

Democratic Banner.

BY MOORE & HEMPHILL.

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TERMS.

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POETRY.

From the Metropolitan. THE RETURN HOME.

What varied emotions, how freely they rise,
After long years of absence, of trouble and pain;
How the tears will, unbidden, oft start to the eyes,
When the home of our boyhood we welcome again.
The old walls many old thoughts awaken,
Of pleasure that long since have floated away;
Though each chamber—desolate, drear, and forsaken,
My heart holds these dearest even in thy decay.
The happiest moments, the blithest of hours,
I have known in thy halls, when in childhood I sung;
The choicest of garlands, the sweetest of flowers,
I have carefully gathered thy bowers among.
Even now thy old fire, and thy crumbling glory,
For ever departed, and humbled so low,
Awakes in my heart, as I dwell on the story,
Sad feelings that only my bosom can know.
Where are those happy youngsters, my playmates in youth,
Whose spirits were free and unfettered as air?
Alas! how I fain would deny the stern truth—
They are gone, and I am a lone wanderer here.
The cold smile of strangers and sorrow has shaded
The hope that so bright in my bosom did burn;
Farewell, the fond dreams of my youth now are faded.
Love greets not, friends cheer not, the exile's return.

WE ARE PASSING AWAY.—I have beheld the beauty and universal stillness and solemnity of an expiring day, as its bright orb gradually receded behind the western hills, and its seemingly expiring light, lit the east with a gorgeousness not of earth, and when its departure had brought on the shades of night, it led me to reflect that I, too, was passing away. I have seen Spring, in freshness and verdure, come forth with her robes of green; and innumerable bouquets of Nature's flowers strung by the rustic maiden, and wove in wreaths for the fervent lover, and the rose while it imparted its refreshing fragrance to the zephyr, snatched from its thrifty bush, soon withered and was no longer beautiful or lovely; and this, too, when I contemplated, reminded me that I was passing away. I have seen lively, hopeful and intelligent youth, healthy as youth could be, and everything promising fair for a good old age, sickened and die; this, more than all, told me that I, too, was passing away. I have beheld friends and relatives, as the last effort of their spirit clung to earth, and wished a little longer to stay—and turned and wept, that I, too, like they, was passing away. Yes, the solemn and self-evident impression, comes stealing in our midnight dreams—it haunts us in our daily walks, and interrupts us in our moments of pleasure. Wherever we turn our eyes, wherever we take our daily walks, we meet with that which is passing away; and soon we all, like the sunlit flowers, youth, and friends, will pass away.

HORRIBLE AFFAIR AT GRAFTON, NEW HAMPSHIRE.

Correspondence of the Boston Mail.
CANAAN, N. H., April 8, 1848.—The quiet community of this charming inland town has been thrown into a feverish state of excitement by the arrival here yesterday of the Rev. Enos Dudley, a Baptist clergyman of some note in these parts, in charge of an officer, to undergo an examination for the murder of his wife, in the neighboring town of Grafton, about five weeks since.
The facts connected with this horrible charge, as I have been able to collect them, are these: About the middle of March, Rev. Mr. Dudley took his wife out to ride, and after an absence of a couple of hours, he returned to his house, bringing back the lady a corpse. In explanation of the tragedy, he told his family that the sleigh upset, throwing his wife violently against a stump, and causing her death upon the spot. He at once proceeded to make a coffin with his own hands, and with as little assistance as possible, placed the body in it. The funeral was conducted with haste, and marked with a total absence of all decent preparation and display.
The version he gave of the manner of his wife's death, appears at first to have been credited; but the manner of her burial, and something peculiar in the conduct of the husband after the funeral, aroused suspicions of foul play. At the suggestion of several of the deceased's friends, the lady was disinterred in the early part of this week, and a council of physicians held a post mortem examination upon it. The result was a unanimous opinion among the medical men, that the deceased was strangled!
This announcement caused an immense excitement in Grafton, where the accused was well known, and aside from some peculiar leaning towards the doctrines of Millerism, much esteemed and respected. He was immediately arrested, and conveyed to this place, where the affair is now being investigated. The examination I hardly think will be concluded before Monday or Tuesday. The most intense excitement prevails in the village, and the adjoining towns.
I am told that Rev. Mr. Dudley has for some time back preached the Millerite doctrine in Grafton, and that he recently predicted his wife would soon die—the Lord having, as he said, divulged that event to him in advance.

THE LORD SENT IT, IF THE DEVIL BROUGHT IT.

In my younger days, I was what people call a 'wild chap,' and I rather think I was something of a high boy. Anything like fun stirred me up from the bottom, and the way I 'went it,' sometimes, when I was stirred up, people said was rather curious.
I believe my respect for religious people wasn't quite as high as it should have been, not so high as it is now. This grew out of two things—a defective education and thoughtlessness. Ten or fifteen years added to my mortal life has sobered me somewhat, and at this present writing, I own to a profound respect for religion.—I state this, that neither the gay nor the thoughtful reader may misunderstand me, if the story I am going to relate should seem to deal with some levity in matters held sacred—I think the rebuke I got, often as I have laughed at it since, put the laugh completely on me and my companion.
There resided in my neighborhood a poor widow whose means of support were extremely limited. Between nursing herself for rheumatism, and spinning and knitting, most of her lonely time was passed. I am ashamed to say, that on one or two occasions, I joined some wild young chaps in playing off tricks upon her, such as making unusual noises about the house at night, smoking her almost to death by putting a board over the top of her low mud built chimney, and such like doings, that we thought rare sport, but for which we deserved a little wholesome chastisement, if there had been any one authorized to administer it.
One night soon after dark, it happened that I was returning home in company with a merry fellow about my own age, & had to go by old Granny Bender's cottage. I had been into the town, and was bringing home a couple of 'baker's loaves,' of which some of our people were as fond, as city people are of getting now and then a good taste of country 'home made.'
'Tom,' said I, as the old woman's cottage came in sight, at a turn of the road, 'suppose we have a little fun with Granny Bender?'
'Agreed,' was Tom's answer, for he was always ready for sport.
We had not fully decided upon what we would do, when we came to the cottage, and paused to settle our mode of annoyance. The only light within, was the dim flickering of a few small sticks burning on the hearth. As we stood near the window, listening to what was going on inside, we found that Granny was praying, and a little to our surprise, asking for food.
'As she expects to get bread from heaven,' said I, irreverently, 'I suppose she will have to be accommodated.'
And turning from the window, I clambered up noiselessly, to the top of the chimney, a feat of no great difficulty, and tumbled my two loaves down.
When I reached the window again, in order to see what effect this mode of supply would have upon Granny Bender, I found the good old creature on her knees, piously thanking God for having answered her prayer.
'That's cool,' says I to Tom; 'now isn't it?'
'I rather think it is,' replied Tom.
'And is the old woman really such a fool as to think the Lord answered her prayer, and sent her well-baked loaves down the chimney?'
'No doubt of it.'
'It won't do to let her labor under this mistake; no, never in the world,' said I.
'Hallo! Granny! And I threw open the window, & pushed my laughing face into the room.
She had just risen from her knees, and was about putting a piece of the bread into her mouth.
'Now, Granny Bender?' said I, 'it isn't possible that you believed that bread came from heaven? Why, you old sinner you! I threw it down the chimney.'
By this time the old woman's countenance was turned fully towards me, and by the dim light of the feeble fire, I could see that there were tears of thankfulness upon her faded and withered face. The expression of that face did not in the least change, though there was a deep rebuke in the tones of her voice, as well as in the words she uttered, as she said—
'The Lord sent it, if the devil bro't it!'
You may be sure that I vanished instantaneously, while Tom clapped his hands and shouted.
'Good! good! Too good! Oh, dear! but the old lady was too much for you that time.' With sundry other expressions of like tenor.
I tried to laugh with him as we went off home, and did laugh, as loud as he did, but somehow or other the laugh did not appear to do me any good.
After that I left Granny Bender alone.
AN EARTHQUAKE IN OHIO.—We learn from the Zanesville Courier, that the shock of an earthquake was distinctly felt by the citizens of that place, on the 6th inst.—The Norwalk (Ohio) Herald, also says: About 8 o'clock last Thursday evening, there were two successive shocks of an earthquake, something like ten minutes time intervening, which shook the houses very sensibly in all parts of the town.

THE TEN HOUR LAW.

An Act to limit the hours of labor and to prevent the employment in factories of children under twelve years of age:
SECT. 1. Be it enacted by the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That labor performed during a period of ten hours on any secular day, in all cotton, woolen, paper, silk, bagging and flax factories, shall be considered a legal day's labor, and that hereafter no minor or adult engaged in any such factory, shall be held or required to work more than ten hours on any secular day, or 60 hours in any secular week; and that after the fourth day of July, of the present year, no minor shall be admitted as a worker under the age of twelve years in any cotton, woolen, silk or flax factory, within this Commonwealth; and that if any owner of, or employer in any such factory aforesaid, shall employ any such minor, he shall be adjudged to pay a penalty of fifty dollars, one half thereof to the party so employed, and the other half to the Commonwealth, to be recovered in like manner as fines of like amount are now recoverable by law. Provided, That nothing contained in this Act shall be construed to prevent minors above the age of fourteen years, from being employed more than ten hours in any day, if the same be done by special contract with their parents or guardians. Approved April 10.

A SON KILLED BY HIS FATHER.—On the 10th of March an altercation took place in Hebron, in this county, between Titus Foster, and his son Titus Foster Jr, which terminated in the death of the latter on the 25th. The circumstances are in brief these: It appears that the old man has long been addicted to the vice of intemperance, and while under the influence of liquor, was in the habit of abusing his wife, who, as she alleges, was afraid to remain with him, and requested her son, the deceased, to come and take her to his home. He went to the residence of his father for the purpose of complying with the request of his mother. Some dispute arose as to the manner in which the old lady should leave, and a scuffle ensued between the father & son, in which the former was thrown down, but not injured. The son then left the house, and was followed by the old man, with a knife in his hand, with which he made frequent attempts to stab his son, & when about seven rods from the house, accomplished his purpose. The knife entered the left breast, & penetrated the lobe of the lung, from which wound he died on the 25th. The prisoner is seventy-four years old, and is a wealthy farmer.
Sandy Hill (N. Y.) Herald.

STRAW FOR THE POTATO ROT.—Mr. Skinner read at the Farmer's Club, on Tuesday evening, an extract of a letter from D. W. Nail, of Maryland, stating that a gentleman of Frederick county, Md. last year procured some sound potatoes for planting, from Mr. Nail. Mr. N. had just been informed by that gentleman that he manured and prepared his land and planted the sets three to four inches deep, covering them with earth, in drills, about 18 inches apart, placing the tubers about one foot asunder in the drills, and immediately gave the whole surface a covering of straw from three to four inches in thickness. The covering of straw prevented the growth of weeds and superseded the necessity of cultivation. The result was an excellent crop of sound potatoes, so far as they were covered. Those left uncovered suffered with the rot.

VALUE OF A DOLLAR.—If you would learn the value of a dollar, go and labor two days in the burning sun as a head-carrier. This is an excellent idea, and if many of our young gentlemen had to earn their dollars in that way, how much less dissipation and crime would we witness every day. So if our fashionable young ladies, if they, like some of the poor seamstresses of our large cities, had to earn their dollars by making shirts at ten cents a piece, how much less finery would we see about them, and how much more truthful notions would they have of their duties of life and their obligations to the rest of the world.

In New York, on the 11th inst., a man named George Morton, 67 years of age, was arrested by one of the officers of the Fourth District, charged with having committed a rape on a little girl about eleven years of age. He was placed in one of the cells while the child was being examined before Alderman Purser. At the termination of the examination, an officer went to the cell where the prisoner was lodged, & found him suspended by his handkerchief from a gas pipe, dead.

When Louis Philippe was about landing in England, he turned to a friend and said, "Join the Republic frankly and sincerely, for I carry with me the French Monarchy, and I shall descend with it to the tomb. I am the last King of France."

In the Supreme Court, Boston, it has been decided that the marriage certificate is not sufficient to prove the marriage of parties.

The Difficulties Between Gen. Scott and Gen. Worth.

(In continuation of the history of the difficulties between the Administration and Gen. Scott, and between Gen. Scott and his Generals, (Pillow and Worth, and Col. Duncan,) we this week give the following letter from Secretary MARCY to Gen. Scott:

WAR DEPARTMENT, Jan. 13, 1848.
SIR: Since I addressed you on the 14th of December, the following communications have been received, viz: your despatches Nos. 30, 36, 37, 38, and 39; a copy of the correspondence between yourself and Commodore Shnbrick, his letter of the 16th of November, and yours in reply, of the 2d of December; and copies of charges and specifications against Major Gen. Pillow, Brevet Major Gen. Worth, and Brevet Lieut. Col. Duncan.

The perusal of these communications by the President, has forced upon his mind the painful conviction that there exists a state of things at the headquarters of the army, which is exceedingly detrimental to the public service, and imperiously calls upon him to interpose in such way as will, he sincerely hopes, arrest and put an end to the feuds and dissensions which there prevail.

After the fullest consideration of the subject, the President has not been able to give his approval to the course you have adopted towards Brevet Major General Worth; and for reasons which I will briefly state, he defers, for the present at least, to order a court-martial for his trial on the charge you have presented against him.—The Documents show that Gen. Worth felt deeply aggrieved by your "general order No. 349." Imputations of a very serious character were, by that order, cast upon some of the officers under your immediate command; and, from its peculiar phraseology, it was understood by General Worth, or others, as indicating him as one of the officers obnoxious to the severe censure and reproof therein contained.—With this view of the import and object of the order, his attempt, by all proper means, to remove from himself the ignominy of these imputations, cannot be regarded as an exceptionable course on his part. As the stroke which had, as he thought, deeply wounded his honor as an officer, and his character as a man, came from your hands, his application for redress was properly made to you. But as he did not obtain such redress, as he believed under the circumstances of the case was due to him, he exercised, or attempted to exercise, the right of an appeal to superior authority. If he was actually aggrieved in this matter, or believed himself to be so, he had an unquestionable right to have the subject brought to the consideration of his and your common superior, the President of the United States. He prepared charges against you, (for his letter of the 16th of November to the Secretary of War can be viewed in no other character,) and endeavored to send them through you—the only channel he could use, without violating established regulations—to this common superior. For the matter contained in these charges against yourself, you have made a charge against him, forwarded it to the President, and asked for his trial by a court-martial. If the course of proceeding which you propose in this case is sanctioned and carried out, you cannot but perceive that the precedent will be most fatal to the essential rights of all subordinate officers. If Gen. Worth has been guilty of an offence, by preparing and attempting to transmit charges against you to the President, for wrongs and injuries alleged to have been inflicted by you on him, it seems to be a necessary consequence, that whatever may be the character of the wrongs and injuries inflicted upon subordinate officers by their superiors, they cannot seek redress by appeal, without being involved in a military offence. Whatever may be the injustice they suffer, the hope of remedy by appeal would be illusory, and the right to appeal valueless, if, by the mere statement of their complaint, whether in the form of charges or otherwise, for the action of a common superior, they would be liable to be arrested and tried before any investigation had been made of the truth or falsity of the matters therein set forth, and even before the appeal had reached the authority which alone could afford redress. Such a principal as this would, in its practical operations, subvert justice, and withhold protection from subordinate officers. If General Worth cannot make an appeal to the President on account of your conduct towards him, without committing a military offence, and certainly he cannot, if the statement of the matter of his complaint is an offence—it is difficult to perceive how any officer of inferior rank can carry an appeal to you, or any other common superior, for injustice or injury done to him by an officer of higher rank than himself, (though to appeal is the exercise of an unquestionable right) without subjecting himself to a trial by a court-martial; for every appeal which is not frivolous upon its face, must, in one form or another, impute to the officer complained of some military offence; and consequently, on the principle of your proceeding against Gen. Worth, the appealing officer would be subject to arrest and trial for the matter contained in his appeal.

As long as it is possible that a subordinate officer may suffer wrong from a superior, justice, sound policy, and the good of the service, require and demand that the avenue to redress should not be obstructed; but obstructed it would be, in a most effectual manner, by the course of procedure which you have adopted in the case of Gen. Worth.

I am not aware of the force of the considerations which may be urged against allowing the unrestricted right to subordinate officers to make complaints and prefer charges to a common superior, against those who have command over them. The right may be abused; it may be resorted to for the indulgence of malicious passions, to produce dissensions in the army, and to impair the rightful authority of the commanding officer; but its liability to be perverted to mischievous purposes is not a sufficient argument to prove that it should not be sustained, or its benefits be destroyed by the assumption in the first place, without proof, that the right has not been exercised in good faith and with justifiable motives, and then, upon that assumption, to institute proceedings for a military offence against the appealing, and, it may be, much injured officer, fairly seeking the redress to which he is entitled.—But this right of appeal can rarely or never be abused with impunity. The abuse, if it is an offence which can and should be punished, but it is quite important that the mode of punishing the abuse should not be such as to destroy or impair the right. To illustrate my views by the very case under consideration: If it shall appear that General Worth has falsely and knowingly charged you with "malice against him," and of "having acted in a manner unbecoming an officer and a gentleman towards him," he has in that committed an offence for which he may, and should, be punished; but, before investigation, it is no more to be assumed that your charges against him are true, than his against you are so. Both law and natural justice require that the order of events should be pursued in such cases.—The charges which he prefers against you should be first disposed of, before proceedings can be instituted against him for malice in preferring those charges, or for preferring such as he did not know or believe to be well founded. Your charges against him go upon the ground that he is a malicious prosecutor of you. It is a well established principle that to man can be proceeded against as a malicious prosecutor, while the suit which is alleged to be malicious, is pending. That must be disposed of before a suit for malicious prosecution can be instituted.

In this view of the case—and it is the one which the President has taken—the charges which Gen. Worth has presented against you must be disposed of before any proceedings can be had on that which you have presented against him.

Though you have not stated that Gen. Worth is under arrest on your charge against him, yet it is believed he is. An order will, therefore, be sent with this communication for his discharge from it.

Considering the nature and multiplicity of the matters embraced in the charges preferred against Major General Pillow and Brevet Lieutenant Colonel Duncan, especially the former, (some of which are hardly consistent with your official reports and commendations,) the great difficulty, not to say impracticability, of assembling, at this time, a general court-martial of officers not connected with the transactions to be investigated, of such rank as the law requires for the trial of a major general; and the serious detriment which the public interest must unavoidably suffer by withdrawing, at the present crisis, for so long a time as the trial will be likely to last, from their important commands and staff duties, so many general officers to constitute the court, the President feels compelled, by a high sense of duty, to prefer proceeding by a court of inquiry. Such a court can be organized with much less danger of a sacrifice to the public interest than a general court-martial; it can much better accommodate its proceedings to the exigencies of the service, and will, it is almost certain, much abridge the labors of a court-martial, if one should become necessary. Another advantage of proceeding in the first instance by a court of inquiry, is, that other matters, not embraced in the charges relating to the same, and other officers, may be properly submitted to its investigation at any time during its session. I am, therefore, directed by the President to inform you that a court of inquiry has been ordered to sit in Mexico, to which will be referred for examination all the charges presented against Gen. Pillow and Brevet Lieutenant Colonel Duncan, as well as the charges or complaint of Brevet Major General Worth against yourself; and that the prosecution of Gen. Pillow and Lieut. Col. Duncan, on charges preferred against them, before a court-martial, will be deferred until the proceedings of the court of inquiry shall be received by the President.

If these officers have been arrested, the President, not seeing any good reason for continuing them in that situation during the session of the court, will direct them to be released therefrom.

A copy of the order instituting a court