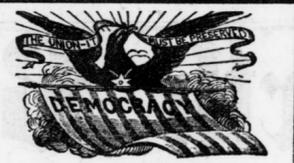


itude of excellent people, who are shocked at the institution of slavery, because it involves the principle of property in man. Yet I have never been able to understand what it is that so disgusts them. No slaveholder pretends that this property extends any farther than the right to the labor of the slave. It is obvious to the slightest reflection that slavery can not bind the intellect or the soul. These, which properly constitute the man, are free, in their own nature, from all human restraint. But to have a property in human labor, under some form, is an essential element in all the work of civilized society. The toll of one is pledged for the service of another in every rank of life; and to the extent thus pledged both parties have a property in each other. The parent especially has an established property in the labor of his child to the age of twenty-one, and has the further power of transferring this property to another, by articles of apprenticeship. But this, it may be said, ends when the child is fitted for freedom. Suppose, however, that he belonged to an inferior race which the law did not presume to be fitted for freedom at any age, what good reason could be assigned against the continuance of the property? Such, under the rule of the Scriptures and the Constitution of the United States, is the case of the negro. God, in his wisdom and providence, caused the patriarch Noah to predict that he should be the servant of servants to the posterity of Japheth. And the same almighty Ruler, who alone possesses the power, has wonderfully adapted the race to their condition. For every candid observer agrees that the negro is happier and better as a slave than as a free man, and no individual belonging to the Anglo-Saxon stock would acknowledge that the intellect of the negro is equal to his own. There have been philosophers and physiologists who contended that the African race were not strictly entitled to be called men at all, but were a sort of intermediate link between the balooa and the human being. And this notion is still maintained by some at the present day. For myself, however, I can only say that I repudiate the doctrine with my whole heart. The Scriptures show me that the negro, like all other races, descends from Noah, and I hold him to be a man and a brother. But though he is my brother, it does not follow that he is my equal. Equality can not be found on earth between the brothers even in one little family. In the same house, one brother usually obtains a mastery over the rest, and sometimes rules them with a perfect despotism. In England, the elder brother inherits the estate, and the younger brothers take a lower rank, by the slavery of circumstances. The eldest son of the royal family is in due time the king, and his brothers forthwith become his subjects. Why should not the same principle obtain in the races of mankind, if the Almighty has so willed it? The Anglo-Saxon race is king, why should not the African race be subject, and subject in that way for which it is best adapted, and in which it may be more safe, more useful, and more happy than in any other which has yet been opened to it, in the annals of the world? I know that there may be exceptions, now and then, to this intellectual inferiority of the negro race, though I believe it would be very difficult to find one, unless the intelligence of superior blood has operated to change the mental constitution of the individual. For all such cases the master may provide by voluntary emancipation, and it is notorious that this emancipation has been cheerfully given in thousands upon thousands of instances, in the majority of which the gift of liberty has failed to benefit the negro, and has, on the contrary, sunk him far lower, in his social position. But no reflecting man can believe that the great mass of the slaves, amounting to nearly four millions, are qualified for freedom. And therefore it is incomparably better for them to remain under the government of their masters, who are likely to provide for them so much more beneficially than they could provide for themselves. The difference then, between the power of the Northern parent and the Southern slaveholder, is reduced to this, namely, that the master has a property in the labor of his slave for life, instead of having it only to the age of twenty-one, because the law regards the negro as being always a child in understanding, requiring a superior mind to govern and direct him. But, on the other hand, the slave has just as really a property for life in his masters support and protection, and this property is secured to him by the same law, in sickness and in health, in the helplessness of old age, as well as in the days of youthful vigor, including, besides, a comfortable maintenance for his wife and family. Can any rational judgment devise a fairer equivalent? The fifth objection, which often meets the Northern ear, proceeds from the overweening value attached, in our age and country, to the name of liberty, since it is common to call it the dearest right of man, and to esteem its loss as the greatest possible calamity. Hence we frequently find persons who imagine that the whole argument is trippingly settled by the question; "how would you like to be a slave?" In answer to this very superficial interrogatory, I should say that whether any condition in life is to be regarded as a loss or an advantage, depends entirely on circumstances. Suppose, for example, that the Mayor of New-York should ask one of its merest citizens: "How would you like to be a policeman?" I doubt whether the question might not be taken for an insult, and some words of indignation would probably be uttered in reply. But suppose that the same question were addressed to an Irish laborer, with what feelings would he receive it? Assuredly with those of gratitude and pleasure. The reason of the difference is obvious, because the employment which would be a degradation to the one, offers promotion and dignity to the other. In like manner, slavery, to an individual of the Anglo-Saxon race, which occupies so high a rank in human estimation, would be a debasement not to be thought of with patience for a moment. And yet to the Guinea negro, sunk in heathen barbarism, it would be a happy change to place him in the hands of a Southern master. Even now, although the slaves have no idea of the pagan abominations from which their forefathers were taken, it is notorious that they usually value their privilege as being superior to the condition of the free negroes around them, and prefer the certainty of protection and support for life to the hazards of the liberty on which the abolitionists advise them to venture. How much more would they prize their present lot, if they understood that, were it not for this very institution of slavery, they would be existing in the darkest idleness and licentiousness among the savages of Africa, under the despotic King of Dahomey, destitute of security for earthly comfort, and deprived of all religious hope for the world to come! It may well reflect maturely on the subject, they would soon be convinced that liberty is a blessing to those, and only those, who are able to use it wisely. There are thousands in our land, free according to law, but so enslaved to vice and the misery consequent on vice, that it would be a mercy to place them, supposing it were possible, under the rule of some other will, stronger and better than their own. As it is, they are in bondage to Satan, notwithstanding their imaginary freedom; and they do his bidding, not merely in the work of the body, but in the far worse slavery of the soul. Strictly speaking, however, the freest man on earth has no absolute liberty, for this belongs alone to God, and is not given to any creature. And hence it is the glory of the Christian to be the bond servant of the divine Redeemer who "brought us to himself with his precious blood." The service of Christ, as

said the Apostle, is "the only perfect freedom."—All who refuse the service, are slaves of necessity to other masters; slaves to Mammon; slaves to ambition; slaves to lust; slaves to intemperance; slaves to a thousand forms of anxious care and perplexity; slaves to heat and pride and worldly decorum, and slaves to circumstances over which they have no control. And they are compelled to labor without ceasing under some or all of these despotic rulers, at the secret will of that spiritual task-master, whose bondage does not end at death, but continues to eternity. The sixth objection arises from the fact that slavery separates the husband from the wife and the parents from their children. Undoubtedly it sometimes does so, from necessity. Before we adopt this fact, however, as an argument against slavery, it is only fair to inquire whether the same separation does not take place, perhaps quite as frequently, amongst those who call themselves free. The laboring man who has a large family is always obliged to separate from his children, because it is impossible to support them in his humble home. They are sent to service, therefore, to this master and another to that, or bound as apprentices as the case may be, and thus the domestic relations are separated by strangers for the most part beyond recovery. So among the lower orders, the husbands are separated from their wives by the same necessity. How many, even of the better classes, have left their homes to seek their fortune in the gold regions! How many in Europe have abandoned their families for Australia, or the United States, or the Canadas! How many desert them from pure wickedness—a crime which can hardly happen under the Southern system! But above all, how constantly does this separation take place amongst our soldiers and sailors, so that neither war nor foreign commerce could be carried on at all without it! All these are borne by freemen, under the slavery of circumstances. Is it wise to declaim against this necessity in one form, when we are forced to submit to it in so many other kinds of the same infliction? There is only one other argument which occurs to me, requiring notice, and that is based upon the erroneous notion that the laws of God, under the Mosaic dispensation, allowed polygamy as well as slavery; and, therefore, it is inferred that the legislation of the Old Testament is of no authority upon the subject, but as the Gospel did away the first, so also it should do away the other. The facts here are misunderstood, and the inference is without any real foundation. Let us look at the matter as it is explained by the Saviour himself. "The Pharisees came to him, tempting him, and saying unto him: Is it lawful for a man to put away his wife for every cause? And he answered and said unto them: Have ye not read that he which made them at the beginning made them male and female; and said, for this cause shall a man leave father and mother and shall cleave to his wife, and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What, therefore, God hath joined together let no man put asunder. They say unto him: Why did Moses then command to give a writing of divorcement, and put her away? He saith unto them: Moses, because of the hardness of your hearts, suffered you to put away your wives, but from the beginning it was not so. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, commiteth adultery." (Matt 19: 3-9.) Now, here our Lord plainly lays down the original law of marriage, referring expressly to Adam and Eve, one man and one woman, declared to be one flesh, and adding the command, "What God hath joined together let no man put asunder." But it is evident that polygamy must, of necessity, interfere with this divine union. The fact can no longer be one flesh, when another wife is brought between them, because the new wife must deprive the former one of her exclusive rights and privileges, and the husband destroys the very unity which God designed in joining them together. The doctrine of our Saviour, therefore, restores the law of marriage to its original sanctity, and the apostles, accordingly always speak of the wife in the singular number, in no instance appearing to contemplate the possibility of the Christian having more wives than one, while, in the case of a bishop, St. Paul specifies it as an essential condition that he shall be "the husband of one wife" (1 Tim. 3: 2.) But how had the chosen people been allowed for so many centuries to practice polygamy and divorce their wives for the slightest cause? Our Lord explains it by saying that Moses suffered them to put away their wives "because of the hardness of their hearts." The special questions addressed to him by the Pharisees, did not, indeed, refer to polygamy, but only to the liberty of divorce, for at that time it should seem that the practice of polygamy had well nigh ceased in Judea, and it is certainly not countenanced by the Jewish laws at this day. The principle, however, is precisely the same in the two cases. Dissatisfaction with the present wife and desire for another, were the cause of action in both and when the husband did not wish to be burdened by the murmurs or the support of his old companion, he would naturally prefer to send her away, in order to make room for her successor. We see then, how readily this facility of divorce became the mode in which the Jews of that day sought for the gratification of their capricious attachments, instead of the more expensive and troublesome system of polygamy. And hence our Lord applied the remedy, where it was specially required, by forbidding divorces unless for the weightiest cause, such as adultery. Yet this was no change in the divine arrangement, which had been the same from the beginning. He expressly declares, on the contrary, that the latitude assumed by the Israelites was an indulgence granted by Moses, on account of "the hardness of their hearts," and this is a very different thing from an authoritative decree of the Almighty. It is surely there fore manifest, from this language of our Lord, that God had never given any direct sanction to polygamy. Doubtless, as we must infer from many parts of the Old Testament, it had become common among the Israelites, who supposing themselves justified by the case of Jacob, had probably adopted it in so many instances that Moses did not think it safe or prudent to put it down, lest worse evils might follow, unless he was constrained to do so by the positive command of the Almighty. All that can be truly stated, therefore, is, that no such positive command was given, and the Deity left the human law-giver to use his own discretion in the matter. Such is the aspect of this question, according to the statement of our Lord, which must be conclusive to every Christian. And hence we may perceive, at once the case in no respect parallel to that of slavery. For here the Almighty caused his favored servant Noah to predict that the posterity of Ham should be the servants of servants, under the descendants of Shem and Japheth. He recognized the bondman and the bondswoman in the ten commandments. He laid down the positive law to Israel that they should buy the children of the heathen that were round about them and of the strangers who dwelt in their land, to serve them and their families forever. The Saviour, when he appeared, made no allusion to the subject but plainly declared that he had not come to destroy the law. The first church of believers in Jerusalem were all "zealous" for the law and St. Paul preached obedience to the slaves among the Gentile churches, and sent a converted slave back to his Christian master. Where, then, is the resemblance between these cases? In the matter of divorce and polygamy, the Deity is silent, leaving them to the discretion of Moses, until the Messiah should come. But in regard to the slavery of Ham's posterity, he issues his com-

mands distinctly. And the Saviour disclaims the intention to repeal the laws of his heavenly Father, while he asserts the original design of marriage, and his inspired Apostle gives express sanction to slavery, and speaks of the one wife, in direct accordance with the word of his divine Master. Here, therefore, it is plain that the cases are altogether unlike, and present a contrast, rather than a comparison. We know that the doctrine of the primitive church was in harmony with this, for polygamy was never permitted, nor divorces for trifling causes, while slavery was allowed, as being perfectly lawful, so long as the slave was treated with justice and kindness. The ancient canons sometimes advert to the mode in which slaves might be corrected. Bishops and clergy held slaves. In later times, bondmen and bondswomen were in the service of convents and monasteries. And no scruple was entertained upon the subject until the close of the last century, when the new light burst forth which now dazzles the eyes of so many worthy people, and blinds them not only to the plain statements of Scriptures, but to the interests of national unity and peace. Thus, then, I have examined the various topics embraced in your inquiry, and the conclusion which I have been compelled to adopt must be sufficiently manifest. The slavery of the negro race, as maintained in the Southern States, appears to me fully authorized both in the Old and the New Testament, which as the written Word of God, afford the only inflexible standard of moral rights and obligations. That very slavery, in my humble judgment, has raised the negro incomparably higher in the scale of humanity, and seems, in fact, to be the only instrumentality through which the heathen posterity of Ham have been raised at all. Out of that slavery has arisen the interesting colony of Liberia, planted by slaveholders, to be a place of refuge for their emancipated bondmen, and destined, as I hope, to be a rich benefit, in its future growth and influence, to Africa and to the world. I do not forget, and I trust that I do not undervalue, the missionary work of England and our own land, in that benighted continent. But I believe that the number of negroes Christianized and civilized at the South, through the system of slavery, exceeds the product of those missionary labors, in a proportion of thousands to one. And thus the wisdom and goodness of God are vindicated in the sanction which his word has given, and the sentence originally pronounced on Canaan as a curse has been converted into a blessing. I have now gone over the whole ground covered by your kind application, and would only here repeat that on the question of slavery, which lies at the root of all our present difficulties, I have obeyed the rule of conscience and duty, in opposition to my habits, my prejudices and my sympathies, all of which would tend strongly to the other side. I need hardly say that I am no politician. More than forty years have elapsed since I ceased even to attend the polls. But as a Christian, I am bound to accept the doctrine of the apostles for my guide. And as a citizen, I am bound to sustain the Constitution of the United States, and defend those principles of law and order, and friendly comity, which every State should faithfully regard in its relations to the rest. Nor is this the first time that I have expressed my opinions. In a lecture at Buffalo, published in 1850, and again in a volume entitled *The American Citizen*, printed by Putney & Russell, in 1857, I set forth the same views on the subject of slavery; adding however, a plan for its gradual abolition whenever the South should consent, and the whole strength of the Government could aid in its accomplishment. Sooner or later, I believe that some measure of that character must be adopted. But it belongs to the slave States themselves to take the lead in such a movement. And meanwhile, their legal rights and their natural feelings must be respected if we would hope for unity and peace. In conclusion, I would only say, that I am perfectly aware how distant my sentiments must be on this very serious question, to the great majority of my respected fellow-citizens, in the region whereof divine Providence has cast my lot. It would surely be far more agreeable if I could conscientiously conform to the opinions of my friends, to whose ability, sincerity, and zeal I am ready to give all just commendation. But it would be mere moral cowardice in me to suppress what I believe to be the truth for the sake of popularity. It can not be long before I shall stand at the tribunal of that Almighty and unerring Judge, who has given us the inspired Scriptures to be our supreme directors in every moral and religious duty. My gray hairs admonish me that I may soon be called to give an account of my stewardship. And I have no fear of the sentence which He will pronounce upon an honest though humble effort to sustain the authority of His Word, in just alliance with the Constitution, the peace, and the public welfare of my country. With the fervent prayer that the Spirit of Wisdom and fraternal kindness may guide our National Congress, the Legislatures of the several States, and the sovereign will of our whole people, to a happy accommodation of every existing difficulty, I remain, with great regard, Your faithful servant in Christ, JOHN H. HOPKINS, Bishop of the Diocese of Vermont.



The Democrat.

HARVEY SICKLER, Editor.

TUNKHANNOCK, PA.
Wednesday, Aug. 12 1863.

S. M. Pettengill & Co.—No. 37 PARK ROW NEW YORK, & 6 STATE ST. BOSTON, and our Agents for the N. B. Democrat, in those cities, and are authorized to take Advertisements and Subscriptions at our lowest Rates.

DEMOCRATIC STATE NOMINATIONS.

FOR GOVERNOR,
HON. G. W. WOODWARD,
OF PHILADELPHIA.

FOR JUDGE OF THE SUPREME COURT
WALTER H. LOWRIE,
OF ALLEGHENY COUNTY.

Delegate Elections.
The Democratic electors of the several Townships in Wyoming County and Tunkhannock Borough, are requested to meet at the several places, for holding elections in their several election Districts on Saturday, the 29th inst., between the hours of two and five o'clock, P. M. and elect Delegates to represent them in County Convention, to be held at Tunkhannock, on Monday, the 31st day of August, 1863.

Some of the returns from the Delegate elections of last Fall, showing the Committees of vigilance chosen at such such Delegate elections for the present year having been received, and sufficient time not being allowed for correspondence with the boards of the several townships, the standing committee has appointed the following committees of vigilance for the several Districts in Wyoming County.

- COMMITTEE OF VIGILANCE.
- Braintree.—T. D. Spring, N. Overfield, Albert Overfield.
 - Clinton.—John Wilson, Benj. Carpenter, John Bedel.
 - Eaton.—Wm. Benedict, Hiram Bodle, John Lee.
 - Exeter.—Benj. Coolbaugh, Thos. D. Headley, Wm. White.
 - Forkston.—Hiram Hitchcock, A. P. Burgess, B. Vose.
 - Falls.—N. L. Ferguson, G. W. Sherwood, Danl. Post.
 - Lemon.—Miles Avery, Henry Harris, Benj. P. Carter.
 - Mehopany.—Saml. D. Ingham, C. L. Vaughn, G. N. Henning.
 - Monroe.—Zuba Billings, H. W. Carpenter, John Wall.
 - Meshoppen.—E. Mowry, Jr., Jam. M. Kelly, Michael Coyle.
 - North Branch.—Jas. G. Satchel, Jos. Burgess, John Champion.
 - Nicholson.—E. N. Bacon, Elijah Ball, N. Oakley.
 - Northmoreland.—Absalom Carey, Robert Caton, Rogers Hallcock.
 - Overfield.—Lewis Ager, Joseph Ostorn, Caleb Patrick.
 - Tunkhannock Twp.—Jeremiah Osterhout, Wm. B. Overfield, Perry Wiley.
 - Tunkhannock Boro.—Harvey Sickler, James Young, Jacob Rittsbaugh.
 - Washington.—John Crawford, S. P. Lathrop, John Kinney.
 - Windham.—Henry W. Fassett, Wm. Taylor and Thos. J. Wright.

RULES FOR THE GOVERNMENT OF DEMOCRATIC CONVENTIONS, &c.

1. The democratic electors of each election district in this country, shall annually, on the last Saturday in August, meet at the place of holding their General and Township elections; and elect three suitable persons to serve as a Committee of Vigilance for the ensuing year, whose duty it shall be to superintend the next election of delegates to the County Convention, and also to call and superintend all other meetings of the Democratic electors of their district.
2. At the same time and place, shall also be elected two delegates to the County Convention, who shall, on the following Monday, meet at the Court House, in the Borough of Tunkhannock, and after organizing by electing one of their number for a President, and two Secretaries, shall proceed to nominate such District and County Officers as are to be elected for the ensuing General Election—elect Conferees for such District officers as they shall nominate—appoint Delegates to the next State Convention and a Standing Committee for the County.
3. All County Conventions shall be held with open doors.
4. All candidates for nomination shall be voted for *visa voce*; and the one receiving a majority of all the votes polled, for any office shall be declared duly nominated.
5. The Convention shall keep a journal of all its proceedings, which shall be duly published in the Democratic paper or papers of the County; and any nomination not made in conformity with the foregoing rules, shall be declared void, and the vacancy or vacancies so occurring, shall be supplied in the manner herein after provided.
6. The standing committee shall consist of nine Democratic citizens of the county, who shall hold their office for one year from and after the date of their election; and it shall be their duty, during that time, to call at County Conventions, Mass and other meetings of the party—to fill all vacancies in the ticket, occasioned either by the declination of nominees, by a want of conformity to the

foregoing rules, or where the Convention shall have failed to make a nomination, and also in case of special elections, where the necessity for doing so occurs after the regular time for holding County Conventions—and to fill vacancies in the Committees of Vigilance, occasioned by removal, death, or failure on the part of the citizens to elect them.

7. The Standing Committee shall annually, hereafter, in issuing the call for the election of Delegates to the County Convention, cause a copy of the foregoing rules to be published in connection therewith.

8. These rules may be amended, or new ones added thereto by a general meeting of the Democratic citizens of the county called for that purpose by the Standing Committee, or if the same shall pass two successive County Conventions without amendments, and not otherwise.

J. V. SMITH,
Chairman of Standing Com.

FRIEND SICKLER:

DEAR SIR:—I see in the last issue of the *Wyoming Republican*, an article from your special friend, Billy Button. A very elaborately written editorial. I think Billy must have a severe touch of the cholera at the time, or he could not have got off so much of the invective. He widens out by saying that some one has been mutilating a horse belonging to one Mr. Doud, of Milltown, your County, by shaving his mane, tail, &c., as a punishment to Mr. Doud, for his being a true friend to his country. Forsooth. Who ever heard of such an accusation against an Abolitionist, before, for such he is in fact, and not a union man as Billy has falsely accused him. So far as relates to the trimming of Mr. Doud's or any other persons horse, there is or can be but one opinion, and that is of condemnation in the mind of every good citizen. If Mr. Doud has taken a position which renders him odious in the sight of the Milltown boys, I would suggest that he, and not his horse must answer for the offence. But Mr. Editor, there is probably not a word of truth in the whole statement, judging from the following, from the hands of the same gifted author. I will give it entire so that your readers may have the full benefit of it. Billy says: "Since writing the above, we learn that a similar outrage was spent upon the horse of Rev. Mr. Adams, of Newton, in Luzerne Co. adjoining Falls. The Presbyterian Church in which he officiates, was broken open, the bible and all the hymn books torn up, and the Sunday School Library stolen or destroyed." Now Mr. Editor, allow me through your columns to correct this statement, for there is not a shadow of truth in the whole thing. I live in Newton, and consequently speak from personal knowledge, and here let me say that when the editor of the *Republican* again wishes to get up a sensation-piece, he had better get his information from some one less notoriously vile, than that six footer, would be master of a Colporteur, Mr. Holmes. It is very hard for an Abolitionist to speak the truth in these times, and for an abolition preacher the thing is entirely out of the question.—The Presbyterian Church of this place, has not been broken open. Mr. Adams himself, had a lock of huge dimensions, placed upon the Church door, and put the key in his own pocket, a self-constituted sexton, committee &c. The following Sabbath, as there was to be service in the house, and himself not of officiate, citizens, on their arrival, found the Church door, and put the key in his own pocket, a self-constituted sexton, committee &c. The following Sabbath, as there was to be service in the house, and himself not of officiate, citizens, on their arrival, found the Church door, and put the key in his own pocket, a self-constituted sexton, committee &c. The following Sabbath, as there was to be service in the house, and himself not of officiate, citizens, on their arrival, found the Church door, and put the key in his own pocket, a self-constituted sexton, committee &c.

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and dying. I suppose it seems terrible to you. The thought of death or a dead person used to shock me, but I am getting over it now. When we were at Westminster, I found a man in the corner of the fence—supposing him asleep, I tried to wake him up, telling him it was going to rain. My warnings fell on a deaf ear—poor fellow, he was dead.

I hear they have drafted. Write and let me know who is drafted, how they like it, and whether they will come. I should like to see some of the nigger men down here.—I hope we will now go into camp until our Regt. is filed up.

Father, come down and see me.—I think you would be paid for the trouble and expense. The wagon train to our camp, the smallest in the field is seven miles long. I am in hopes the war will not last long. If it wasn't for the money it wouldn't. It is a great speculation. Every one is trying to make money out of it. If it was not for the name of it I should come home. But I don't want to do anything to disgrace you, my children or myself. I would rather leave my bones in Virginia. Write and tell me all the news. Give my love to inquiring friends, if I have any.

Your Affectionate Son,
L. B. STARK.

The Constitutionality of the Conscription Law to be Tested.

A bill in equity, praying an injunction against the Provost Marshal and the Board of Enrollment of the First Congressional District, Philadelphia has been filed in the Supreme Court of Pennsylvania, by Wm. Franklin Nichols, a citizen of that district, who has been drafted, the ground laid being that the Conscription act is unconstitutional.—Messrs. Charles Ingersoll, George M. Wharton and Geo. W. Fiddle appear for the complainant.

The substance of the bill is as follows:—Wm. Francis Nichols, a citizen of the United States, and of the State of Pennsylvania, and resident in the Third Ward of the city of Philadelphia, of the age of twenty-four, as well for himself as for the citizens of Pennsylvania who may become parties hereto, against Wm. E. Lehman, I. H. Marselis, Charles Murphy and Ebenezer Sannan.

The complainant avers that his rights have been violated and his personal liberty is about to be invaded by the defendants, under the pretence of executing a law of the United States. The bill then sets forth the Conscription act, and the complainant avers that he has received no notice, but he is in daily expectation of receiving a notice, and being required immediately to report for duty at a designated rendezvous on pain of being regarded as a deserter from military service, and of punishment by death for desertion under the articles of war.

He is advised that the act of Congress under which he was enrolled and drafted for military service, without his consent and contrary to his will, is in derogation of the reserved rights of the State, and of the liberties and rights of the citizens thereof, and that the same is unconstitutional and void, there being delegated by the State and the people thereof to the Federal Government no power to enact such a law.

The bill further charges that by reason of the omission from the enrollment of many individuals, able-bodied male citizens of the United States, and persons of foreign birth, who have declared on oath their intention to become citizens, between the ages of 18 and 45, not as aforesaid excepted by the said act, and resident in the Third ward of the city of Philadelphia, the said enrollment and draft were fraudulent and void.

The bill further charges that the proceedings under the draft are against common justice in this, that the draft is being enforced only in certain of the States not in rebellion and insurrection, and certain other States and districts and parts of States are not being drafted for, and the plaintiff charges that by reason thereof the draft is unlawful.

The bill concludes with a prayer for a writ of injunction against the defendants, to restrain them from further proceedings with or under said enrollment, requisition or draft of citizens of this Commonwealth, and of all persons of foreign birth who shall have declared their intentions to become citizens, in pursuance of the laws, to perform compulsory military duty in the service of the United States, and from all other proceedings which violate the rights and invade the personal liberty of such persons, under pretence of executing the said law of the United States, and particularly from all proceedings under such pretence against the person of this plaintiff.

No time has been fixed for a hearing, but it will take place at an early day, before the full bench.

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