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"ONE COUNTRY, ONE CONSTITUTION, ONE DESTINY."

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TERMS.

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POETRY.

From the Knickerbocker.

Beating of the Heart.

"In the darkness that veils me, I hear only the low beating of my heart."—Zanoni.
We're drifting down the stream of time
In heedless, helpless speed;
All breathless in the still sublime!
Our beating hearts in muffled chime
Alone the silence feed.
And in the hush how mournfully
Vibrates the measured toll!
To tell us while we live we die—
The bosom knell of sympathy
Plaining the passing soul!

Not when the surging passions roar
That boding peal we hear;
But when the stormy strife is o'er,
And drowsy waves lie down on shore,
It trembles on the ear.
Adown the stream, dear constant friend!
Submissively we'll glide;
Untroubled how our bark may wend,
So gracious Heaven the pilot send,
And we be side by side.

Whether we pull for purple shores,
(Poor barren wastes, if won)
Or resting on suspended oars,
Grasp musically at drifting flowers,
The current bears us on;
And patient as we pass, 'tis well
To lull our hearts at even
And list their beating chime, whose swell
Solemn and sweet as Sabbath-bell,
Alarms, yet call to Heaven.

Sweet May.

Sweet May has come—the blue-eyed maid!
To glad the length'ning hours,
In light and airy dress array'd,
Festoon'd with buds and flowers

Her lovely brow with vines is crown'd,
With blossoms through them blushing,
Around her waist a zone is bound,
Of buds with fragrance gushing.

The while she walks the joyous earth,
She from her lay is throving
Sweet flowers to give to others birth,
And scent the wind's soft blowing.

The birds that were through winter's chill
Within her bosom nestling,
Fly from it now with gladden'd will
On wings that need no resting.

Let now each noble youth with brow
Pale from the toils of study,
And maiden young with lovely form,
Bright eyes and cheeks so ruddy.

Who nature loves or health, at dawn,
Leave couch and pleasant dreaming,
And brush with dancing feet the lawn
With dew drops brightly beaming.

From the Albion.

The Blessed Single.

What are the joys of wedded life?
What are its pleasures, say?
Why change our lot from peace to strife?
Like those who "name the day?"

Is there a lot in life more sunny,
More gay, or free from cares?
Why should we, then court matrimony,
With all its dreaded heirs?

Let artists paint and poets write
The pleasant state so "holy,"
Be ours the task, a task so light,
To shun such melancholy.

Fill high your glass with ruby wine,
And then what care can mingle?
Around our board all hearts will join,
And drink, "The blessed single."
LIVERPOOL, February 4, 1843.

Julius Cæsar has been found guilty of robbing a hen-roost in North Carolina, and condemned to receive five stripes upon his back.

MISCELLANEOUS.

From Godey's Lady's Book, for May.

Governor Tenderheart; OR, EXECUTIVE CLEMENCY.

BY T. S. ARTHUR.

One pleasant morning in the pleasant month of June, Governor Tenderheart arose early, and walked out, as was usual with him, to enjoy a quiet meditation.— He had passed from his door only a few steps, when he was met by an aged female, with soiled and worn garments, a bent body, and thin wrinkled visage, who carried a paper in her hand, which she instantly held out, saying in a broken voice and imploring tone,

"I crave your mercy, Governor."
Now Governor Tenderheart was known as the "pardoning governor," from the fact, that during the three years in which he had represented the noble state of — in the executive office, pardons had been granted to one hundred and fifty criminals out of two hundred, who had been clearly convicted of high misdemeanors against the state by intelligent juries, after patient investigation of evidence rendered by credible witnesses. Besides these acts of clemency, he had released the state from a heavy tax annually levied for the support of sundry scores of old offenders, who had been let loose upon society, to gain an honest or dishonest livelihood, whichever came handiest.

The consequence was, that the party opposed in politics to Governor Tenderheart, indulged in pretty severe animadversions upon this portion of his official conduct. So much so, indeed, that the governor was heard to say that he would never do another kind act as long as he lived, seeing that he got no credit for anything. It was but the day before that this resolution had been formed. Of course the aged petitioner had come at an inauspicious moment. Still Governor Tenderheart could do nothing less than take her petition and read it over.

The paper went on humbly to represent to his Excellency, that a certain Godfrey Giltner had been tried and convicted of the crime of manslaughter, for which the Court, having jurisdiction in the case, had sentenced said Godfrey Giltner to solitary confinement in the State's Prison for the term of ten years, but that since the trial and conviction, sundry palliating circumstances had become known that altered materially the features of the case.

These palliating circumstances were set forth at considerable length; after which came the right proportion of "special pleading," and then, to give force to the whole, a long list of signatures, not one of which was familiar to the governor's eye.

"Are you the mother of this unhappy young man?" Governor Tenderheart asked, as soon as he had glanced hurriedly through the petition, the inclination to grant a pardon involuntarily arising in his mind.

"I am, sir," was the half audible answer, while sobs and tears followed the admission.

"Come to me at this time to-morrow morning and I will give you an answer."
"Oh, sir, do not keep me a whole day in suspense," urged the afflicted mother.

"The case is a clear one. My poor unfortunate child has been deeply wronged."
"But I must have time to consider, madam. Already I am censured and abused for the many pardons I have granted, and cannot, therefore, yield to any new applications until I have maturely weighing the reasons upon which they are made. Of your son's case I know nothing, nor can I learn much in so short a period as twenty-four hours. But for your sake, I will give it immediate attention, and prepare myself to decide by to-morrow morning."

The afflicted mother of a wicked child, whose affection to him still caused her to excuse his faults and seek to screen him from just penalties of a violated law, would have importuned still further, but the frown that began to gather upon Governor Tenderheart's brow, warned her to desist. Slowly turning away from the executive's presence, she passed on with a feeble tottering step.

"Ten years! Ten years, solitary confinement! Too bad! too bad!" muttered the governor, resuming his walk. "Why will judges act with such cruel rigor?—Ten years! A single year would be enough to kill me. I wish I had a few of their judicial reverences here in solitary confinement for a while. I reckon there would be shorter sentences after that!—It's easy enough to say three years, and five years, and even ten, fifteen and twenty years solitary confinement—but it's quite another thing to endure such horrible punishment. Better hang 'em at once, outright."

Thus soliloquising, Governor Tenderheart pursued his walk for the usual period of his time, and then returned to his house and partook of a plentiful breakfast.

From that time until three o'clock, he was occupied in various official duties; one of which was to visit the state prison, for the purpose of taking a look at Godfrey Giltner, who, to use his own words, had rather a cut-throat look; when, with a keen appetite, he sat down to a table covered with the choicest offerings of the season. This last important business disposed of, after an hour's diligent application, the old gentleman seated himself cozily in a very large and comfortable arm chair, suitably cushioned, with the peaceable intent of taking to himself a comfortable nap.

In this, however, it seemed that he was not to be indulged, for he had only been seated long enough to begin to feel most deliciously drowsy, when a stranger was announced, who wished to see him on business.

"Tell him to call to-morrow morning," Governor Tenderheart said.

"He wishes to see you now, and will not be put off," returned the servant.

"Tell him to call this evening."

"He says that he must see you now," was the provoking reply.

"Then show him up," said the governor, somewhat testily.

The servant departed, and in a few minutes returned, ushering in an old man, whose calm, intelligent brow, and mild but penetrating eyes, at once inspired him with respect, and even veneration.

"Governor Tenderheart, I believe?" said the stranger, bowing respectfully.

"I am that individual, sir," replied the governor, bowing in return, as he rose, and offered a seat to the stranger.

"May I take privilege of asking your name?"

"That is of little consequence," returned the stranger. "Our interview can be just as effective, and I remain unknown. My business is to hold a brief conversation with you in regard to some of your official acts, past and prospective. Can I be indulged in this?"

"Certainly," replied the governor, blandly, though he was beginning to feel uneasy, for there was something in the eye, voice, and manner of the old man that he did not exactly comprehend.

"I have just learned," pursued the stranger, "that some persons have sent a petition to your excellency, asking for the pardon of one Godfrey Giltner, sentenced to ten years imprisonment for the crime of manslaughter, committed under most aggravated circumstances."

"You have heard truly?" was the reply; "such a petition has been received, setting forth a new set of facts, unknown to the jury, which very materially modify the character of the charges against him. And, besides, his mother, an aged woman, is the bearer of this petition. It is hard, sir, to withstand the pleadings, made in tears, of a mother for her son."

"I do not see what bearing a mother's tears can have upon the case," the stranger said, somewhat sternly.

"Perhaps, if you were in my position you would more clearly perceive the force of such arguments. It is no light trial, sir, to meet the prayers and tears of a mother, and she old, and worn down by sorrow, as she pleads for her only child."

"Even though that child have imbrued his hands in the blood of his fellow, and robbed some other mother of an only son, the stay of her declining years?"

"With that, I have nothing to do. The deed is done, and cannot be recalled. No punishment that can be inflicted will avail anything. It cannot restore the life that has fled."

"It can, however, prevent the commission of another such horrible deed by the same hands. The author of it is justly considered in the eye of the law, as an evil beast, whose cruel propensities must be restrained by exclusion from society. He has been thus set apart, not, as I hold, angrily and vindictively, but under a solemn conviction that the good of the whole requires it to be done."

"I cannot see it so," replied Governor Tenderheart, doggedly.

"Cannot see it so!" exclaimed the stranger.

"No, sir, I cannot see it so; nor don't intend to see it so."

"That is more nearly the truth," was the half sneering rejoinder. "But I say that you can, and you must see it so.—Don't you believe that this Godfrey Giltner is a bad man?"

"Not so much more than other people."

"But he has killed his fellow man."

"Under provocation."

"No, sir. In cold blood, with a confirmed evil purpose."

"That would have been murder."

"Of course."

"But even the jury did not consider it so."

"A large portion of them did, but finally yielded, because there was no hope of an unanimous verdict."

"Since that, however, new facts have come to light, which put a different face upon the matter altogether?"

"How do you know?"

"The petition sets them forth."

"Who are the petitioners?"

"I do not know them; but presume of course, that they are respectable men, who set forth nothing but what they know to be true?"

"There you are in error. I know all about this petition. It was drawn up, at the mother's instance, by a lawyer, who, for a fee, would advocate the cause of Satan himself. Then she prevailed upon several persons, most of whom were her son's former associates, and nearly as bad as himself, to sign the paper, which does not contain one word of truth. Finally, the old woman takes a long and toilsome journey here, to try the force of prayers and tears upon your tender feelings."

"All this may or may not be so," rejoined the governor. "But it does not alter my views of the matter. I consider the laws far too severe. A milder code would, I am fully satisfied, be much more effectual in the prevention of crime. So believing, and from good grounds, I interpose upon principle the executive clemency, to break the vindictive force of penal statutes."

"But you did not make the laws?"

"Well—what then?"

"Nor are you in any way responsible for the severity of their action, as you are pleased to term it. It is your duty to see the laws executed, not to hinder their action."

"But I cannot bear to see men punished so severely, when it is in my power to prevent it."

"Then you regard your own feelings more than the good of the whole; to save which, you are ready to turn a villain loose upon the world, who, in an hour after, may rob and burn your neighbor's house, or take the life of your fellow man. Spurious charity this—that regards one above the many! The man who truly and honestly loves his country, looks to the good of the whole; and were he placed upon the bench, and his own son arraigned for crime, would as rigidly inflict upon him the penalties of the law as upon a stranger. And this, under the stern conviction, that it would be as good for his son, to be restrained from doing evil, as it would be for society to be saved its infliction."

"As for me I don't profess to be quite so pure a patriot as that," the governor rejoined, half sneering at the old man's distinct enunciation of a noble truth.

This seemed to offend the stranger, for he instantly arose, looked the governor sternly in the face for a few moments, and then left the apartment without uttering a word.

No sooner had the old man closed the door after him than it was opened by the woman who had come forward hastily, and falling upon her knees, urged her suit with the eloquence of tears.

"Pardon my poor boy! O, pardon him, as you hope for pardon yourself," urged the afflicted mother.

Unable to withstand these pleadings, backed as they were by the tender susceptibilities of a tender heart, the governor took the petition and signed it, without its having once occurred to him that he had promised an answer to the petition in the morning. The overjoyed mother snatched the paper from his hand the moment he laid his pen aside, and bounded wildly from the room, without so much as waiting to acknowledge the kind act.

"A queer set, any how!" muttered the governor. "She might have at least thanked me."

And then he sank back lazily in his chair. When next conscious, he was startled by a loud crash which seemed to come from below. Rising up and rubbing his half sealed eyes, he discovered himself to be in total darkness, while their reign of terror around the most profound silence.

"I must have been dreaming," he at length muttered, sinking back into his arm chair, in order to collect and compose his mind. He had been seated thus for only a minute or two, his eyes beginning to get accustomed to the surrounding darkness, when his ear caught the sound of footsteps, moving stealthily along the passages. While still irresolute in regard to action, his door opened, and a man entered, carrying a dark lantern in his hand.— He could readily distinguish the form and features of this midnight intruder. It was Godfrey Giltner, the pardoned criminal, who had thus made so free with the executive mansion.

Seemingly aware that he should find the governor in that room, he did not hesitate a moment after closing the door behind him, but threw open his lantern, in order to render objects distinctly visible. A grin of malignant pleasure distorted his evil-impressed countenance, as his eyes fell upon the frightened old man, now so paralysed by alarm as to be unable to raise. The next movement of the robber was to draw a pistol, the sharp click of which seemed almost like the passage of a knife through the governor's heart. Then advancing he placed it at his ear, with a look and air of determination that made the trembling victim close his eyes, and wait

in breathless terror the doom that now seemed inevitable. The robber, however, appeared in no hurry to consummate the murderous deed; but stood, it seemed to Governor Tenderheart, for almost an age, with the cold barrel of the weapon pressing hard against his ear. At last, the instrument of death was slowly removed, leaving the governor as perfectly helpless as if a ball had gone through his head—fear had utterly paralysed him. The robber then took a small but strong cord with which he had provided himself, and after having tied the old man's hands behind him, bound him firmly to the chair in which he was seated. This done, with another smile of malignant triumph, he lifted his lantern from the floor, and proceeding to the secretary, rifled it of several hundred dollars in notes and in gold, and then quickly left the room.

For a few minutes after the robber had left the apartment in which he had found the governor, all was still. This silence was suddenly broke by a wild scream of terror from the old man's daughter a lovely girl, just blushing into sweet seventeen, accompanied with agonizing cries to her father for help. But she cried in vain. He was unable to move from his position. Gradually those cries became more and more feeble, and evidently came from a greater and greater distance. The robber was carrying off his child! It was all in vain that he strove to extricate himself, or endeavoring to call aloud for assistance. His struggles were feeble, and his tongue refused to give utterance to a sound. At last, even the faintest cry became hushed, and all was again still as death. His daughter had been borne away by a fiend incarnate, and there were none to rescue her.

While vainly endeavoring to free himself from the bounds that restrained him, a low crackling sound met his ear, that, as he listened, increased and became more and more distinct every moment, and was soon accompanied by a faint rushing or roaring noise that could not be mistaken. The house was on fire! Already was the smoke beginning to oppress the air, and now the glow of the flames came clearly reflected beneath the door of the apartment in which he was confined. Cries of terror began to mingle with the noise of the conflagration, among which was too terribly distinct those of his wife and children. And yet he could not fly to their relief, nor, strange inability, make himself heard. But the crisis was near at hand. The door suddenly gave way, and the flames rushed in, seizing fiercely and with devouring eagerness upon every thing in the room. Governor Tenderheart was soon surrounded by the raging element, and all chance of escape cut off. The fire was already upon his garments, when with a terrible scream, he sprang from his chair, breaking the bonds that had held him fast, as if they were lighter than gossamer.

Instantly all was changed as by magic. The governor was, indeed, in his study, and standing on the floor. But it was daylight, and every thing around him undisturbed by fire or robber. On glancing out of the window, he perceived, by the position of the sun, that the day was declining.

"And can this all be a dream?" he said, clasping his hands together and looking around, half fearfully, to see if there were not really attached to the chair the broken cords with which he had been bound. But there were no indications visible of the imaginary violence that had been done to him.

Still, so distinct were all the incidents of his fearful dream upon his mind, that he pulled the bell with a strong and nervous jerk.

"Has any one been here to see me, since dinner?" he asked of the servant who answered the summons.

"No sir," was the prompt reply.

"Not an old man?"

"No sir."

"Nor an old woman?"

"No sir."

"That will do. You can go, Thomas."

And as Governor Tenderheart said this, he snuk down into his great arm chair, and remained for nearly half an hour lost in a deep reverie.

On the next morning, when the mother of Godfrey Giltner presented herself and her petition, the governor said "No," in a tone and with a manner that at once extinguished hope in the mind of the humble and distressed petitioner.

From that day to this, not a single criminal has been pardoned by Governor Tenderheart. If, for a moment, the kind feelings of his nature begin to influence him, he thinks of Godfrey Giltner and his terrible dream, and becomes as stern and immovable as before.

The editor of Memphis Eagle acknowledges the receipt of a glorious bowl of egg nog from a lady. He says it almost enabled him to see the nucleus of the Comet. We have no doubt it doubled his powers of vision.

AN ODD HEN.—At the farm of Mr. Douglass, of Kirkaldy, a hen lately took up her abode with a young pig, and laid an egg every morning, which grumpy as regular made his breakfast of. The hen, after sitting the usual period, walked out with the pig, (she having, as she seemed to assume, hatched him,) and she now goes about clucking, with her four footed brood, and feeds him in the usual way a hen does her chickens. He lies at night with his head under her wing, being two or three times as large as herself, and if any person attempts to touch him, she flies at them furiously. Sometimes, when going about the doors with her, he takes it into his head to have a dance, when she seems a little astonished, and runs backwards and forwards after him, trying to check his daffin; but in vain, until it suits himself. He proves a most unruly and ungrateful fellow; for, notwithstanding all her care and attention, he goes off and leaves her sometimes, at which she appears to be very uneasy. She feeds out of the same trough with him, and when she gets a particularly good piece, she tucks, ticks, until he comes and takes it.

A PENCHANT FOR FIGHTING.—Under this caption, Deutelmoser, of the Mills' Point Herald, tells a very fair " yarn." He was recently travelling through Kentucky when he came to a small village where a county election was being held, and had his attention drawn towards a dense crowd on the public square, and soon ascertained that a fight was going on. Whilst he was at a respectful distance witnessing the combat, two strangers rode up, and one jumped off his nag, pulled off his coat, and without losing a moment was in the thickest of the fight. But all the combatants immediately fell upon him, and in a few moments he came out a badly whipped man. His companion, who had all the time with perfect astonishment looked on the scene, now spoke, and said: "Bill, what in the world had you to do in that fight—ain't you a perfect stranger here?" "I reckon I am," replied the other, wiping the blood from his nose, "but I thought it was a free thing."

Oh, it is a fearful sight to see a young, confiding girl approach the alter with one who loves to linger round the wine-cup. He may pass unscathed through the fiery ordeal, and the bright hopes of the bride may ripen into fruition. But, fair reader, let not the splendors of wealth, nor the allurements of pleasure, nor the promised triumphs of ambition tempt you to a risk so fraught with danger to all you hold dear. Honest industry, joined with temperance, may crave out a fortune, and all that ambition should covet; but wealth, talents, fame, can never gild the drunkard's home, nor soothe the sorrows of a drunkard's wife.—S. A. Advocate.

SOLOQUY.—To go to Texas or not to go—that *am* the question—whether it are better to stay at home and bear these ills what we have got, or to take up arms against a lot of Mexicans and Ingines, and by fighting 'em kill 'em. To fight—to fire—'tain't nothing more, and hardly that—but in that fight of ours, what bullets may come when we have shuffled off a shot or so, must bid us consider on't.—Aye, there's where it rubs! Rather guess we won't go, on the whole.—Mercury.

Some years ago a witness was examined before a judge in a case of slander, who required him to repeat the precise words spoken: the witness hesitated until he riveted the attention of the whole court on him; then fixing his eyes earnestly on the judge, began—"May it please your honor, you lie, and steal, and get your living by cheating!" The face of the judge reddened, and he immediately exclaimed, "turn to the jury, sir, if you please."

A CUNNING LAWYER.—A young lawyer who was pleading the cause of an infant plaintiff, took the child up in his arms, and presented it to the jury, suffused in tears. This had a great effect, until the opposite lawyer asked what made it cry. "He pinched me," answered the little innocent. The whole court was convulsed with laughter.

"My James is a very good boy," said an old lady, "but he has his little failings, for we are none of us perfect; he put the cat in the fire, flung his grandmother's wig down the cistern, set the barn on fire, and tried to stick a fork in his sister's eye; but these are childish follies, and James is a very good boy."

TITLES ARE EVERY THING.—A countryman put up at a hotel in Boston and wrote after his name, P. O. P. S. F. C.—"Pray, my dear sir," asked a bystander, "what do these letters stand for?" "Stand for! why that's my title!" "Yes sir; but what is your title?" "Why, Professor of Psalmody and Schoolmaster from Connecticut!"