An Eloquent Passage.

We make the following extract from the able and eloquent defence of the Suprem Court of the United States, by Senator Benjamin, of Louisiana, on the 11th of March, in reply to Senators Seward and Hamlin, who had spoken disparagingly of the Court in ceneral, and Chief Justice Taney in particu-

lar, as also of President Buchapan: "Now, Mr. President, I come to another point in my argument which I approach with extreme pain, with unfeigned regret.-From my earliest childhood I have been taught to rovere the judges, of the highest court in the land as men selected to render justice between litigants, not more by reason of their eminent legal acquirements than because o a spotless purity of character, and undimmed lustre of reputation, which removed them far, far beyond even a doubt of their integrity. The long line of eminent judicial worthies, which seemed to have culminated in a Marshall, has been continued in the person of one upon whom the highest eulogium that can be pronounced is to say that he was eminently worthy of being the successor of that illustrious judge. I know not, Mr. President, whether you, as I, have had the good fortune to see that magistrate in the administration of justice in his own circuit, or in the court sitting below us, of which he is the honored chief. I know not, sir, whether it has been your good fortune, as it has been mine, to hear the expressions of affectionate reverence with which he is spoken of by the people amongst whom he has passed his pare, his simple, and his spotless life. I know not, eir, whether you have listened, as I have, with interest to the expressions of respect and admiration that comes from the members of his bar in their familiar intercouse with each other-spontaneous tributes, worth a thousand labored eulogies, to his eminent sagneity to his vast legal learning, to the mild and serene dignity of his judicial deportment above all, sir, above all, to the conscientious, earnest, almost painful sense of responsibility with which he holds the scales of justice in even and impartial hand between the litigants whose rights depend upon his judgment.

Mr. President, he is old, very old. The infirmities of age have bowed his venerable form. Earth has no further object of ambition for him; and when he shall tink into his grave, after a long career of high office in our country, I trust that I do not rudely or improperly invade the sanctity of private life the scanty heritage that shall be left for his family, the noblest evidence that he died as he had lived, a being honorable to the earth from which he sprang, and worthy of the

heaven to which he aspired. "This man, sir, thus beloved, thus revered

thus esteeemed, has been compared upon thir floor to the infamous Jeffreys, by the Sensor from Maine, [Mr. Hamlin.] This map has been charged by the Senator from Ner York, [Mr. Seward.] with a corrupt coalilon with the Chief Magistrate of the Union. de charges, in fact-not always in direct anguage, but partly by bold assertion and partly by insidious suggestions—that the Supreme Executive Magistrate of the land and the parties to the Dred Scott case, gor up a mock trial-that they were all in common collusion to cheat the country. He represents the venerable Chief Magistrate of our country, whose repu tation hitherto has has been beyond reproach he represents the venerable Chief Justice as enacting a solemn farce, in the face of the American people, on the eastern portico of this Capital; and he fells us, that on the day when that great sea of upturned faces was here presented, all looking on the solemn pageant that was passing before them, the Chief Justice of the nation was whispering moment when the former was administering and the latter taking the oath of office, by which the highest majesty of Heaven was in voked as witness to the purity of his intentions in the administration of the govern-

ment of his country! "Mr. President, thrice accursed, is that fell spirit of party which deserts the noblest senti-ments of the human heart; and which, in the accomplishment of its unholy purposes. hesitates at no reckless violence of assault on all that is held sacred by the wise and good. It was difficult, extremely difficult, for us all to sit here and hear what was said, and observe the manner in which it was said, and repress the utterance of indignation that boiled up within us. All this is charged by the Senator without the proof of a solitary fact, on which to base the foul charge. Luckily, sir, luckily for us, these eminent men are too highly placed in the reverence, the estimation, and the regard of the American people, to have their bright escutcheon injured by such attacks as these. Mr. President, in olden times a viper gnawed a file."

THE ARMY BILL SIGNED .- The bill provid ing for raising one regiment of Volunteers for the protection of the frontiers of Texas, and two regiments for service in the Utah expedition, was signed by the President on Thursday. Had the Deficiency Appropriation bill passed, it is said that the Presiden would have immediately accepted one regi ment from Ohio and another probably from Kentucky. The Washington correspondent of the Philadelphia Inquirer writes that Mr. Buchanan stated to one of our members of Congress, that no Volunteers would be required from Pennsylvania.

THE BODY OF A WOMAN IN A CASE.—The New York papers say that on Friday morning, 2d inst., one of the freight agents of the Hudson River Railroad discovered in a whiskey cask the remains of a woman about thirty-five years of age. The eask had been placed on the cars west of Niagara Falls and brought to New York-city via. the Central and Hudson River Railroad. It was marked "W. B. Jennings, No. 185 Leonard street, N. Y." and was, on its arrival, (1st inst,) sent to the above direction, but no such number was to be found. It was taken back to the deput, corner of Canal and Washington streets, and there by accident, the head of the cask came out and its contents discovered. The head and both thighs were severed from the body, and the remains ap-> peared to have been tightly packed. They were in a good state of preservation, and had probably been placed in spirits before being put into the cask. The deceased had short black hair, and full face. The supposition is that the cask came from some place in Canada, or from Detroit. The body has the appearance of having been operated upon by physicians, though foul murder may have been committed, and it sent off to hide the

THE WOMAN IN THE WHISKET CASE.—The Detroit Free Press save that, on examination of the frieght books of the Michigan Central Railroad, in that city, Mr. James Donnelly, the agent, found that the barrel, which was marked "W. B. Jennings, No. 185 Leonard street. New York," crossed the river at Detroit on the 18th of March. As there were no charges on it except for its passage over the Michigan Central Railroad, there is no doubt that the barrel and its contents were started from Chicago. A terrible crime is thus traced to its source, and it remains with the detectives of Chicago to unravel the mys- men of all parties. tery and bring the perpetrator to a well mer-- zed punishment.

Montrose Memocrat.

A. J. GERRITSON, Editor. MONTROSE, PA., Thursday, April 15, 1858.

DEMOCRATIC NOMINATIONS.

SUPREME JUDGE: WILLIAM A. PORTER,

PHILADELPHIA.

CANAL COMMISSIONER: WESTLEY FROST,

PAYETTE.

Special Notice. LL persons indebted to the late firm of McCollum & Gerritson for subscription to the Montrose Democrat are hereby forbidden settling with J. B. McCollum, or any person in whose hands he may place the accounts. Said accounts have not yet been as signed to him, in consequence of his having refused to render value for them as agreed upon before the firm was dissolved; any collections which he may make will be fraudulent, and his receipts void, until further notice A. J. GERRITSON. be given. A. J. G. Montrose, April 1st, 1858.

The May number of Peterson's Magazine is fully up to the old standard. It needs believed to be just and proper, and maintain no further recommendation from us.

We notice that "Mrs. Hale's Receipts for the Million," is out. We expected . copy from the Publishers, but have not yet received it.

The opposition are booting over a majority of 3,000 in Conjecticut. Their majority in '56 was 10,000. If a loss of 7,000 majority in two years afords them any consolation they are welcone to it.

Godey's Lary's Book for May is on our table. Like he first flower of Spring. all will greet is appearance with pleasure. Although mee than half a century old, this in saying that he will leave behind him, in publication increases in beauty and vigor with each succeeding year.

From present appearance it is quite proable that a change will be made in our icense laws. The original bill has been amended since it was first presented, and may be further amended before it becomes law; we therefore defer giving a report of it until after its passage, when we will publish it entire. The new law will be less stringent and restrictive in some of its provisions than

Better late than never. We notice that Mr. Chase has at last read bill in place to abolish the office of county superintendent of common schools and to provide for the compensation of school directors of this county. The petitions for this change were sent from here in February, and this Bill was read April 8th, some six weeks after the reception of petitions! At this rate of proceeding the bill can not be reached during the session.

The Senate and House still disagree nefarious bargain-and that, too, at the very Union as a State. Although there was a the Senate bill, yet the majority of forty-seven opposed to total rejection, shows a strong session. One Democrat has been absent, so far, and his vote with the Speaker's leaves six opposed to the Senate bill. The appointment of a committee of conference between the two Houses is now perhaps the best mode

of proceeding.

A telegraphic despatch received last night nforms us that the House agreed to-a committee of conference yesterday. The Senate had chosen one consisting of Schators Greene, Hunter and Seward, the day before. All right

As we predicted last week, Mr. Wilnot kept aloof from the meeting on Monday evening. How gratifying it is for a man to behave himself when he feels, that he dares not do otherwise!

It will be noticed that no reference was made to the proposition to abolish the disthought it an "outrage," they ought to have said so at this public gathering. The fact that they passed it ever in silence, shows that no tenable grounds could be taken order by Mr. G.N. Smith, Speaker pro. tem. egainst it.

Pursuant to the call for an "Anti-Lecompton Mass Meeting" a very small number of persons met at the Court House on Monday evening last. The meeting was made up of a few citizens of the borough, and a portion of those attending court, who were attracted there from idle curiosity. A committee on resolutions was chosen, and Albert Chamberlin (Justice of the Peace) was asked to make a speech. He said that for him to make a speech would be like the fellow who wanted to shoot ducks, " when he pointed at one, another got in the way,' which simile was verified, with the additional one that when he tried to shoot the other his gun would "hang fire," and finally shoot in the wrong direction. He was relieved by the entrance of the committee and

was quietly allowed to take a seat." After the reading of a set of Kansas resolutions, Messra. Jessup, Bentley and Turrell vainly endeavored to instill a feeling of courage into their little audience: but the nature of the feeling within, partook very much of that of the weather without-dampness and er of introducing a resolution of sympathy for the Lane party in Kansas, which has persistently maintained its patriotic devotion to the non-voting policy, a resolution was and many other localities in the same proporread endorsing the proposed plan of abandon- tion. There are other features that he doubted ing the Republican organization, as such, and the propriety of urging now. But the other uniting with all opponents of the National Administration. This point had been left untouched by the committee, but we presume it will be reported as a part of their work.

Wm. Jessup, was chosen senatorial, and Wm. J. Turrell representative delegate, to attend the Union Convention. Some other hereby enacted that no money shall be apresolutions were offered, all of which were

"fuses" with itself.

Another "New Party." The opposition to the Demogracy in this State, not content with their past experience

in getting up new parties and having them wiped out of existence by the votes of the people, are making an effort to get up another new party to enter the field with next fall. To this end the Fremont faction is to embrace the Fillmore wing-or rather tail-of the opposition, (which the Republican last fall designated as a venomous serpent) and when united they are to abandon the doctrine of the power of Congress over the territories, and endeavor to swallow a corner of the Cincinnati platform, hoping, by so doing to seduce The question recurring.

a few weak minded Democrats into the support of their mongrel organization. We supposed that bitter experience would have taught our opponents that fusion movements could not succeed in Pennsylvania. But they seem to learn nothing from the history of the past, and go blindly on from one step of folly to another, only to encounter certain defeat. A party that is constantly changing can never command the confidence of the people, and in case they for once should blunder into a correct position, they could not be safely trusted, and ere time vindicated

the justice of their doctrine, they would abandon it for some catch-penny cry that gave more immediate promise of victory. Were they content to take such a position as they it in prosperity or adversity, the public could regard them as being at least honest and consistent, and when a new question arose they might take sides upon it, and in addition to the chances of being right, they would have an established character for integrity to sustain them, giving to such arguments as they might be able to advance, the addition

al strength of emanating from a reliable source. But this is too slow a method for them to adopt, even if success would fi nally crown their efforts. Their leaders, the men who manage the annually chang ing party, are too eager in their " wild hund for office," to wait even for a season, and they will therefore sacrifice everything for the future, hoping by deception to secure a tem porary feast upon the spoils. With the present opposition to our party, our success is

> new party" tricks, the Democratic party of the Old Keystone will remain "invincible from any force our enemies may bring against Hon. Thomas H. Benton died at Washington on Saturday the 10th inst. He had written a letter asking Congress to take lead, caused an adjournment on Friday, but

unable to speak. President Buchanan visited his bedside twice the day before his death. (Communicated.)

t proved that he was not actually dead. but

Scrious Accident. George McNamara, head brakeman Morgan Flood's Coal train, running between Great Bend and Owego, while engaged in the performance of his duty in making up We the train at Great Bend station, met with an majority of eight in the House, opposed to accident which resulted in the loss of his left leg. While turning a switch, the engine used for the purpose of switching cars came desire to admit it in some shape during the in contact with his body, severely contusing his hips and adjacent parts, and crushing the bones and lacerating the soft part of the left ancle in such a manner as to require its immediate removal. M. H. Cash Vail. M. D. of Susquehanna depot was immediately brought to his assistance, and proceeded to amputate the mangled limb, midway between the ancle and knee-joint, which operation he performed with his usual coolness and superior surgical skill. The Doctor's assistanta Drs. Griffin, Brooks, Wilmot, proved themselves to be men worthy of their calling. At last

danger and rapidly recovering. We copy from the record the action taken on the bill of Mr. Stephens of Wavne county, for certain changes in the school law trict at the meeting. If his party friends of this State. We gave a synopsis of the

bill recently. HARRISBURG, April 7th. The House met at 3 o'clock, was called to

This being the afternoon specially set apart for the consideration of the House bill No. 593, a further supplement to the act for the regulation and continuance of the system of education by common schools, approved the 8th day of May, A. D. 1854, the House resolved itself into a committee of the whole. (Mr. Dobnert in the Chair.) for that purpose

The first section was read. On the question, Will the committee agree to the section ! It was determined in the affirmative. The second section was read.

On the question, Will the House agree to the section ! Mr. M'Clure moved that the committee

The committee rose, and the Speaker re sumed the chair. On the question, Shall the committee have leave to sit

again ? It was determined in the negative. The House next proceeded to the second reading and consideration of said bill. The first section being under considera-

Mr. Owen said if there was one feature of this bill more commendable than another it forwarded by mail free of postage. gloom. After the talk was over, (under cov- is that one which distributes the school fund to each county according to the number of children in each. By this arrangement Philadelphia would get \$20,000 more of the fund than she now gets; Pittsburg \$7,000 more,

he thought good.

Mr. Nill offered the following amendmentstrike out all after the enacting clause and insert the following: That the office of State superintendent and the office of county superintendent of common schools be and they are hereby abolished, and all laws by which said office was created; and further, it is der protest. propriated by the Commonwealth of Pennast one, (to adjourn) which seemed to please state; and it is intriner enacted that every ne use of vistars bases of the ready of the rathers of the rather

months in the year; and as the State appro printes no money for school purposes the State tax on real and personal property of all kinds is hereby reduced to two mills on the

Mr. Nill said his amendment was substan tially a new bill. He thought a radical change might do good. Some districts paid too much now and others not enough. His too much now and others not enough. His Under organizery circumstances and for itself those princely attributes with which district could get along without any money consider myself justifiable in not replying, for itself those princely attributes with which from the State. He did not think the bill of for although your request is now couched by the Constitution it is invested, and for for although your request is now couched by the Constitution it is invested, and for the community those high conservative the community those high conservative to be was very easy to understand. His was clear: have been pleased to use the hardest epithets sanctions by which that Constitution to be No person could misapprehend it. He hoped and most uncalled for expressions in regard preserved. Mr. M'Clure moved to amend the amend, the subject of remark. ment, by striking therefrom the words the State superintendent-which was not agreed

Will the House agree to the amendment offered by Mr. Nill? It was determined in the negative.

On the question, Will the House agree to the first section?

agreed to.

The question recurring Turner and Mr. Imbrie, and were as follows,

YEAS-Messre. Arthur, Askin, Bierer, Bower. Brandt, Dehnort, Donnelly James, Donovan, Dunlap, Eut, Evans, Gilliland, Glatz, Hayes, Hillegas, Hodgson, Jackman, Jenkins, Kirkpatrick, Lauman, M'Clain, M'Donald, Melloy, Miller, Nicholas, Nunemacher, Owen, Rupp,

NAYS-Messrs. Babcock, Benson, Bruce. CHASE, Christy, Crawford, Ebur, Foster, Garrett, George, Goepp, Himrod, Hipple, Imbrie, Irwin, Lawrence, M'Clure, Nill, Powell, Pownal, Price, Ramsdell, Ramsey, Roath, Roland, Rose, Scott, Sharp, Shaw, Smith, (Wyoming.) Struthers, Stuart, Voegtly, Warden, Warner, Weaver, Wiliston and Yearsley-38. So the question was determined in the af-

fimative. The second section being under considera-

Mr. M'Clure moved that the further consideration of the bill be postponed for the Mr. Imbrie moved to amend the same, by

certian. Yet, as we have remarked before, we striking out the words, "for the present," say now, that so long as our foes resort to and inserting "indefinitely." On the question.

Will the House agree to the motion? The yeas and nays were required by Mr. Lawrence and Mr. Gilliland, and were as fol-

lows, viz: YEAS-Messrs. Babcock, Benson, Bierer, Bower, Bruce, Calhoun, Chase, Christy, Crawford, Dodds, Dunlap, Ebur, Evans, Foster, Garrett, George, Gilliland, Goepp, Himrod, no notice of his death. A report that he was Hipple, Houtz, Imbrie, Irwin, Kirkpatrick, Lawrence, M'Clure, M'Donald, Miller, Nichols. Nill, Towell, Pownall, Price, Ramedell, Ramsey, Ronth, Roland, Rose, Scott, Sharp, Shaw, Shields, Spyker, Struthers, Stuart Voegtly,

Warner, Weaver and Williston-18, NAYS-Messrs. Abrams, Arthur, Brandt, Castner, Dohnert, Donnelly J. H., Donnelly James, Donovan, Ent. Glatz, Hamel, Hav. Hayes, Hillegas, Jackman, Jenkins, Lauman. M'Clain, Melloy, Nunemacner, Owen, 1997, Smith, (Berks,) Smith, (Cambria,) Smith, the fact of your general bearing and demonstration of the fact of your gen . So the question was determined in the af

fimative. Mr. Nichols and Christy moved that the vote by which the Mifflin County Bank bill was defeated, be re-considered.

On the question, Will the House agree to the motion? Mr. Nicholson moved that the question be ostponed for the present; which was agreed

The hour of adjournment having arrived, The Speaker adjourned the House until tonorrow morning at 91 o'clock.

When Mr. Abrams offered his amendment the first section of the House bill No. 598. which was to strike out "not one cent" and insert "nary red," the Speaker ruled it out of Messrs. Lawrence and Imbrie appealed from

advices the patient was considered out of The Speaker said that the appeal was submitted informally and could not be entertain-

Mr. Lawrence again appealed from the de cision, observing that there was no particular

form for submitting appeals.

The Speaker decided that there was, viz: That all appeals are to be written with the right hand; and as the appeal submitted by the gentleman from Dauphin (Mr. Lawrence,) had been written with the left hand, it was therefore clearly informal.]

LITTELL'S LIVING AGE.—The first number of a new series of this old and familiar periodical appeared last Saturday. Heretofore each weekly number consisted of sixty-four pages, but it will henceforth contain eighty. Great improvement has also been made in its appearance, by the use of paper of a finer quality, and new types of a handsome pattern. The Age has always been a favorite with all readers of correct taste, and will be doubly welcome to them now, in its enlarged and beautiful form. It is a complete repertory of all that is really good and worth pre serving in the whole range of Foreign Periodical Literature, which is carefully rearched and drawn from with discriminating judgrise, report progress, and ask leave to sit ment to furnish matter for its pages. A subscriber to this Magazine will obtain every year, three volumes of the choicest miscella neous writings of the living authors of Europe, and gradually become the possessor of a library of permanent interest and value.-The Living Age is now published, in conjunction with Messes. Littell, Son & Co., of Boston, by the well-known house of Stanford & Delisser, No. 637 Broadway, New York, to either of whom orders for the work may be addressed. Terms as heretofore, \$6 a year for which the numbers will be punctually

A NEGRO CONSTITUTION FOR KANSAS!-ST. Louis, April 8.-The Leavenworth correspondene of the Republican states that the Kansas Constitutional Convention adjourned on the night of the third inst. Negroes will be allowed to vote on the Constitution, and on the first general election thereafter, a vote will be had on the question of universal suffrage. Foreigners having declared their intentions will also be allowed to vote. The question of negro suffrage caused a great deal excitement in the Convention, and angry discussions were participated in. Several counties signed the Constitution framed un-

ASTHMA.—This most disheartening com-

Letter to Judge Wilmot. Towanda, Maich 4, 1858. HON. D. WILMOT:

communication from you, asking for "inforthings of which I complain in your official confined—the moment it canvasses for popuconduct.

Under ordinary circumstances I should the gentleman from Wayne would accept it. to me, whenever my name happened to be I have been informed, since my return

from Harrisburg, that while absent you did not hesitate to denounce me in the most violent terms. To use your own language, you declared I was a "d-d villain." such expressions are not calculated to impress the public mind that the interests of suitors are safe in your Court, if by chance they should be confided to my management. Mr. Abrams moved to stake therefrom the I shall not now be led into any controversy words "not one cent," and insert in lieu as to "any particular decision, order or de thereof the words "pary a red;" which was cree, when you were guilty of partiality or not agreed to.

political bias." Such specifications as might Mr. Rose moved to amerd, so as to make perhaps be necessary, in order to remove you it read "not one red cent;" which was not by address, are not called for by the committee of the Legislature, and the issue you have seen fit to make it one. I, for my part, do not Will the House agree to the first section ! see fit to join in, as it is manifest your pur-The yeas and nays were required by Mr. pose would be accomplished, if, by thes means, you could fritter away the whole ession of the Legislature. It is sufficient for the present purpose to say, your conduct generally, while on the Bench, and off from it, has been such as to create the impression among suitors, that their causes were not safe if intrusted to those who opposed your political views. It is idle to say this impres-Shields, Smith, (Berks,) Smith, (Cambria,) sion was created by those of us who differed Spyker, Stephens, Turner, Weiler, Wells, with you in political opinion, (by suggestions Westbrook, Wharton, Will, Witmer and Wolf to that effect to our clients) for although it has been the theme of conversation among us who were affected by it, yet we were cortainly possessed of sufficient sagacity to know what the consequences of such impressions among suitors would be, so far as our professional business was concerned.

Until a few months past, it is notoriou that the first Monday evening of Court has generally been set apart by you for the purpose of haranguing those who were presnt at Court, on the political subjects of the country. when those of the Bar, who were active in politics, and who were unfortunate enough to liffer with you, were denounced as guilty of falsehood and unworthy of confidencepersonally, it is true, by naming them, but by repeating the substance of their remarks and then stigmatizing them as those who, at the behest of the party, would falsify any fact; and, in short, do any act unbecoming men of honor and integrity. Why, Sir, what is the legitimate effect of such a course upon our causes when they come up for trial before Jury who has heard such denunciation Are Jurymen inclined to listen to or heed the arguments of men who are held in such estimation by the Court ! Are suitors accustomed to employ men of whom the Court have so bad an opinion?

I will instance some facts in relation thereto. It has been, for some time past; quite common for clients, after employing us in cases to be tried, either to say to us they regretted they were unable to procure the services of members of the Bar who agreed in political opinion with the Judge, or inquire of us if it would not be better to employ some of your particular friends, in connection with listen patiently to their soggestions, are complimentary in your decisions when they argue questions before you, while you treat in a specing and impatient manner whatever may fall from one of us. Nor are the members of the Bar of Bradford county alone affected by these things. For some time past your conduct as a Judge has been the subject of a correspondence between us and some, at least, of the members of the Bar of Susquehanna county, they being the first (as between us) to call our attention

When the case of Newton (who was stricken from the rolls of the Court without he opportunity of being heard by himself or counsel, and thus deprived of his practice for nearly a year) was first made known to us here, together with the remarks made by you in regard to it, at a public dinner table in Montrose, it filled all of us with apprehension and alarm. I, for one, am free to say, that since that time I have not tried a cause without being apprehensive that, in the excitement of so doing, something might fall from my lips which might be construed into a contempt of Court, and, in consequence, my name might also been stricken from the rolls. Nor was I alone in my fears-for nearly every other member of the Bar who differed with you politically, has expressed the same

And further-I hold that the Judge who so far forgets the proprieties of the Bench as to to include in wholsale denunciation of the decisions of the Supreme Court of the Commonwealth, from the same place where he is accustomed to charge Juries, is not well calculated to impress upon the community the necessity of obedience to the laws and respect for the Judiciary. This you certainly will not deny to have done on several occasions. You yourself confessed to the impropriety of a Judge becoming a political stump speaker, when you resigned your commission, in order to "stump" the State outside of your own District; and the voluntary pledge made by you in Harrisburg and elsewhere, when this District was formed, proves conclusively that you understood the impropriety of such conduct. I may perhaps by allowed to mention in connection with this, that your present desire that the people of this county should have the privilige of participating in the election of a Judge to preside over their Courts, should have prompted your resignation early enough last fall to permit them to do so, and that it comes with ill grace from you, through your political organs, to complain on that score. One other fact occures to me, in relation

to which there can be no issue of veracity of justice. between us, of which I beg to remain you. It has been the custom, for a long time, for the Democratic party of our county to hold a he understood it, you said in a severe and right of suffrage (for three years at least,) to county convention on Tuesday of the first commanding tone—"Mr. Smith I have de-week of February Court. In pursuance of cided the question." Of course the counsel them on an equality with the white man— Democratic Convention from the several townships, and were in attendance. Although the fact, at that time, was universally known in the County, (especially to politicans) yet in this instance, if I mistake not, your attention was particularly called to it by one of your associates, Judge Ballard. You, however, virtually refused to us the customary use of the Court room, by holding Court on that evening, and yet on the next one adjourned Court, in order to accomodate your political friends, for the same purpose. Every Democrat certainly in the county looked upadopted with great unanimity, especially the sylvania to the common schools of said plaint has been cured in many instances by one holding the position of President, Judge aboliabing capital punishment, and the sub-test votes, and those voting in the affirmative that one, (to adjourn) which seemed to please State; and it is further enacted that every the use of Wistar's Balsam of Wild Cherry. But enough of this, it is sufficient for me to stitution of hard labor for life in the place are the nigger lovers.

Surally any thing that will afford relief from any in the language of one of the Fathers of thereof."

The above is going around and is When this Convention adjourns, these pig-

has taught us that to the Judiciary, as to the church political consequence is mora peril; and that though while occupying its Sir:-I received, late last evening, a printed own territory its authority is sovereign and its edict supreme, the moment it oversteps mation, in writing, of those specific matters or the boundaries by which that territory is Partners," which are of sufficient importance lar honor of Executive favors-that moment for itself those princely attributes with which says:

Yours, &c., D'A. OVERTON.

Letter to Judge Wilmot.

TROY, March 6th, 1858. HON. D. WILMOT: Sir :- A printed circular signed by you nd addressed to myself, was received by yesterday's mail: In it you ask me to "give you information in writing of those specific matters and things of which I complain in your official conduct." Doubtless I am indebted for this circular to the fact, that I in common with other members of the Bar, have, in pursuance of an undoubted right, petitioned our State Legislature for the annexation of this county to the 26th Judicial District. In the petition referred to, it is assigned as a reason" why the prayer of the petititioner should be granted, that "in our pinion the due administration of justice demands the passage of such a law," surely is my opinion, and to it I am forced by the notorious fact, that our President Judge, contrary to all late presidents "has desecrated" (I use your own emphatic lan-guage,) the judicial crmine, by descending from the bench to the stump, and dabbling in the muddy pool of politics." Such conduct on the part of our law judges has been condemned by men eminent for their forsight and patriotism. Upon this subject I respectfully refer you to Wharton's State Trials, preliminary notes 46-48. You will there see the conduct of our President Judge more pointely condemned than it can possible be by any words of mine-dropping the medium of the third person and addressing you personally. I can sincerly say, occupying the position you do, it is your duty by precept and example, to soothe and alley the violent animosities engendered by partizan strife. This you have not done, but on the contrary,

in open violation as I believe of your solemn pledges, you have exerted your influence and abilities to increase those animosities. You have on repeated occasions, and particularly at the September term of your Court in 1855, in the presence of Jurymen, Suitors and Witnesses, attending before you as a Judge, denonneed in bitter language our own Supreme Court, accusing it of oppression and of base subserviency to the Slave power. I allude lo your speech on the Passmore Williamson ase, in which you read as law to your confiding auditors, extracts from a speech of Dewit Clinton, delivered before the Court of Errors. of the State of New York, in a case where that same speech was overruled by the court before which it was delivered. In your encech on that same occasion you made your own borough, an a sult so bitter and yet o false, that many even of your own friends ung their heads in shame.

Here I might close, for certainly "the due Such was the principle reason which prompted no charges against your "official conduct" of partiality and political bias. In the trial of an indictment against Wal-

testified in chief in faver of the defendant, to the supposition that the Black Republican escape a cross-examination by throwing himself behind the privilege which protects a
witness from criminating himself. The witness, a cousin of the defendant, had sworn
characterless Anti-Lecompton Democrats. then asked on the cross examination to give of the enemy, then close the ranks upon the name of the person who committed the them and keep the prisoners safe for future was it urged in the language of the books, that the witness could not claim the benefit of the privilege after having voluntarily testified in chief, and that when a "witness discloses part of a transaction in which he was criminally concerned without claiming his privilege in time, he is then bound to go forward and state the whole." You ruled favor of the witness, his evidence induced a willing jury to acquit his cousin and your friend. You did not as did Lord Tendon before you, order his whole testimony to be stricken out. No, you permitted his testimony for the defendant to stand. Your ruling in this case was contrary to law (4 n. H. R. 562-3-4 1 Cun and Payne, 278, 2 Cun and

Payne, 570. 1 Starkie, 172. The authorities referred to show your ful-ing contrary to law; the error was in favor cient and honorable ladies" will feel in juxof a violent political adherent, and that too upon a question involving a crime committed | ble, or at school, is not to be questioned. upon the person of a Democratic Irishman (you a Know Nothing). Were you ignorant of the law! or was you influenced by "political bias?" You may be conscious of the rectitude of your own intentions, but there are many who think your desire to shield a bully of your own party bore down your love them on their return home, and to make the

In the same case, when one of the counsel of them) receive a nigger baby. for the prosecution arose to state the law as reason and right; the prosecution was compelled to submit, and a Republican rowdy escaped unwhipped of justice.
But I will not detain you by further com

ments of mine others of greater practice will doubtless go more into detail. I am content and the hard fisted laborer to ponder well so far as I am concerned to let the matter these enactments of the nigger lovers. And rest with the Legislature, to which we have in order that these nigger lovers may be appealed. Yours, &c. FRANCIS SMITH. Bigned

The "Pres" and the New Party. We have no desire to interfere with the Press and the Union, but there are some points in the recent article in the former journal, headed "The New Party and its New to warrant us in calling the early attention of the party to them, in order that forewarnthe magic of its power is gone, and it loses ed they may be forearmed.' The Press

> "Circumstances may have occured or may occur, which cannot be controlled until they shall have worked out their destined end. Suppose all those who have heretofore belonged to the Democratic party, and are yet good Democrats, but are opposed to the admission of Kansas under the Lecompton Constitution. without its approval by the people of Kansas. shall be proscribed by a National Democratic Administration, and be forced out of the Democratic organization in some States, as is attempted, and thereby, in self defence, obliged to organize themselves into another Democratic party, or, what is the same, to form a National Democratic party of those who believe with them on this question of popular sovereignty. Then suppose the Republican party should approve the action of their Representatives in Congress on this question, in uniting with the anti-Lecomoton Democrats in their determination to carry out the compromises of 1850 honestly and faithfully, and should thus withdraw the whole question of alavery from any further action of the General Government, what remains to hinder them from joining the anti-Lecompton wing of the Democratic party.

Why might this not be done ! and why should it not be done! If the Republican party'is willing to give up or lay aside its opposition to the principles of the Nebraska act, fairly carried out, and thus end the whole controversy in regard to the slavery question, what reasons is there why the Republicans, everywhere spread over the whole Northern States, who were once in good faith and standing in the Democratic party, and who only left on this slavery question, might not return to their first love, and act with the

Democratic party again ?
Suppose, foo, that the remnant of the American party, who once belonged to the Democratic party, and yet remain in opposition to it, should yield their one idea—which may now be said to be an "obsolete idea"-and join their old friends again, as most of that organization has done. Who can object

It will be seen that the above is an open and direct bid for an amalgamation between the Black Republican, Know-Nothing and Anti-Lecompton parties, on the same basis as that which now exists in the Senate and House of Representatives. The Black Republicans are to give up their hostility to the Kansas-Nebraska Act, the Know-Nothings to abandon their own idea, and both factions to unite with the Anti-Lecompton Democrats. in opposition to the National Democratic organization, and the Administration which represents its before the Nation. But if the effect of such a Union is to be the withdrawal of "the whole question of slavery from any further action of the General Government," upon what common platform can the riolent assault upon a private citizen of coalition forces meet for further action? Will Mr. Giddings, and his wing of the Abolition party, agree to carry out honestly and faith fully, the Fugitive Slave act ? That was one of the compromises of 1850, and according administration of Justice demands" that we to the terms of the proposed partner ship, all be freed from the sway of such a Judge. the contracting parties are bound to see that Act faithfully and honestly executed. And me to sign the petition referred to, and I am then, too, how can the bitter and fierce-oved at a loss to conceive by what right you ask Know Nothing rush into the embrace of a me to go beyond the petition to which I af party, which recognizes the equality of all fixed my name. In that petition there are men under the Constitution, no matter whether German, Irish, French, or Kussian ! And none that in "any decision, decree, order or yet, this they must do, or they cannot be full ruling; you were guilty of partiality or poli- partners in the sectional fusion about being tical bias" none of "discourtesy on your part established by the Anti-Lecompton leaders.

towards myself,' none of acts of tyranny either It is now apparent that the partial success upon Suitors or Counsels, and none that "you of the infamous coalition which has disgraced ave ever exhibited an overbearing manner the National House of Representatives, has tawards myself." There was no such charges emboldened the concocters of that soheme to made. But I would not have you infer that try it in a popular sense before the people of none such can be made; and inasmuch as you the Northern States, and that the article in ask me to specify matters or thing of which the Press is a feeler, to ascertain how to I complain, I will give you at least one in | mention such a project will be received by stance, when in my opinion you were guilty the masses, especially with that portion of the Democratic party who are opposed to the admission of Kansas under the Lecompton is Bull, for an assault and battery committed | Constitution. The idea that the ninety Black upon an Irishman, on the evening of the Bu-Republican members of the House of Reprechanan meeting at Towards, which trial was, sentatives will agree to yield up to and wear think, at December Term, 1856, your per the harness of the small band of Anti-Lemitted a witness, after having voluntarily compton Democrats is farcical. And so is that he knew the man who had assaulted and | The true meaning of this proposition is to gull knocked down the Irishman, and that the the Anti-Lecompton Democrats with the hope defendant was not the man—the examination of Black Republican support and affiliation in chief of that witness was closed. He was until the former are fairly within the camp assault and battery—he was told, I think by use. This is the intent of such a proposition yourself, that he need not answer, if by so as that submitted in the Press, and we ask doing he would criminate himself-in vain Democrats if they are ready for such an act of party infidelity and treachery? If not, let them repudiate all such attempts to bargain with the enemy as that proposed by the

Press .- Pennsylvanian Kansas Constitutional Convention

-Negro Equality. The Kansas Ledger, Free, State, is down on the negro equality clause of the schedule of the Constitutional laborers assembled in Leavenworth. It says:

It will be very consoling to all the old maids and chambermaids in and about Law-rence and Topeka, to learn that the big buck niggers, robust nigger wenches and dirty nigger babies who are at present in Kansas, and those who may emigrate here, are on "an taposition with the niggers in church, at ta-Every sensible man knows that they will exclaim:

"Come to my arms you darling niggers." The members of the Convention from the vicinities named, have obeyed their instructions, and a vote of thanks should be given compliment thorough, they should (each one

Seriously, the Convention have given the

We submit to the people of Kansas if these enactments are not a disgrace to us. We call upon the honest farmer, the thrifty mechanic, the merchant, the professional man known through the length and breadth of our Territory, we call upon our people to examine the affirmative vote as set forth in the CAPITAL PURISHMENT ABOLISHED. "The proceedings of the Convention in shother