ERIE WEEKLY OBSERVER.

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THE ERIE OBSERVER.

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[B. F.] SLOAN, Editor.

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... of Steam Engines, Boilers, Mill Gearing, Agricultural ... Railroad Cars, &c., Erie, Pa.

HUSH.

BY MISS PROCTOR.

"I can scarcely hear," she murmured,
"For my heart beats loud and fast,
But surely, in the far, far distance,
I can hear a sound at last."
"It is only the reapers singing,
As they carry home their sheaves;
And the evening breeze has risen,
And rustles the dying leaves."

"Listen! there are voices talking,"
Calmly still she strove to speak,
Yet her voice grew faint and trembling,
And the red flushed in her cheek.
"It is only the children playing
Below, now their work is done,
And they laugh that their eyes are dazzled
By the rays of the setting sun."

Fainter grew her voice, and weaker
As, with anxious eyes, she cried,
"Down the avenue of chestnuts
I can hear a horseman ride."
"It was only the deer that were feeding
In a heard on the clover grass;
They were startled, and fled to the thicket
As they saw the reapers pass."

Now the night arose in silence,
Birds lay in their leafy nest,
And the deer couched in the forest,
And the children were at rest.
There was only a sound of weeping
From watchers around a bed,
But rest to the weary spirit,
Peace to the quiet dead!

THE REPRIEVE.

A SKETCH FROM A LAWYER'S NOTE BOOK.

BY A MEMBER OF THE BAR.

"And may God have mercy on your soul!" There is an appalling and mournful feeling that comes over the bystander in a Court of Justice, when after a period of intense interest and breathless attention from the crowded audience, the judge concluded the sentence of death upon a fellow being who has incurred the highest penalties of the law, with the quaint and simple supplication above.

But at such a time, who without the experience, can imagine the feelings of a young man—the counsel for the condemned, who sits beside his client after every energy has been spent in vain, and beholds the final seal thus impressed upon the destinies which had been confided to his care and protection.

All that ingenuity, all that research, all that the midnight toil could accomplish, has been fruitlessly exerted—every hope, every chance has been concluded—there is no error, no informality, no appeal, and the hope and the anxiety which has animated every particle for some period back with its intensity, has flickered its last gleam upon the case.

The prisoner stands condemned to die, by the sentence of the law, which he has violated. Oh! it is a thrilling and a painful moment, and one which, though more than once experienced, I would pray ever to avoid again.

John ——— was tried for murder. He was *one of several brothers who had emigrated early* in life to this country, and who had left behind them everything that they had esteemed dear in kindred or in friendship, to meet their fortunes in the new country of the free.

They had been here for many years, and by thrifty industry had amassed a comfortable little property for their security in time of need, or in the decline of life. John was the twin brother of another who had been left at home to gather for the old people the crops that were grown upon the homestead. He was in the midst of his prosperity, everything around began to wear the assurance of the success of his honest and upright career among his co-laborers, and those with whom he was associated—his house became the asylum of the destitute of his countrymen, and his counsel, the guide and support of the distressed. In short, he was among his own countrymen, no common man.

When the news of the arrest was made public, there was, as might be expected, great excitement among his friends. Every determination was set for his service—every heart beat with a quick pulse in his regard, and a hundred hands were ready to lend their aid in securing his defence.

The services of a senior counsel and myself, were retained for the accused. The *exparte* hearing was had, and upon a positive accusation confirmed by some circumstantial evidence, the unfortunate prisoner was remanded to await his trial at the next session of the Oyer and Terminer. The day fixed for the trial arrived. The Court House was crowded in every part, and amidst all the assemblage there was not perhaps one being unconnected with the issue, that did not feel a lively and fervent desire for the acquittal of the prisoner.

He had just arrived at the full development of the man—he was about thirty, and his well-squared frame, his healthy glow which stood upon the cheek unchanged by the prison's dew or the mind's distress, and his good humored smile that was stamped by nature upon his face in the hour of his birth—all made him an object of interest, and his fate a subject of solicitude to every one who looked upon him. The trial occupied several days, during which every assiduity and attention which professional experience and skill at the hands of those retained for him could give, was bestowed upon his case.

All that friends could do, or means could command in his behalf was expended in the establishment of his defence. Yet all could avail nothing against the effective and affecting power of the prosecution. The widow of the deceased, and the orphans of the murdered man, dressed in the sad habliments of mourning, came in the presence of the prisoner, and when called upon to designate the murderer of the husband and the father, pointed with unerring certainly and equal promptitude to the accused.

The evidence detailed a most foul and deliberate deed. The deceased had been watched on his way home to his residence, which was some distance from the habitation of any fellow being. In a moment of fancied security and quiet, when his wife was busied in the preparation of the plain and homely fare of the evening board, and the children were clambering around their father's knee's, to hear his account of the doings of the day with the out door world, and manifesting their joy at the return of their labor worn parent—at such a sacred moment, the assassin had entered the door of their solitary home, and with a demoniac fierceness, before their eyes and in the very drowning of their cries for mercy and for help—had slain their only support and protector, in a strange wide world; and with a merciless instrument with which he was prepared, had beaten the body of the deceased until it presented before them a loathsome gory mass, scarcely distinguishable as having been the habitation of the spirit that had but a moment before enlivened and warmed them with the ardor of its affection.

In addition to this evidence, though residing several miles from the place where the deed had been committed, he was seen in that neighborhood, by several persons who knew him, but a short time previous to the hour in which it was alleged the murder had been perpetrated.

To all this the prisoner could say nothing, but the unvarying expression of the surprise in which he was overwhelmed, at the character of the charge, and the evidence, and the reiterated protestations of his perfect and entire ignorance of the crime alleged. There was no chance of proving an alibi.

It was true he had been in the neighborhood of the place where the deed was committed, about the time of its transaction; he was there in search of a person on some business; but at what precise time he was at any particular place, he was unable to prove, and it was impossible for him to give evidence of his entire ignorance of the existence of such a being as the deceased, prior to the time of his accusation.

The trial was concluded, and the jury with every desire and disposition to receive and to cherish every shadow that might oppose the glare of evidence in which the guilt of the prisoner was exhibited to them, were solemnly compelled to seal their verdict of condemnation, and to place the prisoner upon the mercy of a higher tribunal, for the numbering of his days upon earth.

The day of sentence was one of such impressive character as to leave its remembrance deep in the heart, after a lapse of many years!

There sat the three judges congregated together, to witness the imposing and solemn discharge of the last act of the court, in pronouncing sentence. Confronting them in the centre of the long dock sat the convicted prisoner.

On each side was marshalled a small body of the officers of the peace, with their staffs of office, holding off the eager crowd that pressed on all sides to obtain a look at the unfortunate victim of the law. In the centre of the forum sat the members of the bar, who had been attracted on this an unusual occasion, each bearing in his countenance the deep impression of the high authority which they were about to witness exercised by man over his fellow man. Every corner and every nook, every window and door that commanded an in view to the court room was thronged with spectators. And yet with all this crowded assemblage, not a whisper was heard to disturb the silence that reigned around.

After a little while the prisoner was ordered to stand up. He rose from his seat and firmly took his position at the bar. As he rose, however, and exposed his manly features, his unwrinkled brow and noble figure to the bystanders, and involuntary sigh heaved from the hearts of the multitude to behold one so fair, so mild, and so youthful, about to receive the doom of the murderer—the sentence of death.

The felling judge, in a tone that betokened the emotion under which he labored, addressed the prisoner by name, and in a solemn voice asked him if he had any reasons "why sentence of death should not be pronounced upon him."

He stood a moment as if collecting his energies and his thoughts, and after looking around upon the mass of fellow beings that surrounded him, he answered as follows:

"I have been fairly tried and legally convicted—for the purpose of human justice I am guilty—but in the presence of these my fellow mortals, and in the presence of that God from whose eye no mortal deed is hidden, and into whose ear no falsehood can enter, I do now as I have always done most solemnly avow my innocence of the crime of which I stand convicted.—My reliance is on Him, who is the justifier of the just, and the guardian of the innocent—on Him I rely for my safe deliverance from the ignominious death of the murderer."

With these words he took his seat, and a moment of silence, still as the deadly night of the charnel house, pervaded the room. A cry of grief was heard in a moment afterwards, from a distant corner of the room. It grew more violent until it became necessary to remove the person from whom it proceeded from the court room.

A female in a deep swoon, unrecognized by any one, was carried through the crowd, and placed in an adjacent chamber, while assistance was sent for to revive her from her lifeless state.

In the meantime the judge proceeded in his painful duty. The sentence was brief and solemn. The prisoner received it without betraying the slightest emotion, nor seemed to move either muscle or feature, until the last words fell upon his ear—"and may God have mercy on your soul."

He raised his eyes to heaven on the enunciation of the prayer, and spoke from them the strength of his support. The order was given to clear the court room, and the assembled multitude dispersed, part speaking their still belief in his innocence, and some regarding his calmness as the assurance of the heartlessness of Cain.

In a little time the prisoner was removed from the dock, and under a guard of officers was on his way to the vehicle that was to convey him to the prison from whence it was ordered that he should never return with the spirit of life.—As he passed through the hall that faced the entrance of the court, a wild shriek was heard, and immediately a frantic female rushed into the crowd, grasping at the prisoner, and exclaiming, "you cannot, you shall not take him yet."

'Twas the woman that had swooned away in the court room. The unhappy man turned around to behold the being who had thus unexpectedly involved herself in his wo and in meeting her eye, beheld a sister.

They had been separated for many years, and he had believed himself parted from her by the broad ocean, and had hoped that the tale of his suffering even had not, would not, reach her ears. She was with him locked in his arms, and again helpless in the *excitement of her feelings.*

He could withstand no longer the torrent of his anguish, and he and she were each carried away senseless from the spot of their unexpected meeting.

I immediately gave directions to have the poor girl removed to a comfortable and convenient place of repose, where I could see her and administer to her necessities, and gain from her all the intelligence of her sudden presence.

A few days found her, under the care of good attendants, much revived from the shock which had so affected her. My most industrious and sagacious injury could elicit nothing, however, that in any degree explained the mystery of her sudden appearance, and her unexpected emigration. I at length suggested to her a visit to her brother, in his cell, at the prison. The practicability of this which she had not hoped for, scarcely in the deep dejection of her privation, seemed to inspire a new life and a new vigor to her mind.

"Can I then see him, and speak with him again—alone too?" she soliloquized, and raising her arms towards me, seemed as if she would impress upon me with mutual force the emphasis of her assurance, when she exclaimed, "he is then yet safe."

With the presence of the sheriff the next day, I conducted the unhappy girl to the prison, and led her to the cell of her brother. She entered it with a light step, and in one bound she entwined him in her arms again.

But when she looked for his response to her embrace, and saw his helpless arms weighted down with the load of chains that fettered him, and his feet clasped in the iron bands that bound him to a block in the centre of the floor, her joy fell and her heart sought the relief that is gained when

[illegible]

They desired to be alone for a few moments, that they might commune without restraint.—The request was granted to them, and they were left in close and eager discourse. [illegible] They were at length separated, and to our surprise, parted with a smile upon each other's countenance, and an ordinary obeisance, as if they had separated friend from friend, in the ordinary scaling of life.

To the sheriff in attendance, who had taken the liveliest interest in the fate of my client, as well as to myself, the occurrences of this visit opened new mysteries and new anxieties for the confidence of the convict.

But with all the regard that he professed for us, and all the reliance which he had already placed in me, our every effort proved abortive, by which we endeavored to raise the veil that the appearance and the intercourse of the sister had thrown around him.

He was suddenly devated by her presence, unexpected as it was, from dejection to cheerfulness, from complaint to perfect indifference and resignation.

The time appointed by the executive of the commonwealth for his execution was fast drawing near. From months and weeks, we had already began to count the days that intervened between his execution and the present. The pious catholic friend, the priest, was called in, and having daily communion with the prisoner, had at length promised himself so much satisfaction to the result of his labors, as to deliver the holy sacrament to him. Yet there was no confession—no other asseveration but that of reiterated innocence. The sister remained in the same mysterious silence, and seemed to wait in patience the coming day of the brother's doom.

A few days now only intervened for his destiny to reveal itself, and I sought the sister to entreat her to say, if might she could, why there should be delay or mercy extended to the brother. She was still, and wrapt herself in the mystery of thoughtfulness that had made her impervious to all inquisition heretofore.

At length I told her that the scaffold on which her brother was to hang, was already erected in the jail yard—the rope was already prepared—the warrant had already been read to him, and conjured her, by these awful presages of his fate, to reveal what she knew, that could avert his danger. This conjuration proved the test of the natural feelings of the heart, and after a moment's pause, she asked if it was yet in time to delay, at least the execution, if the assurance of good reason therefor could be given.

I informed her that it was, if the utmost promptitude was exercised. She then demanded who had the right to grant the reprieve. I answered that it was the prerogative of the governor, who was at the seat of government, and volunteered myself to be the bearer and the advocate of her claims to the indulgence which she prayed.

"Bear me to the governor as speedily as possible," she replied, "and I myself will be the oracle and the advocate of my prayer."

Our arrangements were made for our departure the next morning, and the same evening we had an audience with the governor. After the statement of the nature and course of the trial, and all the circumstances which were in my possession, to avail the convict, I turned to the sister who sat beside me, and made known her relation to the subject of my application.

She rose from her chair, and advancing to the centre of the room where the governor was seated, asked the privilege of speaking in private with him. I of course, immediately withdrew, and gave her the fulness of opportunity which her precaution desired.

What took place at this interview was then a mystery to me, and I sought not, nor felt an anxiety to inquire into it, so that it was efficient in the object for which it was granted. It soon proved so.

The next day I was called upon by the secretary of the executive, with a reprieve of two weeks for my client.

Our immediate return to the city was requisite to make our success available, and we lost not a moment in retracing our way homeward. The day before the contemplated execution, the reprieve was placed in the hands of the sheriff, and the sister again admitted to the cell, and to a private interview with the brother.

After she had been engaged in converse for some time, I approached the cell, unconscious that she was there, and in my unexpected interruption, heard as they hastily closed their conversation, the last words of the sister.

"He will then be far on his way."

A new light seemed to burst upon me, and I detained the sister, while I called upon the gratitude of the brother as a plea, if my unrewarded labor in his behalf constituted no assurance of the sincerity of my interest in him, whereon I was entitled to a revelation of the mystery that daily separated me more and more from their confidence, and removed them farther and farther from my assistance.

A period just one week preceding the expiration of the reprieve, was fixed by them as the day on which I should be made acquainted with every secret in which they seemed so deeply isolated. This day at length arrived, and the following was the revelation given by both to me, as we met in the narrow and dim lighted cell.

The prisoner was as innocent and ignorant of the deed or the contemplation of it, as the infant that yielded its pure spirit yesterday to the author who gave it. The twin brother, who had been left in Ireland and whose resemblance to the convict had from infancy baffled the scrutiny of the most intimate friends to distinguish between them, had perpetrated the foul and inhuman deed. The widow of the deceased, the principal witness in the prosecution, was early betrothed to him, and preceded him to America under the most solemn vows of constancy and fidelity to the pledge that mutually bound them together. He was delayed from various causes from his projected emigration, and for years had lost all tidings of his betrothed. He heard at length of her perfidy. She was the wife of another, had married the deceased, and was the parent of several children.

By an unlucky and unholy prompting he made the resolve to pursue her and despoil her of her perfidious happiness. His purpose was overheard by the sister, but it was understood too late to prevent its fatal execution.

He had already embarked for America, and no hope was left for her to intervene between him and his design, but to pursue him as speedily as possible with the chance of overtaking him, before he had committed his dread device.

She arrived here, after a long passage just in time to receive the intelligence of her brother's arrest, and to discover in the court room, for the first time the mistake of the law in the prosecution of its victim.

She had sought out the real offender, and had facilitated his escape to a neighboring port, on his return to the 'old country' again.

Having assured herself of his departure, she now sought the interview with the brother in prison, which she obtained, and then and there for the first time, revealed to him the mystery which had involved him in such fearful apprehensions.

The injunction of the brother upon the sister, in this interview, was as noble a devotion of fraternal love, as the deeds of the sister were heroic evidences of the chivalry of woman. He bade her not to breathe the name of another than himself as connected with the murder.

"If I die his death," said he, "I go before my God with my soul pure from the foul stain of murder—if he is betrayed, he will be hurried on without the time for repentance and absolution, to a [illegible] and ignominious death. Let me suffer [illegible] his capture."

The [illegible] of the woman of her [illegible] of another, and the [illegible] [illegible] confinement of the crime alleged, produced such serious impression upon the mind of the governor, connected with the assurance of the production of witnesses to establish the facts to induce him to grant reprieve.

It remains now to disclose and to prove these facts. In the language of the devoted sister, the guilty one was now 'far on his way,' and the danger of his arrest was removed. The affidavit of the sister, with the other evidence, which the publication of these facts elicited, was immediately secured.

The widow of the deceased was sought after, and when brought forward acknowledged her perfidy to the man whom she had left with the firmest pledge of her heart's devotion, and joined in the belief, that was now on all hands adopted, of her deception in the individual convicted. With such evidence, it need scarcely be added, the pardon of the convict was immediately obtained, and he again set at liberty.

From the Detroit Free Press.

The Days of Steamboats on the Upper Lakes.

Just forty years ago the first steamboat that ever ploughed Lake Erie was built. With the aid of spasmodic revolutions of her wheels and energetic tugs at long towing lines, the unwieldly hulk was got under way and disappeared in the haze of Lake Erie, a successful experiment; an annihilator of four miles an hour, and the special wonderment of the Red Men, who stood on the Banks and cried, "Taiyoh niehee." They looked and believed that it was—not the spirit of fire and water—but a big canoe drawn by sturgeons.

From so small a beginning, the unfledged conception grew in time to become the great feature of the West. But a short cycle of years sufficed to place these breathing motors in the foremost rank as necessary institutions of the country. The lakes, from Chicago to Oswego, were covered with them, and no hour in the day or night passed that the broad strait in front of our city did not bear upon its bosom one of these new found self-impelling leviathans of the deep.

Those were the palmy days of steamboating. When there were no canals; when there was no railroad; when Capt. Sam Ward was in his prime, Oliver Newbury was young, and when bluff Commodore Blake cracked rough jokes that made the ladies blush in the cabin and laugh in their state rooms. When the old Buffalo and Great Western made their slow, never failing trips from Buffalo to Chicago and back, rounding to at Detroit to discharge and take on great piles of freight, and give the weary passengers a chance to stretch their limbs. When the Nile stood on the stocks where now stand great brick warehouses, and was the wonder of all, for her tremendous size and exquisite symmetry, (a Riviere Rouge sand boat now outvies her model and length,) and the little Red Jacket sputtered and splashed about the river, and made great pretensions over running between this and Lake St. Clair. Those were the palmy days of steamboating—when a steamer was something to look at, and a steamboat captain was a very king, (now they are nothing but princes of good fellows,) and walked his deck with the consequence of one who carried weighty responsibilities and heavy honors upon his shoulders—when they roughed it out on deck day and night, uncertain in a gale whether their boat went backward or forward, and when they climbed up on top of the boilers, and sat down on the safety-valve to keep within the fierce, terrific power which *must* impel her off an impending lee shore, or rend the iron and tear in a thousand fragments the body of the courageous man who controlled it.

The Constitution was saved to die of old age. The Great Western allowed her fires to go beyond compass and was burned at our docks, and the Nile succumbed to the stormy spirit of Lake Michigan. Commodore Blake swore by the Continental Congress that the dread cholera should not conquer him, and then died in its grasp where his beloved Nile was wrecked. Capt. Sam Ward followed him, and the rest of the race of bold sea faring men who then traversed the lakes have passed away. Steamboats grew in size, speed and magnificence, and were numbered by hundreds. Then came a change, the results of which are shown in the white taper forms of those floating palaces now lying at our docks, motionless and deserted. Their well fought battle ground, on which they have faced a thousand storms scathless, is encircled by a *band of iron, along which shoots the impelling* wheel, rejoicing in the firm foothold which the yielding waters denied it. As the red man stood upon the heights and looked down upon the encroachments of his pale-faced enemy, so we can imagine the old Commodore standing upon his pilot-house and looking down with an evil eye upon the locomotive train as it glances past with a flash and a whistling scream. A crowd of human faces look forth and peer for an instant at his old boat, and then laugh deridingly. Let them laugh—the rottenest plank in her old white-oak heart is dearer to him than the gew gaws and gleaming brass with which their swift rolling train is decorated. Half in anger and half in scorn he grasps the wheel and looks out upon the blue water. Anon the gale brings to him another roar, and another train heaves in sight, bearing away from him his legitimate burden, the products of the land, and the imports of civilization. One after another they follow, till the eyes of the bluff old sailor are dimmed, and he sighs for the time when railroads were not.

The days of steamboats are past, and in a few years there will none be left to tell of what they once were upon our broad lakes. They have yielded the palm to the railroad, canal and propellor, and henceforward will live only in the memory of those inhabiting the shores of our great inland waters.

A CASE OF PINING TO DEATH.—A few months ago, a gentleman residing in the interior of the State, returned from California, bring with him a little prattling Indian girl, a sweet interesting creature, as ever proved a "well spring of pleasure" in a household. It was rumored that the mother of the child was an Indian woman, and the father a white man. How that may be, we know not, such at least was the supposition.—The gentleman for some reason, did not care to have the child remain in his family, and brought her to this city and placed her in the Orphan Asylum, and promised to call often to see her. For a few days the life surrounding her seemed to furnish sufficient entertainment, but it was soon apparent that something was lacking to satisfy her mind entirely—a void which could only be filled by the presence of some one whom she had learned to call "papa." She became listless and melancholy, and the sports of the children failed to please or interest her. Visitors to the Asylum petted the little "Pocahontas" as she was called, but their attentions scarcely ever rallied her spirits. Constantly on her tongue was the name of "papa." She grew weary, and faded like a flower of her own mountains, in Autumn. There was no apparent disease, but a perceptible wasting away of the natural energies. The gentleman who left her at the Asylum had never called to see his little charge, and although she was nourished and cared for with all the tenderness possible, she slowly drooped, until a few days since, when she died with the last fleeting breath still murmuring the name of "papa," as she had frequently done in her decline.—*Cincinnati Gazette.*

THE GOLDEN SUNSET.

BY HENRY W. LONGFELLOW.

The golden sea its mirror spreads
Beneath the golden skies,
And but a narrow strip between,
Of land and shadow lies.

The cloud-like rocks, the rock-like clouds,
Dissolved in glory float,
And, midway of the radiant flood,
Hangs silently the boat.

The sea is but another sky,
The sky a sea as well,
And which is earth and which is heaven,
The eye can scarcely tell.

So when for us life's evening hour
Soft fading shall descend,
May glory, born of earth and heaven,
The earth and heaven blend;

Flooded with peace the spirit float,
With silent rapture glow,
Till where earth ends and heaven begins,
The soul shall scarcely know.

"GUILTY, BUT DRUNK!"

BY COLONEL BRADBURY.

It is a well known fact that oftentimes both those jokes which are called "practical," and that liquor which is termed "bad," have been productive of exceedingly evil consequences; but whether the liquor or the joke has done the most mischief, we are not called on just now to determine. We propose to make mention of an affair where liquor and a practical joke were productive of the very best consequences imaginable.

Many years ago, while the State of Georgia was still in its infancy, an eccentric creature, by the name of Brown, was one of its Circuit Judges. He was a man of considerable ability, of inflexible integrity, and much beloved and respected by all the legal profession, but he had one common fault. His social qualities would lead him, despite his judgment, into frequent excesses. In travelling the circuit, it was his almost invariable habit, the night before opening the court, to get "comfortably corned," by means of appliances common upon such occasions. If he couldn't succeed while operating upon his own hook, the members of the bar would generally turn to and help him.

It was in the spring of the year. Taking his wife—a model of a woman in her way—in the old fashioned but strong "carryall," he journeyed some forty miles, and reached a village where court was to be opened next day. It was along in the evening on Sunday that he arrived at the place and took up quarters with a relation of his better half, by whom the presence of an official dignitary was considered a singular honor. After supper Judge Brown strolled over to the tavern in the town, where he found many old friends, called to the place, like himself, upon important professional business, and were properly glad to meet him.

"Gentlemen," said the Judge, "'tis quite a long time since we have enjoyed a glass together,—let us take a glass together—let us take a drink all round. Of course Sterrett, (addressing the landlord,) you have better liquor than you had the last time we were here—the stuff you had then was not fit to give a dog!"

Sterrett, who had charge of the house, pretended that everything was right, and so they went to work. It is unnecessary to enlarge upon a drinking bout in a country tavern—it will quite answer our purpose to state that somewhere in the region of midnight, the Judge wended his very *devious* way towards his temporary home. About the time he was leaving, however, some young barristers, fond of a "practical," and not much afraid of the bench, transferred all the silver spoons of Sterrett's to the Judge's coat pocket.

It was eight o'clock on Monday morning that the Judge rose. Having indulged in the comforts of ablution and abstertion, and partaken of a cheerful and refreshing breakfast, he went to his room to prepare himself for the duties of the day.

"Well, Polly," said he to his wife, "I feel much better than I expected to feel after that frolic of last night."

"Ah, Judge," said she, reproachfully, "you are getting too old—you ought to leave off that business."

"Ah, Polly! what's the use of talking?"

It was at this precise instant of time that the Judge having put on his overcoat, was proceeding according to his usual custom, to give his wife a parting kiss, that he happened, in thrusting his hand into his pocket, to lay hold of Sterrett's spoons. He jerked them out. With an expression of horror, almost incredible, he exclaimed—

"My God! Polly!"

"What on earth's the mattter, Judge?"

"Just look at these spoons!"

"Dear me, where did you get them?"

"Get them! Don't you see the initials on them?"—extending them towards her—"I stole them!"

"Stole them, Judge?"

"Yes, stole them!"

"My dear husband, it can't be possible! from whom?"

"From Sterrett, over there; his name is on them!"

"Good heavens, how could it happen?"

"I know very well, Polly—I was very drunk when I came home, wasn't I?"

"Why Judge, you know your old habit when you get among those lawyers."

"But I was very drunk!"

"Yes, *you was.*"

"Was I *remarkably* drunk, when I got home Mrs. Brown?"

"Yes, Judge, drunk as a fool, and forty times as stupid."

"I thought so," said the Judge, dropping into a chair in extreme despondency—"I knew it would come to that at last. I have always thought that something bad would happen to me—that I should do something very wrong—kill somebody in a moment of passion perhaps—but I never imagined that I could be mean enough to be guilty of deliberate larceny!"

"But there may be some mistake, Judge."

"No mistake, Polly. I know very well how it all came about. That fellow, Sterrett, keeps the meanest sort of liquor, and always did—liquor mean enough to make a man do any sort of a mean thing. I have always said it was mean enough to make a man steal, and now I have a practical illustration of the fact!" and the poor man burst into tears.

"Don't be a child," said his wife, wiping away the tears; "go, like a man, over to Sterrett.—Tell him it was a little bit of a frolic. Pass it off as a joke; go and open court, and nobody will ever think of it again."

A little of the soothing system operated upon the Judge, as such things usually do; his extreme mortification was finally subdued, and over to Sterrett's he went with a tolerable face. Of course he had but little difficult in settling with him—for aside from the fact that the Judge's integrity was unquestionable, he had an inkling of the joke that had been played. The Judge took his seat in court; but it was seen he was sad and melancholy, and that his mind frequently wandered from the business before him.—There was a lack of the sense and intelligence that usually characterized the proceedings.

Several days passed away, and the business of the court was drawing to a close, when one morning a rough sort of customer was arraigned on a charge of stealing. After the Clerk had read the indictment to him, he put the question:—

"Guilty, or not guilty?"

"Guilty, *but drunk*, your honor!" answered the prisoner.

"What's the plea?" asked the Judge half dozing on the bench.

"He pleads guilty, but says he was drunk," replied the Clerk.

"What's the charge against the man?"

"He's indicted *for* grand larceny."

"What's the case?"

"May it please your honor," said the prosecuting attorney, "the man is regularly indicted for stealing a large sum of money from the Columbus Hotel."

"He is hey? and pleads——"

"He pleads guilty, *but drunk!*"

The Judge was now fully aroused.

"Guilty, *but drunk*—that is a most extraordinary plea. Young man, you are certain you were drunk?"

"Yes, sir."

"Where did you get your liquor?"

"At Sterrett's."

"Did you get none anywhere else?"

"Not a drop, sir."

"You got drunk on his liquor, and afterwards stole the money!"

"Yes, sir."

"Mr. Prosecutor," said the Judge, "do me the favor to enter in that man's case a *nolle prosequi*. That liquor at Sterritt's is enough to make a man do anything dirty. *I got drunk on it the other day myself, and stole all of Sterritt's spoons!* Release the prisoner, Mr Sheriff. I adjourn the Court."

HON. JEFFERSON DAVIS ON THE UNION.—Among the passengers of the ship Joseph Whitney, Captain Howe, from Baltimore, which was making for the port of Boston on the 4th of July last, was the distinguished Senator, Hon. Jefferson Davis of Mississippi. There was on board an unusually brilliant array of passengers from different parts of the country, and, upon the patriotic suggestion of the captain, it was resolved to celebrate the day in a manner befitting the great anniversary. A committee was appointed to invite Senator Davis to make an address. He accepted the invitation, and delivered an impromptu oration, which is spoken of as characterized by "singular felicity of diction and impassioned eloquence," and which commanded the admiration of those who listend to it. We make from the report of the speech the following extract:

"And this great country will continue united. Trifling politicians in the South, or in the North, or in the West, may continue to talk otherwise but it will be of no use. They are like the mosquitoes around the ox—they annoy, but they cannot wound, and never kill. There was a common interest which run through all the diversified occupations and various products of these sovereign States; there was a common sentiment of nationality which beat in every American bosom; there were common memories sweet to us all, and though clouds had occasionally darkened our political sky, the good sense and the good feeling of the people had thus far averted any catastrophe destructive of our constitution and the Union. It was in fraternity and elevation of principle which rose superior to sectional or individual aggrandizement, that the foundation of our Union was laid; and if we the present generation, be worthy of our ancestry, we shall not only protect those foundations from destruction, but build higher and wider this temple of liberty, and inscribe perpetuity upon this tablet."

HOW SHE KEPT THE SECRET.—The Sandusky (Ohio) *Register* tells a clever story of the firmness of one of the softer sex in keeping a secret. A clergyman of that city, as the story reads, was invited to marry a couple. On his way to the bride's house, accompanied by his wife, she and he dressed in the usual paraphernalia of a wedding occasion, a female friend of the parson and his wife, met them, and pressed the good lady for the names of the happy couple to be espoused. Mrs Parson said it was to be a secret and she couldn't tell, and Mr Parson said he knew he could trust his wife to keep all she knew. A few evenings after, the three met at an evening party again, when the lady, rather surprised to find one of her sex who could keep such a secret, inquired how it happened, when the parson explained that his good wife kept the secret solely for the reason that she did not herself know who the happy mortals were until she reached the place where the solemn rites were performed!

OHIO FREE NEGRO COLONIES.—The Xenia *News*, in a couple of issues, has been exposing the moral and social condition of the free negroes in that community. We make the following extract from one of its articles:

"What is the fact as developed in Green county? What has been added to our strength, as a producing community, by the influx of negroes? We find, upon examination, that some two or three hundred negroes are idle loafers, either living off the fruits of gambling, or are those whose masters have, with their freedom, given them property or money. Others subsist by picking up quarters and halves in choring about town. While a few may be found, like men, in the country, engaged in agricultural employment, the majority prefer to live about Xenia, and earn a precarious subsistence from day to day. Another characteristic, and still one, is, that when they get money it goes like water. The darkey loves his good dinners, his good clothes, and the other useless et ceteras of life, too well to resist gratifying his taste as long as there is a shot in the locker. Nor are they thrifty, when supplied with munificence to start the world with. A gentleman from the South, who has quartered upon a farm in our county some of his emancipated slaves, during a late visit detailed the following facts: He said he found everything going to ruin about the place; the work thriftlessly done, the negroes living like nabobs, and supporting numbers of their friends, whose purses were empty; and in a few years, if things went on as they were going, they must come to poverty.

"What good will such a class of persons do the community? Unless pauperism and crime are estimated as benefits, none whatever."

THE WINE OF CALIFORNIA.—California, like Missouri, will soon rival Ohio in the product of native wine. There is one firm in San Francisco which produced last year two hundred thousand bottles of champaigne from their own vineyard in Los Angelos. This is but one of many instances of California enterprize in wine growing. Almost every State in the Union now adds its quota—small in many cases, but always increasing—to the annual product.

SINGULAR COINCIDENCE.—The Democratic State Convention of the fourth of March, selected a candidate for Supreme Judge from Philadelphia, and a candidate for Canal Commissioner from Fayette county. The Republican Convention of July 14th selected a candidate for Supreme Judge from Philadelphia, and a candidate for Canal Commissioner from Fayette county.—Porter and Read, the respective candidates for Supreme Judge, are near neighbors, living in the same city. Frost and Fraser, the opposing aspirants for Canal Commissioner, are residents of the same county, living within eight miles of each other. A strange coincidence, if accidental.