of the round of the

Respondent among other things, further standard ted in his answer that he had just cause to believe that the returns from the election districts of Mifflin, Borough of Shippensburg, Eastpensborough, Silver Spring, North Middleton and Lower Dickinson, were false and erroneous and prejudicial to him, and that there were more votes returned for Commissioner the office for which he is intended. Our act of Accomply provides "that it chall be level." than were respectively given in said districts.

Upon the presentation of respondent's answer, verified by his eath, a recount of the ballots in the aforesaid districts was ordered, to be filled at any election," &c. Who are shall not. There is no inevitable, irresistible impulse hurrying it forward.

I deny, in the name of all that is most satisfied and Commissioners appointed for that purpose. The Commissioners after counting the ballots act of Assembly? We understand by the time that there is an element of "irrepressible conflict" between the Southern and Northern members of this confederation. The doctrine is as unsound and estimate a the stream of the southern and Northern remembers of this confederation. The doctrine is as unsound and estimate a the stream of the southern and the stream of the stream of the southern and the stream of the stream o

a string had been deposited. This box when produced by Esquire Hull, had not been closed, but the appertures for depositing the tick? in the count of votes polled, we have to preunder oath, had performed their duty so negligently or improperly as to omit or refuse to count all the votes polled, for it is conceded rotes were deposited by the officers of the elec

The counsel for respondent contend that the tickets having the name "James H. Waggoner," printed thereon and erased, and J. Gorgas written in place of Mr. Waggoner's, were properly counted for Mr. Gorgas; but that those having the name of John D. Gorgas erased, and the name "James Waggoner," "J. Waggoner," and "Waggoner" written in the place of Mr. Gorgas, should be reiected.

principle has been to carry into effect the po-Parson 505, Judge King remarks—"In all fair presumption ought to be made in favor of cases in which the irregularities in conducting an election are not of a flagrant character, we This case is more clear of doubt and uncer-South W.'s Mistake.—A correspondent of the Mobile Tribune tells the following story:

Old 'Spuire W. is an honest, jovial soul, with fay religious scruples—fond of a hearty with fay religious scruples—fond of a hearty. with few religious scruples—fond of a hearty the election, which does not prevent our ready of the Court of Oyer and Terminer, Orphans' laugh or a good joke at the time. He relates ascertainment of what that will truly is. This Court, and Court of Quarter Sessions, because the election, which does not prevent our ready ascertainment of what that will truly is. This is the spirit of the act of Assembly giving us this delicate jurisdiction—a spirit in entire harmony with our popular institutions." And in conclusion of the same opinion the same learned and eminent jurist says—"While the Court would not hesitate in setting aside an election where they are convinced that in conducting it, the laws of the Commonwealth have been infracted, yet they certainly will have been infracted, yet they certainly will not exercise ingenuity to find causes for such an adjudication. On the contrary, every fair presumption ought to be made in favor of popular elections, and the leaning ever should be to sustain them, where this can be done consistent with a faithful and independent maintenance of their purity.

The name "J. Waggoner" or "Waggoner" would designate more certainly the only candidate to whom the name would apply, than the character, "&c," would designate the offices of clerk of the Court of Oyor & Terminer, Orphans' Court, and Court of Quarter Sessions, as ruled by Judge Woodward in the case before cited.

The decree of the Court is that James II.

of a country; but its real strength and stamina, are to be looked for among the cultivations of the land. In their simplicity of life is found the simpleness of virtue—the integrity and courage of freedom. These true genuine souls of the earth are invinicble; and they surround and hem in the merchantile hedica. "Tired of the Negro Question."—A subscriber writes to the Pittsburg Journal, a Republican paper, saying: "I am an Old Line Whig, and vote the Republican ticket; and I want to say to you, that I am about tired of the negro question. I think it is about time to attend to white men, and let the negroes alone. I perceive it is impossible to do them any good, and if we would succeed as a party, we must drop the darkies."

Sensible "Old Line Whig" that:

"Tired of the Court is that James II. Waggone was duly elected County Commissioner of Cumberland County, at a general sincer of Cumberland County, at a general sincer of Cumberland County on the six cleventh day of October, 1859. And that the cleventh day of October, 1859.

shall designate on the outside, the office or offices, and on the inside the name of the person voted for to fill such office or offices." The learned Judge after referring to the act of Assembly requiring the Court in such cases to "proceed upon the nicrits thereof," remarked: "The officers in charge of the election knew the law which has associated these six offices, and it is not necessary that the voter should write out for their guidance the exact legal title and description of the several offi-

Sioner, filed his opinion. It will be seen tune Mr. Waggoner has been declared elected by two majority. The following is Judge Granton may be seen tune the provisions of a special act passed 27th of February, 1849, Pam. Laws, page 89, which provides "that it shall be lawful for the qualified voters of the countries of Adams, York, which the provides "that it shall be lawful for the qualified voters of the countries of Adams, York, which is the provided of the countries of Adams, Tork, and offer the passing of the provided when the provided with the provided when t In the matter of the petition of sundry citizens of Cumberland County, complaining that a false return had been made for the candidates for County Commissioner, &c.

Cumberland, "&c., from and after the passing of this act to vote for all candidates for the various offices to be filled at any election on one slip or ticket. Provided, the office for which slip or ticket. Provided, the office for which any candidate is voted for shall be designated. as required by the existing laws of this Commonwealth.' Under the provisions of this act the candi-

sioner another name over or under or at the side of James H. Waggoner had 3079 votes, and John D. Gorgas had 3083, making a majority for ly by using the initials of the first name and also by writing only the last name of the canby the Commissioners who counted the Ship-In answer to this petition, John D. Gorgas pensburg box, that in counting they found for a recount of the ballots.

Respondent among other things, further sta-

come, and with the blessing of God upon the exertions of good and patriotic men, it will be blessing of good and patriotic men, it will counted by the election officers and placed on polled, they are all returned by the election officers for one or the other of those two can-didates. The election officers in all the districts in which the ballots were counted by ets were left open, and Esquire Hull stated order of Court, had no difficulty in determinthat he had received the box the morning afing that by "J. D. Gorgas" was intended John ing that by "J. D. Gorgas" was intended John ter the election from the landlord at whose D. Gorgas, who was a candidate, and that by louse the election was held. To include this "James Waggoner," "J. Waggoner," and 'James Waggoner," "J. Waggoner," and "Waggoner," the voter intended James H; sume that the officers of the election, acting Waggoner, who was the only candidate of the name of Waggoner. In like manner they returned the votes for M'Curdy, for John M'-Curdy; for Gillelan, for J. D. Gillelan; and for this ticket was not counted by them. It was ont placed on the string with the votes counted acted in accordance with the act of Assembly; by them, but found in a different part of the being governed by the merits of the case, to box in which there is no evidence that any no intelligent and unprejudiced mind could doubt that these ballots were intended for the in not including this ticket in the count of votes polled.

It remains to be considered whether the Commissioners were right in including in their report two votes for "J. D. Gorgas," one for "James Waggoner, three for "J. Waggoner," and one for "Waggoner."

The counsel for respondent center of the count of votes in the count of votes and not unon find spun than the count of the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and not unon find spun than the count of votes and vo

upon its merits and not upon fine spun theories and technicalities. And if a majority of the votors have by their ballots expressed their preference for James H. Waggondr, although some have designated him by the name of James Waggoner, others by J. Wag-goner, and one other by the name "Waggoner, and one other by the name "Wag-goner," we can entertain no doubt that by these names, written upon the ballots, the electors intended to designate James II. Waggoner and no other person. He was the only The act of Assembly giving jurisdiction to Courts in cases of contested elections directs, and it would be a strained presumption inthat the "Court shall in judging concerning deed to say that these four or five electors inthat the "Court shall in judging concerning such elections, proceed upon the merits thereof." In every case of this kind to which we one knows who. And this far-fetched prehave referred, passed upon by our Courts, this sumption we are asked to make, for the purdirection of the act is cited, and the ruling pose of setting aside the popular will, hon-principle has been to carry into effect the post, and we consider, understandingly expular will, where the proceeding is entainted pressed. But our Courts say "they certainly with fraud, and is marked by honesty of purpose and intent. Thus in Boileau's case; 2 such an adjudication. On the contrary, every