Raftsman's Journal.

BY S. B. ROW. CLEARFIELD, PA., WEDNESDAY, FEBRUARY 27, 1861. VOL. 7.--NO. 26.

BE EARNEST.

Be earnest in thy calling,
Whatever it may be;
Time's sands are ever falling
And will not wait for thee!

With zeal and vigor labor,
And thou wilt surely rise;
Oh, suffer not thy neighbor
To bear away the prize!

But form thy purpose gravely—
Then quickly push along
And prosecute it bravely,
With resolution strong.

Thou will not be defeated;
But pressing firmly on,
Find all at length completed—
Thine object fully won!

Be earnest in devotion.
Old age is drawing near;
A bubble on Time's ocean,
Thou soon will disappear!

In practice, and in spirit,
Here worship thou the Lord;
And thou shalt then inherit
A rich and sure reward.

JOHN CATHCART VS. COMMONWEALTH.

[In this case we have already given what purported to be the opinion of the Supreme Court, as copied from a Philadelphia paper. But what we published turns out to be only about the half of it. We therefore publish below the full opinion of the Supreme Court as it was delivered. It will be satisfactory to the Court and Jury, before whom the case was tried, to know that their verdict and judgment are fully sustained, and we believe that many of our readers will wish to read the entire opinion of our highest judicial tribunal in a case that has attracted so much attention.]

OPINION OF THE COURT BY STRONG, J.

The consequences of our decision in this case are so momentous to the plaintiff in error, that we have felt constrained to examine the record with minute caution. Our review has forced upon us the conviction that there is nothing which would justify us in sending the case back to another jury. It appears to have been most carefully tried. Nothing was withheld from the accused to which he was legally entitled, and he received every advantage in the admission of evidence and in the instruction given to the jury which he had a right to claim.

Before proceeding to a consideration of the errors assigned in detail, it may not be out of place to repeat the remark often made, that our duty in such cases as this is confined to adjudication upon the errors of law which appear on the record. Outside of that we cannot look. We are not authorized to grant new trials, unless the record exhibits that mistakes of the law have been committed. In no other case have we power to interfere with the verdict of a jury. We could not even if we were satisfied they had found erroneously. These observations are not new. They have frequently been made heretofore. Thus, in Jewell vs. Commonwealth, 10 Harris, 99, it was said that "an error not apparent on the face of the recorded proceedings, however gross and improper it may have been, is not a subject of review here, and the prisoner has no more right to expect relief, on account of such, irregularities, from us, than from any other five citizens of the State, who are invested with no judicial authority at all." Similar remarks were made in Fife, Jones, and Stewart vs. the Commonwealth. 5 Casey, 429. It is a mistaken opinion, sometimes entertained, that in criminal cases our powers are greater than they are in civil. It is not so. When the life of a human being may be dependent on our decision, there is always enough to induce us very carefully to scan the record and inquire whether he has been deprived of anything secured to him by the law, by which he might havs been benefitted. But in criminal, as well as in civil cases, our inquiries must be confined to the record, and in both classes of cases there is but one rule of construction. In both there is a presumption that the proceedings were regular, and it is incumbent upon the plaintiff in error to show by the record that errors were committed before we can interfere. If this were not so, the administration of criminal justice would be impossible. We are not so to administer the criminal law as to make it an impenetrable shield for the guilty.

Turning now to the specific averments of error, the first which we notice is the allegation that the jurors were not properly sworn. The record, however, recites that they were "all sworn or affirmed respectively to try," &c. This, of course, raises the presumption that they were properly sworn or affirmed. No exception was taken to the mode of qualification, and there is nothing before us indicating any irregularity. Our paper book, indeed, contains part of the opinion of the Court below upon the motion for a new trial, in which it is stated that the jury were sworn jointly and severally, instead of severally, but such an opinion is no part of the record, and it has often been held that the record cannot be corrected by it. Even if it could, the same opinion shows that no objection was made to the manner in which the oath or affirmation was administered. This assignment, therefore, points to no error of which we can take notice.

Another specification of error is, that the record does not show that the prisoner had counsel at the trial. It is based upon an alleged presumption against the regularity of the proceedings—a presumption directly opposite to that which we have shown to exist. It assumes that those rights of the prisoner were denied him which the record does not show affirmatively were granted. As well might it be assumed that the Court charged the jury erroneously, and the Commonwealth be required to prove that the charge was in all points correct even before it was attacked. The right to be heard by himself and counsel is doubtless a Constitutional right, and if it had been denied, there would have been error; but we are not to presume that it was denied because the record does not exhibit the fact that it was recorded. There are many rights of an accused person, some Constitutional and others not, of which the record takes no notice: such as the right to compulsory process for witnesses, the right to call a witness or to cross examine those of the prosecution, and the right to be heard by himself and counsel is one of them. The safety of the accused is not imperrilled by the silence of the record, for if any of these rights be denied, there is an easy method of bringing upon the record the fact of the denial.

Another assignment of error is to the refusal of the Court to grant a new trial. It has so often been said that such a refusal is not assignable for error, that we dismiss it without further notice.

An exception was also taken from the Court below to the rejection of an offer by the defendant to prove that he always had been known and reputed among his neighbors as a kind-hearted man. This offer the Court overruled in the terms in which it was made, but accompanied its rejection by permission to show the character of defendant for peaceableness and regularity of conduct and of good feelings towards the deceased in any other aspect which had a proper relation to the subject matter of the prosecution. We cannot say that here was error. We do not discover that any right of the defendant was denied. The door was opened for him to show his reputation for peaceableness and for regularity of conduct, and for anything that tended to show the improbability of his having perpetrated the crime of which he was accused. It was his peaceableness, his regularity of conduct, his quiet habits, his freedom from lawlessness, that was assailed. All these he had full permission to defend by adducing the opinion of his neighbors and his general reputation.

We pass now to the errrors assigned to the charge. They cannot well be understood, unless we bear in mind what the case was, and what application the charge had to it. That the deceased was killed by a gun-shot wound inflicted upon her by the defendant, was not in controversy. it was fully proved, and, indeed, conceded by the defendant. There was no evidence that the deed was done in sudden heat, or in an affray, or in consequence of provocation. The defendant made no such allegation, but he insisted that the case was one of excusable homicide; that the gun was accidentally discharged, and that death was the consequence of the accident. Here was the turning point of the case. The first and main point of contest between the Commonwealth and prisoner was the question, whether the firing of the gun and the death of the deceased were accidental or intentional? If the former, an acquittal was inevitable; if the latter, the homicide was murder. If the killing was not accidental, then malice and design to kill were to be presumed from the use of a deadly weapon, for the law adopts the common and rational belief that a man intends the usual and immediate, and natural consequences of his voluntary act. Human reason will not tolerate the denial that a man who intentionally, not accidentally, fires a musket ball thro' the body of his wife, and thus inflicts a mortal wound, has a heart fatally bent on mischief, and intends to kill. Whatever therefore, in this case, tended to prove that the killing was not accidental, contributed also to establish that it was wilful, malicious, and with a design to kill.

Keeping in mind, then, the case as it was presented, it is apparent that the first and second assignments of error in the charge, are entirely unsustainable. In noticing the argument used by the counsel for the Commonwealth against the prisoner's allegation that the shooting was accidental, and by consequence, in support of the averment that it was malicious and with a design to kill. the learned Judge remarked as follows, "again it is urged by the Commonwealth as a reason for inferring malice and a design to kill, that the prisoner's account of the affair to Mr. Ray and others; his manner of accounting for the breaking of the gun, his relation of the position and employment of himself and wife when the gun went off, are inconsistent with the other proof in the case, and improbable in themselves. You have heard the testimony, and can judge of the force of such an inference. The testimony of Samuel Ray as to what was said about the breaking of the gun, and of Thomas Cathcart as to how the gun was broken, and of other witnesses as to the condition of the gun before it was broken, is referred to you as bearing upon this part of the case." It is not said, nor indeed could it be, that the Court expressed any opinion either that this argument was, or was not well founded; but the error is said to consist in this, that even if the prisoner's account of these things was believed to be false, yet that falsity of itself would not sustain an inference of malice and a design to kill, and therefore that it was wrong to refer this evidence to the jury as tending to prove a design to kill. But did it not tend to prove that the killing was not innocent—was not the result of an accident? The fabrication of false and contradictory accounts, for the sake of diverting inquiry or casting off suspicions, by an accused criminal, is a circumstance always indicatory of guilt. If the jury believed that the statements made by the prisoner of the occurrence were false, his falsehood was therefore at least a circumstance affording some presumption against his innocence; and if he was not innocent, the legitimate inference was that the shooting was intentional—in other words, that it was malicious and with a design to kill. In this aspect of the case, the Court was perfectly right in referring, as they did, this evidence to the jury.

Similar remarks are applicable to the second assignment of error, and they show the direct bearing of the evidence referred to the jury upon the question of intent and malice.

The third assignment is that the court erred in saying to the jury that "when once a homicide is proven, and the prisoner proved to have committed the act, the offence will amount to voluntary manslaughter; for every killing of a human being is presumed to be unlawful. The burden of proving the act excusable or justifiable lies on the prisoner." It is insisted that the qualification should have been added, "unless the circumstances excusing the act arise out of the evidence produced against him." In regard to this it is enough to remark, that the rule was laid down as found in the books. The qualification contended for is practically of no importance. In this case the alleged circumstances excusing the killing did not arise out of the evidence produced against the prisoner. Besides, the observations of the learned Judge were wholly outside of this case, and could have done the prisoner no possible harm. It was not a case of manslaughter, and neither party contended that it was. The instructions given in regard to murder were correct, and the remarks of the Court complained of, were only introductory to the charge, that the burden of the proof lay on the Commonwealth to establish that the offence was any higher grade than manslaughter.

The fourth and sixth assignments allege error in that the Court did not state to the jury the rules of law in relation to the contradiction and impeachment of witnesses, and did not instruct them upon the legal effect of a quarrel and affray. We need only say that no such instruction was asked, and that no evidence of a quarrel or affray was given.

The fifth assignment is, "that the Court erred in not distinctly instructing the jury that the case made out by the Commonwealth was insufficient in law to warrant a conviction of murder in the first degree." Had such instruction been given, it would have been grievous error. There was evidence that the prisoner had, before the fatal occurrence, treated his wife harshly and brutally; that he had often threatened to inflict serious injury upon her; that only three or four days before the homicide, on his way from home, he had with "heavy oaths" renewed his threats to abuse her, because she had remonstrated with him on account of his absence from home on the Sabbath; that at his very next interview with her, he shot her through the body, causing her death in four hours; and that the next day he spoke of his having been instigated to the deed by the devil. In face of this evidence it would have been quite too much for the Court to have charged the jury that the case was insufficient in law to warraut a conviction of murder in the first degree.

The next assignment of error is, "that the indictment is insufficient in law to sustain a conviction of murder in the first degree, in that it fails to meet the Constitutional requirement," the nature and cause of the accusation not being fully set forth. The indictment is in strict conformity with the requirements of the 20th section of the Act of March 31, 186 ', (Penal Code) the Criminal Procedure Act. We do not think that act in conflict with the constitutional provision that in all criminal prosecutions the accused shall have the right to be informed of the "nature and cause of the accusation against him." An indictment must exhibit the "nature and cause of the accusation," that is, must set out the crime laid to the charge of the accused, but the mode in which the crime is committed, the instrument with which the murder was effected, whether it was held in the right hand or left, whether the wound was inflicted upon the head or the body, are entirely apart from the nature and cause of the accusation. There is no merit in this assignment.

Another averment of the plaintiff in error is that the sentence was improperly pronounced, because the charge of the Court was excepted to, but was not filed until after the judgment was given. If there were anything in the exception, it could avail him but little, for then it would be our duty to pass sentence. But there is nothing in it. Everything that was necessary to giving judgment was upon the record when sentence was pronounced. True, the charge was not there, but that was needed for review, not for sentence. It is due to the learned Judge of the Court below to say that there were no written points presented to him at the trial, and he was not therefore under obligation to file his charge immediately on delivery, especially as the exceptions were in the usual form. and there was no request that he should reduce his whole opinion and charge as delivered to the jury to writing at the time of the delivery of the same, and forthwith file it of record.

The only remaining assignment of error is the eleventh. It is that the sentence is indefinite, no time being fixed for its being carried into effect and no other person having legal authority to fix the time. This is certainly a novel exception to be taken at this late period in the history of the Commonwealth. It would be out of place here to spend time in showing how the power to designate the time of execution is vested in the Governor. That it always has been exercised by him is not denied, and it would not be difficult to show that it has been rightfully exercised. But that question is not on this record. The matter for our consideration is whether a sentence of death which does not appoint a day for execution is a proper sentence.

Our act of Assembly of the 31st of May, 1718, entitled "an act for the advancement of justice and more certain administration thereof" enacted that whenever convictions should happen it should be lawful to give judgment "according to the manner, form and direction of the laws of that part of Great Britain, called England, in the like cases." This provision was indeed hardly necessary, for without it our Courts, being Common Law Courts, would have had that power unless restrained by statute. The manner and form of giving judgment in England in 1718, in cases of conviction for murder was precisely that which the Court of Oyer and Terminer adopted in this case. The convict was sentenced to death by hanging, but the sentence did not fix the time and place of execution. That such was the mode and form of pronouncing judgment in capital felonies appears from all the books. Hastall's Entries, 2 Hales, Pleas of the Crown, 399; Coke's Entries 352, and 3 Burr, 1812. Nor was it changed by the statute of 24 Geo. 2, c 37, which enacted that all persons found guilty of a murder should be executed on the next day, but one after sentence passed.

See 3 Burrows, 1812, Rex vs. King. et al.; decided in 1765. In that case it was said not to be usual at the Assizes to fix the day and place of execution. The judgment in this case was then strictly in accordance with the forms and requisites of the law. We have thus reviewed this entire record, and the conclusion to which we have come is, that it exhibits no reason for reversing the judgment of the Court below. The judgment is affirmed.

Justice Woodward read his opinion dissenting from the views of the majority of the Court.

A TOUCHING INCIDENT.—A Southern gentleman, an ardent Union man, wrote to his friend in New York that he had lost a child. He could not bear that it should die under the Palmetto flag. It had been born under the stars and stripes, and the patriot father wished it to breathe its last under the same national emblem. He procured a little flag, one of those so often in the hands of our children and in use on festive occasions, and as his dying child was sinking into the arms of death waved above its head the mimic standard of a yet loved and powerful though assaulted Union. Rest assured that man can be safely trusted with his country's honor.

THE PENSACOLA NAVY-YARD.—The court-martial on Com. Armstrong, who surrendered the Pensacola Navy-Yard, is now sitting. The proof against him is very conclusive. It was with great difficulty that Lieu. Slemmer could get the Wyandotte retained to cooperate for the defense of Fort Pickens. The Fort would have been taken without that aid.

ESTHER M'DOWELL—A SINGULAR STORY.

J. F. Meginnis, in his history of the West Branch Valley, relates the following history of a successful imposition practiced upon the people of Jersey Shore, in 1803:

"About the year 1803, a remarkable circumstance transpired at the upper end of the borough of Jersey Shore, well remembered by all the old people living at that time. Pine trees, in considerable numbers, were then standing on the spot I now speak of. An old Dutchman, named Martin Reese, had built a cabin near where the public road crosses the canal, on the farm now owned by Mark Slonaker, Esq., and made some improvements. Rising very early one frosty morning in October, he was surprised to find a beautiful female in a state of nudity, with her hands tied behind her back, and a gag over her mouth, standing in front of the cabin, against a tree. He relieved her from her uncomfortable position as soon as possible, and tendered her the hospitalities of his humble cabin. She appeared to be completely chilled through with cold, and could scarcely speak for some time. On recovering strength, she related that she had been travelling on horseback from her father's house in Montreal, to visit an uncle that resided in Kentucky, in charge of a young man named Benjamin Connett, who was sent expressly to attend her. But having a large amount of gold in her possession, an evil spirit prompted him to rob her; and in a lonely spot near Pine Creek, he presented a pistol to her breast, compelling her to dismount and deliver up what money she possessed; when he immediately stripped her, tied her in this shameful condition, to starve with hunger or be devoured by wild beasts. She had remained in that condition nearly all night, when after the most desperate struggles, she had released herself and made her way to the cabin. After being refreshed, she willingly went with the family to the spot, and pointed out the place where she had been tied, and the path she had beaten round the tree trying to free herself.

There was something artless in her appearance; and her modest demeanor and delicate frame, left no doubt in the minds of those who saw her, that her statements were true, and that she had been foully dealt with. She appeared to be overwhelmed with distress at the thought of her situation among strangers. She gave her name as Esther M'Dowell.

Rev. Mr. Grier, father of Judge Grier of the Supreme Court, resided close by, and took her into his family, and kindly provided for her wants. A great deal of sympathy was excited in her behalf, and the neighbors vied with each other in making her presents of clothing. Several gentlemen, now living, presented her with valuable silk dresses, and other articles, which she accepted, and kindly thanked them for their liberality.

Meanwhile the news spread throughout the country, and the public indignation was highly excited against the villain Connett. Handbills, offering a reward for his apprehension, were put in circulation, and the chivalry of the West Branch started in all directions to look for the scoundrel. He had 24 hours' start, however, and being well mounted, eluded all observations and effected his escape.

The artless girl remained in the neighborhood, caressed and entertained by the sympathizing people, who could not do enough to alleviate her wants. Her manners were so simple, her actions so lady-like and refined, and her description of the thief so minute, that no doubt was felt of her being badly treated. Letters in the meantime were dispatched to her father at Montreal, but weeks elapsed and no answer came. Still the public confidence in her was unshaken.

The intelligence having spread far and near, strangers flocked in great numbers to see her, and loaded her with presents. Being at the hotel kept by Duffies, at Larry's Creek, a gentleman named Hutchinson, from Milton, called to see her. She eyed him closely, and seemed to keep shy of him, which attracted his attention, and he tho't he detected something familiar in her countenance. He requested to have some private conversation with her, which she positively refused, when he exclaimed, calling her by name—"I believe you are the identical young man that once worked for me in Milton as a journeyman tailor!" This was a poser, and she became greatly excited, which aroused a suspicion among the people that she *might* be an imposter. And such she ultimately proved to be. The pretty Esther M'Dowell had deceived and humbugged them in a shameful manner, and *never* was robbed as she had represented.

A bundle of men's clothing had also been found near the spot where she was found, secreted in a hollow log, which went to confirm the suspicion. At length she confessed that such was the fact—that she had been playing the imposter; being of a romantic turn of mind, she had actually passed herself off as a young man, and worked as a journeyman tailor.

It was now remembered that a young man, answering her description, had crossed the White Deer Mountains into Nippenose Valley, and staid over night with the family of a farmer. The evening of that day she (he) came to the house of Joseph Antes, Esq., where Major McMicken now resides, and he ferried her over the river, when she doffed her male attire and placed herself in the position in which she was found.

What ever became of her is not distinctly known, though it is asserted that she left the country soon afterwards, and went to the West under another name, where she shortly afterwards married, and became a highly respectable woman.

The case of Esther M'Dowell afforded much amusement for many years among the people, and when the subject is broached to the old people at the present day, their mirthfulness is at once excited, and they recount the circumstance of being so nicely humbugged with considerable gusto.

The opinion prevails at Washington that if the Border States secede they will form a separate Confederacy, and not unite with the cotton States. The inevitable working of the principle of Secession will sooner or later disintegrate even the Cotton States. There are symptoms already in South Carolina of another centrifugal movement on her part.

A NATIONAL CONVENTION.—The Republicans in both branches of Congress are prepared to vote unanimously for the Convention of all the States to consider the present differences, according to the recommendation of the Legislature of Kentucky. The Border States ought to be able to stand on a proposition of one of their own number.

FIFTY DAYS.

From the N. Y. World, of February 15th.

Great events crowd the times. But the action is too scenic, too dramatic for permanence. Nations may be born in a day, but they do not spring, all panoplied, from the front of every passing hour. Let us review the events of fifty days.

On the 6th of November the people of the United States elected their fourteenth President—Abraham Lincoln, of Illinois. He was chosen regularly and constitutionally, but with scarcely the honor of a vote in a Southern State, except Virginia, Maryland, Delaware, Kentucky, and Missouri. In these a ticket was run, and though overwhelmed, was enough to show that a difference of opinion, at least, existed there. The States further south fell hereupon into an extraordinary excitement, and on the 20th of December South Carolina—with her white population of 308,106, there being only five of the thirty-three less than she—passed an ordinance of secession. This was followed by the seizure of the revenue cutter Aiken, and of the United States arsenal, and was the first scene of the most lamentable tragi-comedy whose scenes have flitted before our eyes. On the 26th of December Major Anderson moved from Fort Moultrie to Fort Sumter, and so took the command of Charleston harbor—by the same act threw a bomb into the nest of traitors at Washington, blew up the Cabinet, awakened the doting President, and made himself the most popular man in America. On the 2d of January, Forts Pulaski and Jackson, and the United States arsenal at Savannah, with Fort Macon and the arsenal at Fayetteville, N. C., were seized. On the 3d, Fort Morgan, near Mobile, and the Mt. Vernon arsenal were taken. On the 6th, the arsenal at Apalachicola, and on the 8th, Forts Johnson and Caswell, in North Carolina, were also seized. The same day the Florida Convention adopted secession resolutions. On the 9th Mississippi followed suit, while at Charleston the New York steamer Marion was seized and the Star of the West fired into. On the 10th Fort McRae, at Pensacola, and on the 11th Forts Pike, St. Philip, and Jackson, with the arsenal at Baton Rouge, were seized. The same day, Alabama seceded. On the 12th Fort Barrancas and the Pensacola navy-yard were taken. On the 19th, Georgia seceded. On Sunday, Jan. 20, Ship Island Fort was taken by Captain Howard. On the 24th, Gov. Brown of Georgia seized the arsenal at Augusta. Louisiana seceded on the 26th, and Texas on the 1st of February, about which time the revenue cutter M'Clelland fell into the hands of the Secessionists. Feb. 2d, the cutter Lewis Cass was surrendered by its traitorous commander. Feb. 8th, the arsenal at Little Rock, Arkansas, was taken. Feb. 9th, the Montgomery Convention proclaimed the "Confederated States of America," and elected Jeff. Davis President of its Provisional Government. The same day five New York vessels were seized in the port of Savannah, by order of Gov. Brown.

Here we stand. The United States flag floats yet at Fort Sumter, Fort Pickens, Fort Jefferson and Fort Taylor, supported by a handful of men in each. Menaces meanwhile fill the air. Insane jubilation resounds thro' the South. New Orleans rejoices as she never has since the heroic Jackson delivered her from Packenham's hosts. The seven seceding States have a white population of 2,738,146, with 2,350,603 slaves on their hands. Meanwhile, the eighteen Northern and Western States, with 20,000,000 inhabitants, not one of whom has not a personal interest in his State, are firm as a rock, and are more and more united in support of the Federal Government. The powerful and patriotic Border States hesitate, as well they may. The voice of treason would sound strangely enough from Mt. Vernon, Ashland, and the Hermitage. It is the fifteenth of February; seventeen days more will bring the inauguration of the new President. He has already started for the seat of Government. On the spot where Jefferson and Jackson stood, Lincoln will take the oath they took, for the millions of the North stand behind him. Europe, and especially England, trembles with interest. It is truly a vast pageant—

"Nations for actors, kingdoms for a stage,
And monarchs to behold the swelling scene."

CANADIAN FUGITIVE-SLAVE CASE.—This case has been terminated, at Toronto, without the negro Anderson being taken over to England on a writ of habeas corpus. The Court of Queen's Bench of Upper Canada, sitting at Toronto, decided, some weeks ago, that Anderson should be delivered up to the United States, under the extradition treaty, having been claimed as a murderer. On that occasion Chief Justice J. B. Robinson and Judge R. E. Burns gave their decision in favor of the claim by the United States, and Judge A. McLean against it. Now, the prisoner Anderson has been discharged, the telegram tells us "on a technicality." This is a summary way of settling the matter, which still leaves a question between the United States and England on the treaty, and between England and Canada on the jurisdiction of the British Judges sitting at Westminister over the colonies.

At Westfield, N. Y., in acknowledging a call from those who had assembled to greet him, Mr. Lincoln remarked that he had received a letter from a little girl in that place, begging him to let his whiskers grow, as she thought it would improve his appearance. She promised him if he would do so she would try and persuade her big brothers, who were Democrats, to vote for him. He had adopted her suggestion, and he would like to know if she was present to witness with her own eyes the improvement in his looks. Some one answered "Yes," and a pretty Miss of about twelve summers was blushingly led forward and presented to him, when Mr. Lincoln descended from the platform of the car, and kissed her. The incident created quite a sensation, particularly among the laeies.

HOTBEDS.—Now is the time to make hotbeds. Make a pile of horse mauure a few feet square and two or three feet thick. Nail four rough boards together in the form of a box without top or bottom, set it upon the pile of manure and fill it with good soil to the depth of four or five inches. Cover the bed with glass (old window sash will do), and in two days it will be warm enough to receive the seed. Tomatoes, cabbages and lettuce are the most suitable plants to force.

A teacher of vocal music asked an old lady if her grandson had any ear for vocal music. "Wa'all," said the old woman, "I really don't know. Won't you take the candle and see?"

A LITTLE TOO ROMANTIC.

The New York *Post*, of the 9th February, relates the following:—"Some five years ago the people of a thrifty village in Southern Ohio were very much scandalized by the conduct of the wife of their Mayor, (Western villages always have Mayors,) who eloped with an actor attached to an itinerant theatrical troupe that visited the place. The Mayor pursued and overtook his wife, promising to pardon and take her back to his hearth and heart if she would discard the actor. She was quite deaf to his entreaties, utterly refusing to have anything more to do with him. She had imbibed an uncontrollable passion for spangles, blue fire and reckless adventures from the bloodthirsty two-shilling literature of the day, and fancied that she would be very happy with the facinating impersonator of brigands, corsairs, and cheerful people of that sort, upon the mimic stage. The unhappy Mayor returned to his home and people, and, in order to drown his domestic sorrow dashed into the political sea with headlong impetuosity. He served several successive terms in the State Legislature, and even ran for Congress, but from the unexpected circumstances of his opponent receiving a larger number of votes than himself, he lost the opportunity of distinguishing himself in Washington. A few evenings since, being in the city, the gentleman wandered into a Bowery concert saloon, where comic songs of a singularly dreary character are sung; where women, who might be better than they are, but who certainly could not be much worse, dance with a serene indifference to propriety, and where men and boys congregate to drink and smoke, and (as they with ghastly sarcasm term it) "enjoy themselves." The principal *danseuse* of the establishment was the gentleman's long lost wife. They recognized each other; a compromise was effected; his regard for her was as strong as ever, and he again received her."

The London *Times*, of the 29th of January, says:—"If, instead of flattering and encouraging rebellion, Mr. Buchanan had acted up to his recent declaration that it is his duty to execute the laws, it is very possible that the fire might have been trampled out before it had time to spread. A small naval force in Charleston harbor and in the Mississippi, coupled with a resolute declaration of the only line of policy which is open to a President of the United States worthy of his position—a declaration of his unflinching resolution to employ the whole power of the government of which he is the head for the purpose of preservation—would probably have rendered any further appeal to force unnecessary. But the precious, the irretrievable moments have been allowed to escape, and America must weep in tears of blood the misfortune which has given to faction its strongest encouragement in the weakness of her constitution and the vacillation of her Chief Magistrate."

It appears from the investigation of the House Military Committee that ex-Secretary Floyd accepted A. R. Belknap's bid for a hundred thousand muskets, but that Secretary Holt refuses to recognize the contract. Mr. Belknap says they were intended for the Sardinian Government. It is further shown that Floyd distributed, without any order, through the Engineer Department, sixty-five thousand percussion muskets, forty thousand altered muskets, and ten thousand rifles, among the arsenals at Charleston, Augusta, Mount Vernon, Baton Rouge, and in North Carolina. With the exception of those for the last-named place, the arms fell into the possession of South, Alabama, Louisiana, and Georgia, by their secession movement.

THE BONAPARTE DIVORCE CASE.—Much attention is now being attracted in France, and throughout nearly the whole civilized world, to the proceedings of the famous suit pending in the French courts in regard to the inheritance of the late Jerome Bonaparte, brother of the great Emperor, which will virtually decide which of his two marriages is valid, and whether his American descendants, or the Prince Napoleon and his sister Mathilde, are to be considered illegitimate. The case is full of romantic interest, not only on account of the peculiar circumstances connected with it, but on account of the varied fortunes of the parties involved, and the magnitude of the issue in dispute.

THE FOWLER CASE.—In the suit against the bail of Isaac V. Fowler, late postmaster of New York, the jury found by their verdict that at the time of Fowler's appointment by Mr. Buchanan, he was a defaulter, and that fact being known to the Government relieved those who then became his sureties. Here is another comment upon Mr. Buchanan's frequent and ostentatious declaration that after his inauguration he intended to set an example to all Administrations, past and to come, by making his Presidency the most upright, economical, and correct in our history.

MARYLAND.—This State presents a very interesting picture at the present time. Although a vast majority of her people are undoubtedly in favor of the Union, and her Governor has taken a noble stand, yet the "Rattlesnake Clubs" (the rattlesnake is the favorite reptile with the secessionists) are doing all they can to get up a Convention independent of anything the Governor may say or do. The National Capital being so close to the borders of this State, it is of the utmost importance that Maryland should stand firm in her devotion to the Union.

Mrs. Mott, a worthy widow, had occasion to go from home in Perry county, Mississippi, recently, leaving her three girls—the oldest about seven years, the second five, and the youngest about two years of age. While she was absent they found a bottle with some strychnine in it and without knowing what it was, the little ones poured water in the bottle and drank it. When the mother returned she found one of them already dead, and the others speechless. They all died within a few minutes of each other, and were buried in the same coffin.

The Fall River *News* says the eight cotton mills in that city which have been running for the past few weeks on three-fourths time, are now running full time.

Parkersburg, Va., is something of an oil region, as well as Oil Creek, Pa. Three wells at Parkersburg yield from 45 to 200 barrels of oil per day.