

The People's Advocate.

Here shall the Press, the People's rights maintain, Unswayed by influence, and untroubled by gain.

MONTROSE, FEB. 11, 1847.

The War—Shall we fight it out!

Our readers are probably aware that we have not discussed through our editorial columns the subject of the war with Mexico, its causes and effects, as much as many of our contemporaries. We have not been led to pursue this course because we do not consider it a matter of vast importance to the people; but because the whole subject has been so generally discussed by the city press, from which we have published extracts from week to week, by our members of Congress, and by the various messages of the President which have been laid before the public, we have felt that any remarks of ours could be little more than a repetition of what has already been said.

Our limits will not allow us to enter into the details of the causes which led to the present war, but there cannot be a doubt that the annexation of Texas, though it may not have been the sole cause, has tended to hasten the crisis, which the unsettled state of our affairs with Mexico has for a long time portended. Was the annexation of Texas a measure which met the approbation of the people? We think the facts will warrant us in answering this question in the affirmative. Mr. Polk, previous to his election, publicly avowed his opinion that the consummation of this measure, so long talked of, was necessary and expedient.

The advocates of his election everywhere proclaimed the same, and the result was his triumphant election. It is folly then to say, that the war has been brought on us by the Executive—that it is not the people's war, but the war of the President. It is equally fallacious to say, that the responsibility of the war rests upon the Executive, in consequence of his having removed our army of occupation to the Rio Grande, instead of leaving them at Corpus Christi, because he it is known, that Mexico has never urged this as the grounds of the war; she has laid the causes before her people on the broad ground that we have annexed Texas; the declaration contains but one count—that we have taken Texas, which she avers to be her Territory. With regard to our right to admit Texas into the Union at her request, it is unnecessary for us to speak, being scarcely now disputed by any except Mexico herself; and we should not have said so much in relation to the causes of the war, were it not our sincere opinion that our country should fight it out, believing we have good foundations upon which we base our opinion.

It may be said that this is supererogation in us—that there is but one opinion on the subject—that it is taken for granted we must fight it out. But has not New Hampshire virtually rebelled; has not Federal Massachusetts likewise raised the voice of rebellion; have not means and measures for an energetic prosecution of the war been dragging their slow length along through our present Congress; has not a portion of the press denounced our government as "murderers and robbers;" and have not certain of our members of Congress sought to stamp upon the broad banners of their country, as they have traved in triumph over the fields of Palo Alto and Resaca de la Palma, "unjust, unrighteous and unholy?" Charity would compel us to say that much of this apparent opposition to the war, and this disposition to embarrass the government in its prosecution, is the mere ebullition of partisan strife, or to use a modern phrase, mere talk for "bincombe;" and we are confirmed in our belief of their want of sincerity, when we hear the same men and the same party boasting of their patriotism, that he who has been the plank instrument in the hands of this invidious Administration for the perpetration of this foul murder and robbery, has thereby rendered himself the most available man in their whole party for their next candidate for the Presidency!

If the Whigs in Congress who have taken it upon themselves to embarrass the Administration and retard the progress of the war are sincere—if the Whigs in Massachusetts were sincere in their denunciation and abuse of their Volunteers—if the Whigs generally are sincere in their efforts to ridicule the volunteers and discourage enlistments, we beg them to pause and consider what would be the result of their efforts providing they should succeed. If they are sincere they would have us refuse to enlist—they would have our government acknowledge itself in the wrong—they would have our army withdrawn from Mexico, and thenceforward to gratify the bare opinion of the minority that the war is unjust—they would have us do what we have never yet done, tarnish our national honor, and cover ourselves with eternal reproach and disgrace in the eyes of all the civilized world. Are that party who now so proudly proclaim themselves Whigs, willing to record in the annals of their country for the supposition of their posterity, their acquiescence in that influence it was that placed this dark stain upon their national escutcheon? If they are sincere they would have us at once desist, and atone not for our rashness merely, but declare our radical incapacity to judge of our rights, and the superiority of a little handful of semi-barbarians to judge of the rights of government and of National Jurisprudence. Having thus placed ourselves in this humiliating position before the world, the ambition and

cupidity of other nations would be excited towards us, a constant resort to arms would be the only alternative ever after by which we could expect to sustain our clearest and most inevitable rights. If those who are opposing the war, are sincere in their opposition, such are the results that would follow their success. But that they can be successful in the stand they have taken, is out of the question. We are engaged in a war; there may be room to doubt its expediency or even its justice; but instead of stopping to split hairs with the Government on a question upon which a doubt may be raised, our National policy, our patriotism require that we should fight it out—that our entire energies should be brought to bear at the earliest possible moment, and the war brought to a close by a full and effectual triumph.

THEIR ACCOUNT.

The Commissioners published last week in their pet Organ, the "Democrat," a statement of the receipts and expenditures of the county for the year 1846. It appears that the total amount of receipts is \$6,883 42; the entire amount of expenditures \$6,871 80; leaving in the treasury the full and exact sum of \$11 62. A very close calculation this!—running pretty near to shore," it may be said. We will refer to a few items of expenditure found in the list, of a somewhat extraordinary character:

- "Alonzo Williams, late comm'r, \$139 50
 - "Isaac Reckhow, do 169 50
 - "Jonas Carter, do 162 00
 - \$471 00
- Look back a few years, compare this account with what was received by former Commissioners per year, and it will be discovered that since those officers have assumed to regulate the politics of the county as an additional duty, it has cost the taxpayers nearly double to compensate them for their services.
- "R. J. Niven, Clerk, \$275 00."
- Little enough considering that he is become, ex officio, political scribe and letter-writer generalissimo of the Fire-proof faction.
- "N. C. Warner, Sheriff, \$407 87"
- A clever sum this! most of it was probably incurred by conveying convicts to the Penitentiary.
- "F. B. Streeter, counsel, \$20 00."
- Formerly, good counsel was only paid \$15. The other five may have been added for political advice.
- "E. Fuller, crier, \$66 00."
- This must have been for kindling fires in winter, opening and adjourning the court, at all times, when there.
- "D. W. Crocker, Jailor, \$143 66."
- This must be for waiting upon company in the back room.
- "Offices, fire proof, \$33 70"
 - "Fuel, 7 67"
 - "Stationery, 0 00"

We do not comprehend all these items, (to say the least) that the Fire-proof offices have become extraordinarily expensive to the People, whatever the clique may think of it.

- "Printing, \$230 38"

A liberal item this, wherewith to encourage the sadly frightened editors of the Clique Organ. The whole printing could have been done for half the money—and as proof of our sincerity, we will give bonds with good and sufficient surety to perform the same amount of printing, the current year, for just half the sum paid to the Fire-proof Organ during the past year; and in a style better than they ever did it.

- "Jail, \$23 31"

How this was applied, we cannot conceive. We do know, however, that the Jail has not only been condemned by the Grand Jury, but is, and for a long time has been, exceedingly out of repair, and otherwise unfit for the reception of any human being, however criminal. It cannot, we think, have been repaired.

- "Auditor's fees, auditing accounts: \$10 50"
- "Benj. Thomas, auditor, 10 50"
- "Lorin T. Farrar, 10 50"
- "Ira N. Hawley, 10 50"
- \$31 50.

This is more, we believe, than was ever before received by any former county Auditors. Wonder if they audited the accounts political of the Commissioners and their Clerk in the operation? If so they well earned the amount received.

- "Court-house, \$102 54."

That building was thoroughly and at great expense repaired year before last, as appears by the last account rendered by the Commissioners. If any alteration or improvement has since been made, it has escaped our observation, and we know not where to locate it.

- "Uncurrent money, \$186 00."

This is shameful, so easily might the loss have been avoided. The Commissioners and Treasurer should club and take the "People's Advocate." By frequent reference to its "Bank Note List," they might effect a handsome saving to the county which would cost them only 25 cts. each, and they would be thereby saved the trouble of borrowing so eagerly, from week to week, that plain, candid and independent exponent of sound democratic principles and which fearlessly points to the follies and presumptions of the Fire-proof Faction.

Fire-proof Clique Rebuffed.

We have just learned that the Democracy both of Wayne and Wyoming counties, have vetoed the presumptuous and dictatorial proceedings of our Fire-proof Convention held at the Court-house on the first Monday of last Court, by silently refusing to appoint Conferees to meet young Grow's Clique Del-

egates in Conference on Monday next.—This is as it should be. Those impotent dictators better have adopted the resolution offered in Convention by F. Lusk, ratifying the appointment of Mr. Winchester of Wyoming. They would have appeared to infinitely better advantage. It seems to be alike the pleasure and the duty of the People to right up such audacious Factionists.

Legislative.

In the House, on Wednesday Inst, a resolution was offered that the committee on vice and immorality be instructed to introduce a bill so amending the law of last session, entitled "an act authorizing the citizens of certain counties to decide by ballot whether the sale of vinous and spirituous liquors shall be continued in said counties," as to embrace the whole Commonwealth, which was amended so as to extend only to counties which shall ask for the law.

Petitions to allow banks to issue notes of a less denomination than five dollars, and others to prohibit them issuing any less than ten dollars, were presented.

A strong effort is making to abolish punishment by death. The Legislature, a few days since, passed an act for the suppression of the ruinous, destructive and dishonest vice of gambling. The penalties are very severe. The keeper of a gambling table is liable to imprisonment in the penitentiary and a fine of five hundred dollars.

Turnpike Meeting.

At a meeting of the inhabitants of the townships of Choconut and Middletown, held pursuant to public notice, at the house of Joseph Hyde, in Friendsville, Feb. 1, 1847, CALEB CARMALT was appointed Chairman, and JOHN S. PEIRONNET, Sec'y.

The Chairman stated the object of the meeting to be for the purpose of taking the necessary measures to obtain a charter of incorporation, and make a turnpike Road from LeRaysville, in Bradford County, to Friendsville, in Susquehanna County, and from thence to connect with the turnpike Road now proposed to be made from the State-line, in the township of Silver Lake, to Biaghman in Broome County, N. Y.

On motion it was Resolved, That a Committee of six be appointed to correspond with the members of the Legislature, and endeavor to obtain a charter, according to the tenor of the petition already adopted and forwarded.

Caleb Carmalt, John S. Peironnet, Hiram Bates, John B. Wilson, Archd. Stanley and Edward Clark were appointed the committee.

Resolved, That a Committee be appointed to employ a competent Surveyor or other person to examine the ground, and report an adjourned meeting, the most eligible route for the said Road. And that when this place on the first day of March next, at 2 o'clock in the afternoon, to receive a report.

John S. Peironnet, Joseph Hyde, Hiram Bates and C. Carmalt were appointed.

Capital Punishment—No. 3.

If my mind was not thoroughly imbued with the conviction that Judge Jessup was one of our purest men, that he bore a noble heart in his bosom, that his objects and aims were all manly and virtuous; if I was not obliged to bear testimony to his commanding talents and public services, or, if his influence was not commensurate with his talents and his virtues, I should suffer his opinions upon the gallows, to go for what they are worth. But when such men denounce the deep, the universal, the instinctive feelings of the heart, the voice of God in the soul, crying out as it ever does against things inhuman, unchristian and unnatural, as mere morbid sentimentalities, as the diseases of the public mind; when he assails the religious convictions and conscientious scruples of his fellow-citizens; and declares they shall disfranchise him in the courts of his country; when he denounces the operations of such feelings in a jury-box; and on the witness stand, and calls them perjury; when he attempts to fasten his own religious creed upon the community, by the strong arm of the law; it is our duty, as well as our right, to expose his errors, to let him know that he is hostile to a great moral movement; that he is weighing the great epochs in the history of humanity in the petty scales of his own experience. He should be made to feel what he refuses to see, that there are men on both sides of this question, whose reputation and character should protect them from the imputation of fanaticism, that it is pitiful to attempt to identify the proposed reform with moral or social ultraism; that it is not a subject for the charge of bad motives, or infidelity; that his example in these respects, is of ten-fold more consequence than his precepts; the doctrine carries its antidote along with it. Men who cannot meet his reasoning, feel how true it is, but the effect of the example is measured by the estimate of the man. Here it operates to stagger our faith in virtue, to stifle the voice of conscience; to destroy our confidence in her motions, and it degrades the reputation, the intelligence, and I think I may safely say, the virtue of the country. It has occupied the highest place in these ranks; it is our duty to see that it does not descend to fill the lowest. The Legislature as well

as the people of nearly all the northern and middle states have borne a silent but decisive testimony against the demoralizing influence of public executions; they have made them private. But his favorite argument is the terror it inspires—I hope the few selected to witness the execution will feel the full force of this compliment.

Judge Jessup, or some one for him, appears in the Register denouncing me as a "silly rhapsodist" without argument or sense; as a sympathizer with the murderer; as an apologist for the suicide, and as an infidel in my religion. He might have spared himself the trouble of repeating in his paper what he had before done in his lecture; but to give him the full benefit of these denunciations I admit once for all that I would rather be the poor suicide, goaded to desperation until his reason was unsettled, than the man who coolly and deliberately chokes him to death. I would rather hang my hopes of salvation upon the commission of his crime, than upon *theirs*. I have a better right to my own life, than Judge Jessup has, and he would think with me, if I had a rope round his neck and was strangling him. As to my infidelity, if it is to be tested by his standard, he is welcome to the admission that I would rather be an infidel, than possess his religion. It is not his *practical* religion I mean; but his *doctrine*, his theology. The former I respect; it ill becomes me to raise the banner of superior sanctity saying "stand off for I am holier than thou." I hope my humanity will not be construed into arrogance; but his theology I discard, as inhuman in its mercy, false in its doctrine, brutalizing in its tendency, hostile to the principles and practice of Jesus, and subversive of all the best interests of humanity. My want of argument and my weak reasoning he has no right to pass judgment on, because he publicly denied me the use of both. The law he said was the law, and he who criticised it, he who ransomed upon, he who investigated the foundation of his own religious belief questioned that of Judge Jessup, was a knave and an infidel; he was unworthy of credit in court. He turns me out of court, and then upbraids me for not arguing my cause. I take him at his word—I lay aside reason, and appeal to the feelings, to the humanity of mankind, and he is still dissatisfied. I am, like the convict, denied the use of my reason; the benefit of human sympathy, and must submit to be hung! He complains of my appeal from his theology to his humanity, to his law, to his virtues, to his humanity. I did it because I thought his humanity, his virtues, were a better authority; were worthy of the appeal. But his religion is his standard, and he is not willing that such a standard shall be measured by the virtue, the humanity, the morality, or the law of its possessor; it is a tacit acknowledgment that its injunctions are vicious, inhuman, and immoral. I now return to my subject.

We left off in the midst of an examination of Sata's declaration, "every thing that a man hath will he give for his life." Judge Jessup quotes this declaration, not for the purpose of denouncing, not for the purpose of opposing or resisting the author of evil, but for the purpose of aiding and sustaining him. When he was a mere lawyer, he would have had many clients like Satan, as depicted by the very Devil, whom it was his duty to advocate, and the ancient leaven of Cain's Gratitude is due to the Judge; he can't Gratitude his Gratitude to the Judge; he can't Gratitude himself, and in choice too. Now, I am not sufficiently versed in matters of law to know whether *Imaginarium*; whether I may admit the fact, and show that after all it amounts to nothing; but I do know that I am not a fly to be caught in the cobwebs of form. I will, therefore, suppose that a man would give up every thing for his life; that he would give up his evil propensities; that he would give up his liberty; that he would give up the pursuit of happiness; that he would devote the energies of mind and body, to make reparation for his crime, not only to society, but to the kindred of the departed. Let us imagine that in the hour of committing the murder,

"And the roses
Fierce repentance rears her snaky crest."
That the remorse of ages is rankling within; that the voice of conscience, the fine that cannot be quenched is burning in his bosom; that he surrenders himself, like Myers, and Mercier and Colt, and Burton, and hundreds of others, to the tender mercies of Judge Jessup. It is a comfort to the Judge that another life must be sacrificed; he glories in the achievement that another health is to be made desolate; he raises the gallows for another human sacrifice; he asks that another mother's love must be broken; that another father may be agonized; he offers to those that are already afflicted, no truer or sweeter balm than revenge, and that revenge must be gratified, not only upon the murderer but upon the innocent. Sometimes, it is true, they crave the death of their victim! but the instances are rare, and whenever they do, Satan himself delights to scatter incense upon the altar! They diminish our sympathies; they turn them from the chained in which He who created us designed they should flow, towards the convict; they are universally regarded as cruel, as revengeful, as fiendish.

The Judge wishes them to manifest the latter disposition. He sees his victim's tortured brow, he sees the sweat of anguish starting through his skin; he sees the record of a nameless woe in his countenance; he hears the heaving breast, and stifled tongue; he sees coursing over his half-crazed fancy, the visions of eternity, of endless misery; and he wishes to terminate these awful monitions, the still, small, voice that speaks in the recesses of the soul; he stops the workings of repentance and contrition, with the goad of retaliation! He offers them revenge;

"He offers with impatient grasp,
To tighten the death rope's struggling clasp."
And he does this with a perfect knowledge that the amount of suffering inflicted upon his victim is a positive relief, when compared with that which is inflicted upon his innocent family; and when he knows that they sometimes suffer for generations from the grief and the dishonor. I knew a mother, of keen and tender sensibilities, die on her son's conviction, even before his sentence was executed. He was a young man whose education and talents would have done honor to his entire land, but the hour of evil came, and he fell. Does the Judge believe that such a man, so gifted, was not suffering more at the recollection of "the joys of early days; the holy and the tender," at

the recollections of the lessons that linger around the hearts of the vicious, bringing them back in penitence to the ringing shout of school-boy days? Does he believe that he suffered more when the spirit of his mother, rising from the grave, was calling him to virtue and to God, than he did from his executioner would any man of correct feelings—

I speak not now of the duties of the christian; I appeal to his feelings as a man. Would he shut his soul from that light which is a light to the dark world within, which opens through that veil of darkness scenes of love and peace, and purity, in which all our spirits would fain dwell and worship; scenes that nature in her robes of spring can never imitate; that surpass all forms of material workmanship; hopes divinely beautiful; offer which the spirits of our departed parents watch with deep and peaceful interest? Oh! that no human punishment, no fear, no doubts, might ever wear a cold or blighting wing over a hope-like this! may a mother's spirit, may the angels of God keep their vigils over it, until death frees it from the clasp that bounds it, and it knocks at Heaven's own glorious gate, to take its own bright shape and live! He that bids such aspirations as these would dance upon his mother's grave. Judge Jessup's heart would revolt; it recoils while he is reading these lines from the bare intimation of such results. But he replies why send your sympathies to the cell of the felon; what reparation is this; repentance to society; to the violated law; to the family he has destroyed? I answer it is all that can be given, and his death prevents even this; that is no reparation; and if the hand of the murderer strikes the most valued life of a family, it is a poor comfort to know that another life must be taken, that another family is born to an equal amount of anguish and misery.

But I do not mean to be understood as admitting the Devil's declaration, that all a man hath he will give for his life. I think with Burleigh and his reviewer, that the reverse is the fact. I have admitted the Judge's quotation only to refute it; if it had not been done already I will do it now. Judge Jessup would not give his religion, I do not believe he would give up his opinion in this controversy, half an hour, if you were to struggle him in the street, as he would if you were to reason with him, or satisfy him from the Bible—in the latter case you might succeed, in the former never—under extreme torture he might say he would, but

"He that is convinced against his will
Is of the same opinion still."

Certainly a bigot would not give his bigotry; Burleigh would not give his fanaticism; Gen. Worth would not give his honor; the poorest man among you would not give his wife, or his child; not a soldier that moonshine, yeelp'd glory! to retain his life a week, and therefore the aphorism of Bacon is nearer the truth than this quotation from the evil principle. "There is no passion in the mind of man so weak but that it makes and masters the fear of death." Hence I argue that the murderer is not adequately punished; that he is not deterred, and the very severity of the punishment, according to the Judge's own showing, its barbarity, and brutality, not only operate to prevent him from being deterred, but operate to prevent him from being punished at all. There is a degree of wickedness in cool, deliberate, premeditated murder, that so far from sympathizing with, from exculpating or palliating, I fear is not inferior to any of the worst of cases; those alone in which the law intends life should be taken. The cold blooded, hardened villain is not only insensible to the pain of death, but he is the least sensible of the pain of death. How many instances of stupid brutality, of shocking levity, such miscreants exhibit under the gallows! Didn't Jabez Boyd, the avowed and acknowledged murderer of the Pattons, kick the Sheriff's shins with him on the platform? Was he punished? Didn't Robinson, after confessing that he murdered Sydney, openly declare that he would burst out laughing under the gallows? Didn't he cry out "for a brand of music; the big crowd, and Sunday dressed spectators!" Didn't he say in his most sober moments, "I've suffered misery and poverty enough in this world, to care much about leaving it?" Was he punished? Didn't Keek the murderer executed some few years since, in Dauphin County, (I think it was) mock the officiating Clergyman, who prepared to sing a psalm, by openly singing some vulgar, filthy, obscene, if not blasphemous song in the midst of the service? Did he regard the punishment? Look too at the late Auburn murderer! was he punished? I say nothing now of the awful responsibility of sending such a soul to judgment; say nothing about the effect of such an exhibition upon the bystanders; say nothing about the comparison of such men are not only acute and sensitive, but filled with contrition and penitence; but compare such an execution with the punishment of perpetual imprisonment; which, if such men did not feel at first, might be made use of to bring them to a sense of their condition.

A SPECTATOR.

For the People's Advocate.

Messrs. Editors.—I would not trouble you, or the public, with the subject of Phrenology, were it not for the uncalculated and severe manner the Disciples of Gall were treated by Judge Jessup in his late lecture on the Death Penalty, for their attempt to improve the prison discipline at Sing Sing. I hope an explanation in my own way, may not be deemed intrusive or out of place. The Judge represented that it was wrong to place prisoners in a Hospital, and have their moral and intellectual faculties improved, their vicious propensities gained in a proper manner, because they were sent to prison as a punishment for some act they had committed in violation of law. Now laws may be good or bad according to the ideas of those who had the authority to make them; and if it can be shown that a law which has no other aim than punishment, is a bad law, I think the Judge must be incorrect, and his abuse of Phrenology wanton and out of place. Man possesses different faculties, the exercise of which gives happiness or misery; these faculties are given to us for good and wise purposes, and a proper exercise of them is commendable, but an improper use is reprehensible; and indeed the only sin or crime man can commit, is the undue exercise of those faculties. Man possesses a desire to acquire wealth, which springs from the Organ of Acquisitiveness. There is no

faculty in the human mind that has been stimulated more than this; we labor, we toil, we contrive, and lay plans to accumulate a quantity sufficient to support us in sickness and old age; and if possible to leave something to those who may succeed us. Now this is all right; and our moral faculties exclaim, it is just, it is proper.

But let the desire to acquire (which we all possess to a greater or less degree) become too strong, and our moral faculties too weak, the consequence would be the accumulation of property at the expense of others; Stealing, robbery and deception is the result; and this we call sin, or crime, which the Judge thinks should be punished. But the law which consigns an individual thus organized to prison for punishment, and gives the prisoner no rational chance for amendment, is a bad law. Now Phrenology proposes to stimulate the moral faculties, which are too weak, by a course of training which will keep them in action, and let the feelings of Acquisitiveness subside, which have been too strong, thereby equalizing the mind, and making good and virtuous citizens of those who, according to the bad law, and Judge Jessup's policy, would be let out of prison hardened in feelings by the cruel punishment received, ready to break forth anew in crime, with but one faculty taught a lesson, that of Secretiveness, making them more sly to escape detection, and thereby avoiding in future the punishment just received. We also recognize another faculty which we possess, giving us a desire to destroy that which is hurtful, or anything that might injure our happiness. This feeling arises from the Organ of destructiveness, and is possessed by all; some however have the feeling much stronger than others, and consequently we find there are those who are severe, cruel, and hard-hearted; and when the organ is too large it leads to a love of war and butchery. Now, destructiveness is an ingredient in our organization that deceives ourselves, and when we suppose we are contending for justice and righteousness, we mistake, it seems to me, the fervors of Destructiveness for the inspirations of moral eloquence, as was strikingly illustrated in the appearance of the lecturer at the time of its delivery; which could not be accounted for on any other principle except that of Phrenology. No wonder that those who had been acquainted with the man, and more recently seen his benevolent feelings bursting forth in the late Temperance Convention at the prospect of the amelioration of mankind, and a stop put to the wretchedness and misery brought about by the sale of intoxicating drinks, should ask, "can this be Judge Jessup?" so altered, so devoid of pity, that the benevolent desires of Phrenologists to ameliorate the condition of those unfortunate beings who are confined in prison at Sing Sing, should be treated with scorn and contempt!

But the true cause may be found in the fact that the Lecturer was exercising his intellectual faculties, to satisfy the moral sentiments of his audience, that we might destroy the life of a fellow being as a punishment for crime, which act springs alone from destructiveness.

One of his arguments was a comparison drawn from the fact that men are killed in war; therefore it was right to take the life of a murderer, "for he made war on the community." And to satisfy our conscientiousness that it was just, appended to our exclaiming, "I am the last man to condemn our beloved Washington." Now there is a vast difference between men slaying each other in battle, and a community taking a prisoner out of the walls of a prison, where we have confined him for weeks and months, chained down to the floor, arms shackled with iron handcuffs, then leading him forth to the scaffold, and there put an end to his mortal existence by deliberately choking him to death! Had Washington destroyed the lives of his prisoners, the comparison would have been correct, but the argument very insignificant. Therefore I am compelled to believe that such a doctrine, such energy, such zeal, such power of declamation, and such a wanton disregard of the benevolent feelings of Phrenologists, could spring from no faculty which man possesses, except a highly excited state of the organ of destructiveness! And indeed, what faculty of the human mind but destructiveness and self-esteem prompted the declaration, that he "while sitting on that Bench in your Court-house was an instrument in the hand of God to punish men for their crimes!" It could be nothing else—it is the very language of self-esteem to talk of high station, and of destructiveness, to deal in pains and penalties.

But I forbear, hoping that an individual so distinguished in society as Judge Jessup, with the power to accomplish so much good, will, after his lower feelings have subsided from the high state of excitement they must naturally acquire in an attempt to justify taking the life of a human being—his moral sentiments will again prevail, and in a measure atone for the aberrations from a hitherto correct course, brought about by the discussion of so excitable a question as Capital Punishment.

A PHRENOLOGIST.

For the People's Advocate.

Capital Punishment.

"But I would that ye should understand, brethren, that the things which have happened, unto me have fallen out rather unto the furtherance of the gospel."—PHIL. I. 12.

Through mercy reform is advancing from the antiquarian habits of barbarism, superstition and corporal torture, towards the greater comforts of toleration, temperance, mercy, &c. rather unto the furtherance of the gospel, than sectarianism ever effected by its deathly torture; I fervently desire, by these lines, to promote the further advancement of reform, by advising the exercise of common sense, through mercy, separate from personal and irritable controversy against those differing with us in sentiment; whilst, they are very respectable in behalf of the advancement of the age, in the abrogation of the Death Penalty. Ungenerous are those who, because opposed to the sentiments of others, will write to their prejudice, as though they had never learned those words, "Let love through all your actions run, and all your words be mild," and how ever generous it is, better to make no public or personal reply to such, but advocate rational principles as much as possible, rather than the furtherance of the gospel.

Thus I thought, when reading your paper of the 29th ult. relating to the death penalty,