

Geo. East

THE STAR OF THE NORTH.

Truth and Right—God and our Country.

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INTERESTING LEGAL DECISION.

In the Quarter Sessions of Chester County Jacob Fox was recently tried for assault and battery under such circumstances as made the case of general interest. The case grew out of the great snow storm of last January, and defines the rights and responsibilities of land owners, supervisors and the traveling public in cases of a temporary obstruction of the public highway. The following is the charge of Judge Haines:

This case presents peculiar circumstances for the consideration of the Court and Jury. On the 17th and 18th days of January last, a snow storm began and continued, which, in many places, rendered the public highways utterly impassable. The public passages were filled, the fences in numerous instances were thrown down, and the travel, leaving the public thoroughfares, took to the fields and enclosures of private individuals. Among other instances of the kind here mentioned, was one in Upper Oxford in this county, along and through the land of the Defendant. Here, for the distance of some half a mile, the public highway was filled to the depth of six feet, rendered utterly impassable, and the fences of the defendant were thrown down, his enclosures laid open, and his fields were trod over by the public. How long this state of things continued is not definitely settled, but a day or two before the time of the conflict between these parties, Mr. Fox having collected a large number of men, commenced to open the road along the line of his property, and succeeded in making a passage of six feet wide through the snow embankment here noticed. He also put up his fence to prevent the travel across his fields, and to turn it again into its proper channel. Matters stood in this way until the 30th day of January last, when the prosecutor, Joseph P. Walton, drove up to the mouth of the opening in the snow, with his wife and child in a sleigh. At the time of his arrival, "the canal," as it has been called, was filled with a drove of cattle, with sleighs impeding in their passage, and with a broken sled, and remained for the space of half an hour in that condition. I mention this fact, not because the rights of parties were affected thereby, for these impediments would not give to Mr. Walton any rights over the property of Mr. Fox, but to inform you that, in the opinion of the Court, they do not alter the question to be determined. Whether they had an effect upon the mind of Mr. Walton, determining him to persist in going through the snow, may be a matter of some doubt. Having determined to cross the enclosures of the defendant, Mr. Walton, with the assistance of Mr. Ross, proceeded to pull down its fence. At that moment, Mr. Fox, who had previously shouted at them, arrived with a shovel in his hand, and stationed himself in the breach they had made, and bade them not to attempt to enter. Mr. Walton had his horse by the head, and was in the act of leading him into the opening, when Mr. Fox struck the horse on the head, and Mr. Walton thereupon desired from his attempt to enter the close of the defendant. I do not mean to speak of the evidence on this point—it is somewhat contradictory, and it is your duty, not mine, to examine and to weigh it.

The parties having met as I have stated, the one determined to enter the grounds of the defendant, and the other resolved to prevent the entry—it becomes necessary to examine the rights of the prosecutor and defendant, and the principles of law which should rule the issue according to the evidence. I will not examine in regard to the assault and battery. You have heard it commented on at the bar, and it is enough for me to say that if the evidence of the prosecutor is believed, an assault and battery is sufficiently proved, unless the rights of the defendant justify it. What, then, were the rights of those individuals? By the Act of the General Assembly of this Commonwealth, passed 13th day of June, 1836, the supervisors of the different townships have large and important duties imposed upon them, and is therein provided that "Public roads and highways laid out, approved and entered of record, shall, as soon as may be practicable, be effectually opened, and constantly kept in repair, and all public roads or highways, made or to be made, shall, at all seasons, be kept clear of all impediments to easy and convenient passing and travelling, at the expense of the respective township as the law directs." It will be seen by this provision, that the supervisors of the township of Upper Oxford were, on this occasion alluded to, neglectful of their duties, and if complained of, would have been punished in the Court of Quarter Sessions of the county, for gross neglect of their official duties. They should have removed, at the earliest possible moment, all the impediments in the public highways, and have made the different passages easy and convenient. They neglected to perform the duties assigned them, and this prosecution is the result of that neglect. The rights of the parties, however, are not affected by the misfeasance of the supervisors, and it still remains for us to examine these rights. I meet this case, with the more pleasure, inasmuch as public opinion is unshared on the subject, and erroneous views are entertained as to the right involved in the issue.

The right of Mr. Fox to the peaceable and uninterrupted enjoyment of his possessions, is the same as that of every individual in the State. No man can molest him, in his houses or lands, without becoming at once a trespasser, and liable to the punishment due to such offenses. The law even gives him the right to oppose the trespasser, and to eject him from his premises, and authorizes the

exercise of sufficient force for that purpose.

If Mr. Fox, standing on his own ground, had seen Mr. Walton wantonly tear down his fence, open a passage, and make an attempt to enter his enclosure, he would have had the right to resist that attempt, with a force sufficient to prevent it. This is the law in relation to the rights of property, and no prosecution for an assault, or an assault and battery, could be maintained against the owner or possessor of land under such circumstances. There are, however, occasions when private rights are required to give way to large public interests. No man is secure in his possessions against the public, coupled with the necessity of the public to make roads or highways, through and over the premises. He holds his fee-simple title to his real estate, subject to the over-riding right of the public in cases of absolute necessity, for the public welfare. In cases of imperative necessity—as in the march of an army to repel a foe—in the progress of the civil war of a country to suppress a dangerous mob—in the risk of the citizens to assist in extinguishing a spreading fire—no one, I presume, will doubt that the exigency of the public interest would override private rights, and would authorize, where the highway was rendered impassable, the pulling down of fences, and entering of enclosures, even against the command of the owner of the premises. It is indeed a question of nice balance to say, whether the ordinary public business of the community, will justify a simple invasion of private rights under similar circumstances of impassable highways. A careful examination of the principles of law applicable to such cases, together with a reference to decisions bearing on the subject, has induced me to answer in the affirmative. I am of the opinion, and lay it down as the law, that where a public highway is wholly impassable, as in the case of the storm in January last, the citizens have the right to enter an adjoining close and make therein a temporary way, for the transaction of the ordinary business of the community. This opinion is sustained by decisions of the English Courts so long back as the second Charles, and coming up to a recent period. In one case I have before me, it is stated that "if a way be so foul as is not passable, I may then justify the going over another man's close next adjoining." In a treatise on the obstruction of highways found in the Law Library, it is said, "With respect to a highway, it seems to be quite clear that if there be any obstruction, the passer may remove any illegal, improper, or inconvenient obstruction, but if the ordinary track be so dangerous as to compel them to leave the road, they may go extra viam, passing as nearly to the original way as possible." Lord Mansfield, in the case of Taylor vs. Whithed, after speaking of private ways, lays down the same principle in these words: "Highways are governed by a different principle. They are for the public service, and if the usual track is impassable, it is for the general good that people should be entitled to pass in another line." These decisions have never been overruled. It is unfortunate, perhaps, that the Supreme Court of this State, when the question was fairly before them, in the case of Holden vs. Cole, did not definitely determine the rights of parties in relation to this issue; but in that case it is quite clear they decided nothing adverse to the principle above laid down. It was there determined, as it has been by repeated decisions in this State, that where supervisors have opened a road or highway, even upon ground where it was not located, they have no authority to re-locate it, in order to place it on what might be supposed its recorded site. "The authority," says the court, "under an order to open, is exhausted by the action of those to whom it is directed, and cannot be resumed. The road once laid cannot be altered except by a new and an original proceeding according to the record." The court further says that the supervisors have no authority even on the ground of sudden necessity, to open a route for the public, through private property, till a road can be regularly laid out; but they refuse to aver that the rights of individuals are restrained in the same manner. On the contrary, where the Judge below expressed the opinion in his charge to the Jury, that where a public road should become impassable, the owner of the land adjoining would have to submit to temporary inconvenience, for the benefit of the public, the Supreme Court simply withheld their opinion on the point, without any disavowal of the decision below.

You will see, from these observations, that had the road in question been blocked up when this controversy occurred, in the way it was left by the storm of the 19th of January, Mr. Walton would have had the right to pull down the fence of Mr. Fox and to have entered the close to pass round the obstruction in the highway. Enjoying this right as a case of necessity, Mr. Fox could not legally have intercepted him, and would have been guilty of an assault and battery if he had used force to prevent him. The absolute necessity of the case would have changed the rights of the parties. Here, however, the case assumes a new aspect. Mr. Fox had been laboring to open the road for several days, and had succeeded in cutting a passage through the snow bank, through which several sleighs had passed when Mr. Walton arrived. The temporary blocking up of the way was thus opened, by a broken sled, and by a drove of cattle, at the arrival of the prosecutor, did not authorize him to tear down the fence and force a way through the defendant, if the road was then otherwise passable. He might have waited and idly wait, till those who then occupied the pas-

AGE HAD GOTTEN THROUGH; and he would not have been justified in tearing down the fence of the defendant on that account. The question will then present itself to you for determination. Was that place passable or was it not? You will remember that it is not every impediment in a road—every gutter which an unwilling driver cannot avoid—that will give him the right to enter on the adjoining land. There must be an actual necessity for the safety of travelers, before the right to enter an enclosure attaches. If this necessity existed at that place, from the character of the public thoroughfare, then Mr. Walton had the right to tear down the fence and make a passage for himself, on the land of Mr. Fox. If no necessity existed, he had no right on the ground of the defendant. Admitting, however, that Mr. Walton had no right to enter the close of the defendant, a question has been raised, whether Mr. Fox did not use more force than was necessary to repel him? This, also, is a question for you. The law on this point is—a man may justly use an assault and battery in defence of his lands or goods. Unless the trespass is accompanied with violence, the owner of the land will not be justified in assaulting the trespasser in the first place, but should request him to depart, and, if he refuses, should gently lay hands on him, and, if he resist, force may be used to expel him. It will be for the Jury to say—other circumstances not interfering—whether the tearing down of the fence was or was not such an act of violence as would justify the force used by the defendant. These observations have been thrown together in the course of the trial and are not in such form as a reviser might give them; but they contain the principles of law applicable to the case, leaving to your judgment the application of the facts and the determination of the guilt or innocence of the defendant. The Jury in this case rendered a verdict in favor of the defendant and directed the prosecutor to pay the costs.

A Spenrdrift Election.

A London correspondent of the National Intelligencer, alluding to the recent elections throughout Great Britain, says that a great improvement has taken place within the half century. He says that in 1783, a contest took place which was known as the Spenrdrift election. The polling lasted for fourteen days, and the candidates were Lord Halifax, Northampton and Spencer. In proof of the number of real electors did not exceed 930, no fewer than 1149 persons voted. The most princely mansions of Horton, Castle Ashby, and Aldrope, were thrown open to all voters, and when the bells at Horton were drained of all the old port, and Lord Halifax had to place his chair before the carriage, they declared they would never vote for a man who gave them such port, and went over in a body to Lord Northampton at Castle Ashby! The election was referred to a scrutiny of the House of Commons; the inquiry lasted for six weeks, during which sixty covers were daily laid at Spencer House for members, whose names were taken down each day. It resulted in the number of votes being declared equal, and was finally decided by a toss—Lord Spencer winning and nominating the member. The election cost Lord Spencer £100,000, and each of the other lords £150,000—almost incredible sums, when you are doubled, to express their present value; about \$4,000,000, representing the total expenditures in money of this day! Lord Halifax never recovered the blow. Lord Northampton cut down his trees, sold his furniture, and went abroad for the rest of his life, dying in Switzerland. There is a sealed box at Castle Ashby marked "Election Papers," which no one of the present generation has had the courage to open. This, we are aware, is an extreme case; but we have known others which have approached it even since 1800.

The Last Rat Tale.

A gentleman on the Bay informed me yesterday that in order to destroy the number of rats on his premises, he was in the habit of placing a tempting bait in the yard, and on seeing a good crowd of "varmints" around it, would shoot them down from a convenient height. As the rats began to get shy of the common bait, he procured a flask of sweet almond oil, and buried it in a hole in the yard, with only the mouth uncorked above the level. The rats could not resist the tempting flavor of the oil, so they came with a great rush, and not a few fared badly.

Yesterday morning the gentleman saw two patriarchal looking rats cogitating over the oil flask, how to get a taste of the luscious article within.

After examining all around, one of them brightened up with an idea. He inserted his long tail into the oil flask, and when it was well moistened with the sweet oil, drew it out and permitted his friend to lick it.

On the principle that one good turn deserves another, rat number two inserted his dorsal elongation into the oil flask, and allowed rat number one to enjoy the feast. This intailing process was kept amicably for some time, till rat number two, who was evidently a gourmand, instead of confining himself to licking his friend's caudal appendage, actually bit! "Whereupon," to use our informant's language, "they had a fight, sic, such as has not been equalled since that of Tom Hyer and Yankee Sullivan," Savannah Georgian.

—Pride breakfasted with Plenty, dined with Poverty, and suppered with Infamy.

A NOVEL THEORY.

SUN FLOWERS AS A PREVENTIVE OF AGUE.

Lieut. Maury, in an article communicated to the Rural New Yorker, maintains that the growing of sun flowers around a dwelling located near a fever and ague region, neutralizes the miasma in which that disease originates. He was led to make an experiment by the following circumstances:

The dwelling of the Superintendent of the Observatory at Washington, is situated on a hill, on the left bank of the Potomac, in lat. 38° 39' 53". It is 94 feet above low water mark, and about 400 yards from the river.—The grounds pertaining to it, about 17 acres, are enclosed by a wall on the East, South and West, and with a picket fence on the North. The South and West walls run parallel with the river, the Chesapeake and Ohio Canal, and a row of sycamores, of some 20 years growth, separating the wall from the river. In fact, the river, with its marshes, encircles about half of the grounds. The house is, therefore, in the bend of the river, and the place is so unhealthy that the family of the Superintendent are compelled to vacate it five months out of the twelve, the marshes being covered with a rank growth of grass and weeds, which begin to decay early in August. A knowledge of these facts led Lieut. Maury's mind to the following process of reasoning:

"If it be the decay of the vegetable matter on the marshes that produces the sickness on the hill, then the sickness must be owing to the deleterious effect of some gas, miasma or effluvia, that is set free during the decomposition, and if so, the poisonous matter, or the basis of it, whatever it be, must have been elaborated during the growth of the weeds, and set free in their decay. Now, if this reasoning be good, why might we not, by planting other vegetable matter between us and the marshes, and by bringing it into vigorous growth just about the time that that of the marshes begins to decay, bring fresh forces to the vegetable kingdom again to play upon this poisonous matter, and elaborate it again into vegetable tissue, and so purify the air?"

"This reasoning appeared plausible enough to justify the trouble and expense of experiment, and I was encouraged to expect more or less success from it, in the circumstance that everybody said, 'plant trees between you and the marshes—they will keep off the chills.' But as to the trees, it so happens that at the very time when the decomposition on the marshes is going on most rapidly, the growth to prepare for the winter; and though trees might do some good, yet a rank growth of something got up for the occasion, might do more. Hops climb high; they are good absorbers, and of a rank growth, but there were objections to hops on account of stakes, poles, &c. I recollected that I had often seen sun flowers growing about the cabins in the West, and had heard, in explanation, that it was 'healthy' to have them. This was so much more in favor of making the experiment with sun flowers."

Lieut. Maury says that an acre of sun flowers will absorb during their growth many thousand gallons of water more than are supplied by the rains. They are of easy cultivation, and the seeds, which are very valuable, find a ready market at the drug stores. The theory or science of the experiment is this: The ague and fever poison is set free during the process of vegetable decay, which poison is absorbed by the rank growing sun flower, again elaborated into vegetable matter, and so retained until cold weather sets in. The result of the experiment is thus narrated:

"Finally, I resolved to make the experiment at the risk of spoiling the looks of a beautiful lawn. Accordingly, in the fall of 1855, the gardener trenched up to the depth of 2 feet a belt about 45 feet broad around the Observatory on the marshy side, and from 150 to 200 yards from the buildings. The conditions of the theory I was about to try, required rich ground, tall sun flowers and a rank growth. Accordingly, after being well manured from the stable yard, the ground was properly prepared and planted in sun flowers. They grew finely; the sickly season was expected with more than ordinary anxiety. Finally it set in, and there was shaking at the President's House and other places as usual, but for the first time since the Observatory was built, the watchmen about it weathered the summer calor of chills and fevers. These men, being most exposed to the night air, suffer most, and heretofore two or three relays of them would be attacked during the season—for as one falls sick, another is engaged in his place, who, in turn, being attacked, would in like manner give way to a fresh band. And last year, attacks of ague and fever were more than usually prevalent in the neighboring parts of the city."

During the present year, Lieut. Maury intends to repeat the experiment, with variations in two respects. First, the seeds are to be planted later; and, second, there are to be two plantings, so that the last crop may be caught by the frost while yet in flower. If on a second trial the result proves equally favorable, the practical benefit of the discovery will be great indeed, and Lieut. Maury will have added another to the evidences he has given, that true science is the handmaid of practical utility.

—A revolutionary patriot, a native of Long Island, passed through Easton, lately, on his way to the place of his nativity, having walked all the way from the State of Illinois. He seems in excellent condition to complete his journey. He gave his age at 110 years.

ONE BY ONE.

BY CHAR. DICKENS.

One by one the sands are flowing,
One by one the moments fall;
Some are coming, some are going,
Do not strive to grasp them all.

One by one thy duties wait thee,
Let thy whole strength go to each;
Let no future dreams elate thee,
Learn thou first what these can teach.

One by one (bright gifts from heaven)
Joys are sent thee here below;
Take them readily when given,
Ready too to let them go.

One by one thy griefs shall meet thee,
Do not fear an armed hand;
One will fade as others greet thee,
Shadows passing through the land.

Do not look at life's long sorrow;
See how small each moment's pain,
God will help thee for to-morrow,
Every day begin again.

Every hour that fleets so slowly
Has its task to do or bear;
Luminous the crown, and holy,
If you set each gem with care.

Do not linger with regretting,
Or for passing hours despond,
Nor the daily toil forgetting,
Look too eagerly beyond.

Hours are golden links, God's token,
Renching heaven; but one by one,
Take them, lest the chain be broken,
 Ere thy pilgrimage be done.

CHINA AND THE CHINESE.

Our foreign files contain much interesting information in relation to China and the Chinese. The town of Canton is said to be nine miles in circumference. It is the residence of a Viceroy, and is divided by walls, into the Chinese and Tarter towns. The population is reckoned at 400,000; it is calculated that 60,000 persons live in the boats, and about 900,000 in the immediate vicinity.—Each trade or calling has its special street, so that in one there is nothing but crockery and glass; in another, silks, &c. Between the houses small temples are often seen, but they do not differ from the surrounding buildings. The gods, too, occupy the ground floor, the upper stories being inhabited by simple mortals. A traveler who sometime since visited Canton, gives this sketch:

The bustle in the streets was astonishing, especially in those set apart for the sale of provisions. Women and girls of the lower classes went about with their purchases, just as in Europe. They were all unimpaled, and some of them waddled like geese, in consequence of their crippled feet, which, as I before observed, extends to all ranks. The crowd was considerably increased by the number of porters, with large baskets of provisions on their shoulders, running along, and praising in a loud voice their stock in trade, and warning the people to make way for them. At other times the whole breadth of the street will be taken up, and the busy stream of human beings completely stopped by the litter of some rich or noble personage proceeding to his place of business. But worse than all were the numerous porters, met at every step we took, carrying large baskets of unsavory matter.

After threading our way for at least two miles through a succession of narrow streets, we at length emerged into the open space, where we obtained a full view of the city walls, and from the summit of a small hill which was situated near them, a tolerably extensive one over the town itself. The city walls are about 60 feet high, and for most part, so overgrown with grass, creeping plants, and underwood, that they resemble a magnificent mass of living vegetation. The town resembles a chaos of small houses, with new and then a solitary tree, but we saw neither fine streets nor squares, nor any remarkable buildings, temples, or pagodas.—A single pagoda, five stories high, reminded us of the peculiar character of Chinese architecture.

The Chinese have many peculiarities.—They begin their writing at the right hand of the page. The men wear a loose dress, and carry a fan. The grandfathers often walk on stilts, and amuse themselves by flying paper kites, while the boys look gravely on. The following from the writer already quoted, will be read with interest:

When we had nearly reached the end of our excursion, we met a funeral. A horrible kind of music gave us warning that something extraordinary was approaching, and we had hardly time to look up and step on one side, before the procession came flying past us at full speed. First came the worthy musician, followed by a few Chinese, next two empty litters carried by porters, and then the hollow trunk of a tree, representing the coffin, hanging to a long pole, and carried in a similar manner; last of all were some priests and a crowd of people.

A few days later I visited a tea factory. The proprietor conducted me himself over the workshops, which consisted of large halls, in which six hundred people, including a great many old women and children, were at work. My entrance occasioned a perfect revolt; old and young rose from work, the elder portion lifting up the younger members of the community in their arms and pointing at me with their fingers. The whole mass then pressed close upon me and raised so horrible a cry that I began to be alarmed. The proprietor and his associates had a difficult task to keep off the crowd, and begged me to content myself with a hasty glance at the different objects, and then quit the building as soon as possible.

In consequence of this, I could only manage to observe that the leaves of the plant are

thrown for a few seconds into boiling water, and then placed in salt water, which they are continually stirred up.

As soon as they begin to curl a little, they are thrown upon large planks, and each leaf is rolled together. This is effected with such rapidity that it requires a person's undivided attention to perceive that no more than one leaf is rolled up at a time. Black tea takes some time to roast, and the green is frequently colored with Prussian blue, an exceedingly small quantity of which is added during the second roasting. Last of all the tea is once more shaken out upon the large boards, in order that it may be carefully inspected, and the leaves that are not entirely closed are rolled over again.

Before I left, the proprietor produced me into his house, and treated me to a cup of tea prepared after the fashion in which it is usually drank by rich and noble Chinese. A small quantity was placed in a China cup, boiling water poured upon it, and the cup then closed with a tight fitting cover. In a few seconds the tea is then drank, and the leaves left at the bottom. The Chinese take neither sugar, nor milk with their tea; they say that anything added to it, causes it to lose its aroma. In my cup, however, a little sugar was put.

The London Morning Star, alluding to some of the recent scenes in Canton, says: Under the British flag, and in the name of a British Queen, deeds are perpetrated which make one's blood boil with indignation, and which are rivalled by the marvellous atrocities of which we read in connection with Fagan history.

A PICTURE OF LONDON.

We recently alluded to the destitution and misery which prevail among the poor of London, and especially to the crowded and unhealthy manner in which some of them are compelled to live, in narrow alleys and damp cellars. One instance was mentioned, in which 48 men, 79 women, and 59 children resided in 34 rooms. The London Times has taken up the subject, with a view to arouse the authorities to the necessity of some system of reform, and concludes a bold and strong article with this language:

"Is there no moral to this contrast? Is the modern Dives guiltless because he runs away, and the modern Lazarus to be left alone because he hides in a corner his misery and his sin? Yet there is no city in the world like the City of London for its religion and its charities. There is no English city so well church-ed, so well clergy-ed, so well bishop-ed, so well tithe-ed, so well rated, so well charited, so well armed with all the staff of long established piety and ostentatious benevolence. Poverty, disease and crime in this city are the material out of which whole classes are enriched. We have Unions to relieve them, hospitals to cure them, and efforts to convert them. So well secured are the higher influences that when a parish disappears its church remains, and, if there be no flock to tithe, the very soil and bricks maintain the pastor. There is no city in the whole world in which the aggregate expenditure for all public purposes,—for government, for police, for charities, for schools, for churches, for clergy, for infirmaries and dispensaries,—comes at all near that of the city of London. Yet the result is the existence and even the fresh growth, in the heart of this metropolis, and within the favored borders of the 'City,' of these physical and moral plague nests. In the whole world, far away from the preaching of missionaries, there is no such utter brutishness, such groveling and wallowing, as is discovered in the 'Ward of Bishopsgate.' Dives is indeed wise in his generation to fly o' nights from such a foul proximity. When Lazarus had done his day's work and betaken himself to his sty he is a very unwholesome brute. Where he, his companions, and his cat feed and litter, the dirt ferments, and the very air is envenomed. Dr. Letheby has analyzed it and found that it has lost its share of life-giving power, and that it is charged, not only with more than its share of sluggish elements but also with the vapors of death, and the principle of putrefaction. Nature, which kindly dissipates this horrid effluvia, and raises it from the lair where it is generated, diffuses it to the dwelling of the tradesman and the daily resort of the merchant. They are made fully aware of the present pest; they beat with alarm the advances of fever; they investigate its source, and find out a sink of crime. Such is the parable of our own city and our own times. If, as we believe, the case is worse, and the contrast more flagrant, than in the sacred page, the lesson is at least as plain and as fearful. Certainly there ought not to be such a state of things. Its existence is not only an evil, it is a crime; and the crime is shared by all who can do anything to abate it, and leave that undone."

—USURY. HINTS.—Never enter a sick room in a state of preparation, as the moment you become cool, your pores absorb. Do not approach contagious diseases with an empty stomach, nor sit between the sick and the fire, because the heat attracts the virus.

—Says a scientific writer: "To obtain some idea of the immensity of the Creator's works, let us look through Lord Rosse's telescope, and we discover a star in 3,500,000 years in traveling to our earth, moving at the velocity of 12,000,000 miles in a minute. And behold God was there."

CHOICE POETRY.

THE GIRL WITH THE CALICO DRESS.
BY ROBERT JOSSelyn.

A fit for your upper-torso girls,
With their velvets and satins and laces,
Their diamonds and rubies and pearls,
And their milliner figures and faces;
They may shine at a party or ball,
Emblazoned with half their possessions,
But give me in place of them all,
My girl with the calico dress.

She is plump as a partridge, and fair
As the rose in its earliest bloom,
Her teeth will with ivory compare,
And her breath with the clover perfume.
Her step is as free and as light
As the fawn's whom the hunters hard press,
And her eye is as soft and as bright,
My girl with the calico dress.

Your dandies and foppings may sneer,
At her simple and modest attire,
But the charms she permits to appear,
Would set a whole iceberg on fire.
She can dance, but she never allows
The hugging, the squeeze and the caress,
She is saving all these for her spouse,
My girl with the calico dress.

She is cheerful, warm-hearted and true,
And kind to her father and mother,
She studies how much she can do
For her sweet little sisters and brother.
If you want a companion for life,
To comfort, sollicit and bless,
She is just the right sort for a wife,
My girl with the calico dress.

MY EARLY LOVE.

It was an ardent boyish love,
That faded out as life grew older,
My heart flew to her like a dove,
And lighted on her beautiful shoulder.

Or sipped the honey of her lips,
Or in her eyes found heavenly graces,
I loved her over forty winters,
I loved her very, very true traces.

Her features were a ravishing charm,
Her smile made all within me flutter,
A rounded beauty was her arm,
Her little hand was fat as butter.

No wonder that I loved her so,
But she was false as she was pretty,
And soon she sacked her little boy,
And took a big one from the city.

I caught him out one gloomy night—
'Twas one of love's extremity phases—
I aggravated him to fight,
But oh, he lapped me like a blaze!

Miscellaneous.

GOOD DOCTRINE.—Have you enemies? Go straight in and mind them not. If they block up your path, walk around them, regardless of their spite. A man who has no enemies is seldom good for anything—he is made of that kind of material which is so easily worked that every one has a hand in it. A sterling character—one who thinks for himself and speaks what he thinks, is always sure to have enemies. They are as necessary to him as fresh air; they keep him alive and active. A celebrated character, who was surrounded by enemies used to remark, "They are sparks, which, if you do not blow, they will go out of themselves." Let this be your feeling while endeavoring to live down the scandal of those who are bitter against you. If you stop to dispute, you do but as they desire, and open the way for more abuse. Let the poor fellows talk; there will be a reaction, if you perform but your duty, and hundreds who were once alienated from you will flock to you and acknowledge their error.

HOW WIND PRODUCES COLD.—Wind produces cold in several ways. The act of blowing implies the descent upon and motion over the earth, of colder air, to occupy the room of that which it displaces. It also increases the evaporation of moisture from the earth, and thus conveys away considerable heat. This increased evaporation, and the mixture of warm and cold air, usually produce a condensation of vapors in the atmosphere; hence the formation of clouds, and the consequent detention of the heat brought by the rays of the sun. And whenever the air in motion is colder than the earth, or any bodies with which it comes in contact, a portion of their heat is imparted to the air.

WET CLOTHES.—Neglect of changing their clothes, when wet, is a great source of disorder among men. To remain in wet clothes when the body is at rest, subjects the person who is so imprudent to the united bad effects of cold and moisture. Much worse consequences, however, may be expected, when they are heated by labor and lie down to sleep, as people often do in their wet clothes. The diminished force of the circulation and other powers of life, which always take place during sleep, causes the bad effects of cold to operate with much greater danger to health and life.

Few persons care to wake at night and to feel a large spider crawling over their faces. Yet many will carry a favorite vice in their hearts without feeling the least alarm.