

# The Sumter Banner.

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WILLIAM LEWIS,  
JOHN S. RICHARDSON, JR., } PROPRIETORS.

"God—and our Native Land."

TERMS—\$2 IN ADVANCE

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TERMS.  
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Obituaries and Tributes of Respect, over twelve lines, charged as advertisements.

## POETRY.

For the Banner.

### On Receiving A Book Mark.

How beautiful the work of woman's hand,  
Ever wearing on its face the sweet impress  
Of her own purity and loveliness!  
Her rosy fingers wave the magic wand  
E'en with whose slightest touch she may command,  
At the sweet pleasure of her will to rise  
Enchanting beauty before the raptured eyes,  
The dazzling beauties of bright fairy land!  
Fond token! of the dear regard I hold,  
Well favored, in her true and tender heart,  
Wert thou overflowing with the purest gold,  
Thou couldst not be more valued than  
thou art;  
For me thou hast a treasure which would  
More precious far than gold, a gentle  
being's love!

Sumterville, January, 1855.

(SELECTED.)

### The Contented Wife.

I would not change this happy scene  
For all the earth's proud pomp and glare;  
I would not change my humble home  
For kingly rank, or queenly state.  
I would not change my husband's love  
For all that earth can give of fame;  
Nor barter his approving smile  
To wreath a halo round my name.  
I would not change my child's sweet  
glance  
For all the love earth's wealth could  
gain;  
Nor change the certain bliss I feel,  
For all ambition might obtain.  
What blessings great and numberless,  
My God with sweetest hopes hath blest,  
A happy home, endearing friends,  
With health, and love, and true content.

### Every Man His Own Lawyer—Self-Defence Triumphant.

At the last term of the Orange County (New York) Court, the following case was tried, upon which the jury was addressed by the defendant, who had concluded to appear in his own defence:

**The People vs. James Allerton**—This was a very interesting case, rendered so from the fact that the defendant acted as "his own lawyer" on the trial, without having the advantage of being one of the legal fraternity. His "summing up," of which we are able to give nearly a verbatim report, with the exception of the "acting," was decidedly rich, and afforded much amusement for the legal gentleman present. The deft. who is a small, red-haired, thin specimen of a Yankee, was indicted for an assault and battery on one Mr. Dodder. The facts, as divulged upon trial, are briefly as follows: The defendant is in the employ of the Monongah Valley, Forestburg and Port Jervis Plank Road Company as a toll gatherer, and resides upon the road, some miles above Port Jervis. He and the complainant, Mr. Dodder, are near neighbors.

On a Sunday in February last, the deft. saw the complainant, in the act of beating his (deft's) cow along the highway, and as an inducement for him to quit, hurled a few stones at him, one of which, as the complainant testified, struck him on the back of the neck.

The testimony being concluded, the defendant addressed the jury as follows:

GENTLEMEN OF THE JURY.—I don't know much about law, and since the trial has been going on I have concluded that I ought to know a little more. I ought to apologise perhaps for appearing in my own defence, and will do so by telling you, that I led one lawyer, and hired another, in this case, but they both come up missing when I need them most. I suppose I

might have secured the services of some of these other "limbs of the law," that I see around me, but having been cheated by two of 'em, I concluded to go it on my own hook, and here I am! I want to tell you gentlemen, before I go farther, that it is not my fault that this case is here taking up the time of this honorable court. I think you will give me credit for telling the truth, when I say that it ought to have been tried before a Justice of the Peace, it being better adapted to the capacities of such a court, than of this one. After this difficulty, Dodder did get a warrant for me from Squire Cuddeback, over in Deerpark. He then charged that I had insulted him, but five or six months has freshened his recollection, and he now says that I assaulted and battered him. I believe there is some difference between the two charges.

Dodder says he swore to the complaint before Squire Cuddeback. I leave it for you to say whether he tells the truth or not, but I don't know which, I was taken by a constable before the Squire, and either because the Justice was ashamed of what he had already done, or hadn't time to attend to it, I don't know which, it went down. Two or three weeks after that I was arrested again, and my wife having been confined, I thought it best, as a dutiful husband, to be around him, so I got rid of it by giving security for my appearance to Court.

You know gentlemen that I am in the employ of the Monongah Valley, Forestburg and Port Jervis Plank Road Company, as a gate keeper.—This company it seems had sufficient confidence in my integrity and honesty as to place me in that important station, and even if I should receive \$3,000 and steal \$1,500 of it, that's between me and the company, and its none of Dodder's business. Now, when the company sent me up along this road to collect tolls, this Dodder was one of the inhabitants I found there in the woods, and I will say for him that he is a very fair specimen of the rest of the population. But there isn't any of them that seem to appreciate all the benefits of this Plank Road.

It let to civilization a class of people who never before realized the idea that there was such a thing as civilized life and this Dodder is one of them. It is a fact that soon after I moved there, a young woman, 17 years old, came down out of the mountains on the Plank Road, one day, and said she had never been out before. She fairly seemed surprised to see a white man, and after asking a few questions went back into the woods. This Dodder was my neighbor, and a good deal nearer than I wanted him, and I hadn't been there long, before I heard he had been lying about me to one of the Directors, and I soon found out that he wanted to get his son who was sworn here against me, in my place. But he hadn't done it yet, and if you don't convict me, I reckon he won't very soon.

It won't take long to dispose of Dodder No. 2. He testifies that he saw me throw three stones at his father, and saw the "old man dodge." On his cross examination he says that he was in his own house in the woods, and had to look over a hill twenty feet high, and also over three slab fences and two stone walls.—Well, if he tells the truth, all I wish is that I had young Dodder's eyes.—He is certainly a remarkable boy and can't consistently deny his "father."

I am willing to admit that I done wrong to throw stones at Dodder, and I apologise to all the world and this court particularly for it. The Doctors tell us that there are two causes for all diseases, pre-disposition and excitability; I think it was the latter cause that moved me to stone Dodder. I therefore confess myself guilty of the assault, but the battery, I deny, and if you find me guilty of the battery I will appeal from the decision to the Court of High Heaven itself before I will submit to it.

Now, gentlemen, you saw Mr. Dodder, and heard him swear against me, I asked him a great many questions, and I was sorry to hear him answer as he did. I might have asked him if he didn't kill my cat, and if he didn't stone my chickens, because they trespassed in his woods, where actually the rocks are so thick that the bracke's can't find their way through them; but then I knew he would deny it, and it would grieve me to hear him. He admits that he was driving my three cows up the road, and that he struck at one of 'em, but says it was with a small switch. I have proved that this switch was a pole about 10 feet long and about three inches across the butt end, and I have also proved that when he struck, the cow fell. It is true my witness couldn't swear that the stick hit her, he was so far off, but

take the blow and the fall together, and we can guess the rest. If you, gentlemen, should see me point a gun at a man and pull the trigger, see the flash and hear the report, and at the same time see the man drop, I think you would say that I shot him, although you might not see the ball strike him.

"Now, the fact is, gentlemen, that on Sunday, I was lying on my lounge in my house, when my wife said to me that Dodder was chasing my cows. I jumped up and pulled on my boots and went out of doors, and saw Dodder and the cows coming up the road. It is true he says he was not driving them but says he and the cows was both going along the road in one direction, and this was as near as I could get him to the cows or the truth; but it is proved that the cows were going ahead of him, and he was following after them, striking at them, with this little switch, 10 feet long and 3 inches across the butt, and I reckon you'll think he was "driving" them. I sung out to him, "Dodder stop!" but he didn't obey my order, and I just threw a stone in that direction, which went about 10 feet over his head, at the same time going toward me. He paid no attention, and I sung out again, "Dodder stop!" still he didn't mind me, and then I just threw another stone; but on he came, and on I went, and I threw the third stone, which he says hit him in the back of his neck, but which I think is rather strange, as we were coming to ward each other as fast as we could go. But he never slackened up, and by this time we were within about eight feet of each other. I halted and holered at the top of my voice, "Dodder, why in—don't you stop!" about then he did stop, and raised this 10 foot switch, as if to strike me—I sang out—"Mr. Dodder, look out! You may wallopp my cows, but if you wallopp me with that switch, you'll wallopp an animal that'll look!" [Here the orator made an appropriate gesture of the head, as in the act of hooking, which was followed with tumultuous shouts and laughter, that continued several minutes.]

Now, gentlemen, if you convict me, this Court can fine me \$250 and jail me for six months, and if you really think I ought to be convicted of this assault, say so for I am in favor of living up to the laws, as long as they are laws, whether it is the Fugitive Slave Law, the Nebraska bill or the Excise Laws. I will read you a little law, however, which I have just seen in a book I found here.—(The speaker here picked up a law book and read as follows:—"Every man has a right to defend himself from personal violence." Now I don't know whether that is law or not, but I find it in a law book, [a veteran member of the bar who was sitting near the speaker, remarked to him that it was good law.] Well, gentlemen, here is an old man, who looks as if he might know something, and he says this is good law. Now if you will turn to Barbour something, page 399, you'll find that the same doctrine is applied to cattle.—(great laughter.) Therefore I take it, I had a right to defend my cows against Dodder's 10 foot switch. Why, gentlemen, nearly all my wealth is invested in them 3 cows, and you can't wonder that I became a bit excited when I saw Dodder switching them with his ten foot pole. I am a poor man, and have a large family, consisting of a wife and six children, which I reckon is doing pretty well for as small a man as I am, and I could not afford to let Dodder kill my cows.

Now, gentlemen, I don't believe you'll convict me, after what I have said. But if you do, and this Court fines me \$250, "I shall repudiate," because "can't pay." And if I'm jugged for six months, why these Dodders will have it all their own way up there. But notwithstanding all this, I am willing to risk myself in your hands, and if you think I ought to have stood by and not done anything, when I saw Dodder hammering my cows, why then I am "gone in," toll gate and all.

It is true, I am a poor man, but not a mean one. The name of Allerton can be traced to the May Flower, when she landed the pilgrims on Plymouth Rock, among the passengers was a widow, Mrs. Allerton, with four fatherless children, and I am descended from that Puritan stock; and from that day to this, there has never lived an Allerton who hadn't Yankee spirit enough to stop a Dodder for poling his cows. I'm done. (Here the laughing and shouting were exceedingly boisterous, in which all participated, and it was several minutes, despite the repeated cries of "order, order," by the court, before order could be restored. Our eloquent and usually unvanquishable District Attorney, fearing to cope with so formi-

table an antagonist, merely remarked: "It is a plain case," &c., and left it to the jury, who promptly brought in a verdict of "Not Guilty." Mr. Allerton certainly deserves judicial promotion, and we move that he be appointed clerk of the Court.)

### The Coquette.

"I can hardly believe the story they tell, Ned. You, a strong, hearty, jovial fellow, always up to mischief and fun, dying for love? Bah! it's all moonshine."

Spite of his forged mirth, the voice of the speaker grew tremulous. The scornful glance of that dark eye unmasked him. Was this but the wreck of what had been so noble, so beautiful? The sunken cheeks, the claw like hands, that flickering death light, that unsteady glance of the death bloom—could this be all that remained of so much manly beauty?

"You never knew me, Marshall." His voice was low and broken.—"I never knew myself. I was an orphan; no one loved me—sister, brother, I had none—and when my heart first learned the meaning of that mighty passion which makes earth a Paradise, or dries those living springs and greenness to deserts of barrenness, I feared for myself. But I was not happy. Dying for love, you say; it is not that. The bitter consciousness that where I looked for truth—for every divine virtue, I found duplicity, art, deception—a withered heart, buried in a whited sepulchre—oh, heaven! and he hid his face in his wasted hands.

"My dear fellow, be a man; bear up more bravely; do not, I pray you, die for the love of a silly girl."

"She was beautiful!" continued the sick man, "and she taught me to hope—she turned every string of my heart till it would vibrate at her touch; she led every pulse till they beat only for her smiles. I know it was all wrong for me to love her so, and yet, isolated as I had been from infancy, how could I help it? When the bolt fell, it crushed me. May you never know what it is to be deceived—and by one so lovely as Helen Murray!"

Again he had covered his face with his hands. He had not seen the convulsive start, the death-like palor of a friend. And when he said "good night," twilight was falling, so that they parted, and neither knew how obliging were the words that fell on each other's heart.

"I am beautiful!" said a queenly girl, as she stood before the mirror; "beautiful without all these,"—lifting a pearl spray and brightening with it the rich gloss of her brown ringlets; and circling her wrist and finger with gems of untold value.

"I shall be queen of the ball room to-night. Envied and courted, and not exactly happy. How exquisitely rich this lace—poor Ned! heigho—somehow what he said seemed so real. I wish he had been rich, poor fellow! I half believe I love him better than I think, even now!"

"Miss Helen, are you ready?" "Yes, coming, Linda—how do I look? Is Harvey waiting? There, take my bonnet and shawl—carry them down—I'll be there. Poor Ned! what makes me think of him to-night, I wonder? When I think of Harvey's proposal, and my brilliant prospects in the future, I seem to see his ghost. Can he be dead? Was it not very cruel in me to treat him so? I wish I could see him; will he be at the ball, I wonder?"

Thus soliloquizing, the fair, proud girl hurried down to meet her lover. Resplendent as she looked, bewitching as she knew herself, she was started at his coldness.

He came forward, took one white hand, gazed at her from head to foot, and with a smile that seemed even to her mockery, he said, in measured tones, "How beautiful you are!" and turned abruptly away.

For a moment he seemed to have forgotten himself, then hurriedly performing the office of gallant, he assisted her into the carriage, and they drove off.

It was not before the brilliantly lighted ball room that they stopped. No streams of amber light checked the dim pavement—but all was still, dark and solitary.

"For heaven's sake, where are we going?" Helen exclaimed, as her over made a motion to leave the carriage.

"To see a friend, my love," he answered in the same freezing tones; "you, whose heart is so tender that it bleeds at the sight of human misery, will not, I am sure, deny me your company on the errand of mercy."

Through a long, dimly lighted entry, the young man led her silently, hurriedly. "Pray to God it be not too late," he murmured, as he stood hesitating before a half closed door.—Suddenly it was opened to its utmost,

and a shadowy figure passed out, starting as it met the intruders.

They stood before the door. Helen shrieked, and falling beside the couch, hid her face in her shaking hands.

"Look on your work, woman!" exclaimed her lover. "Murdered by your cruelty, there lies one of the nobles of his kind. Ay! start at the fallen jaw, the livid temples, the dull staring eyes! You will never again, with lips, voice, or smile, beguile the great heart to its ruin. He died with the mantle of his pure, steadfast love wrapped around him; he laid him down with the music of that love breathing in blessings from those lips."

"Ay! sob and shudder; well you may; for you are as truly his murderer as if you had pierced his heart with cold steel, or poured the poison from the chalice of death upon his lips.—Miserable coquette, I spurn you!"

"And yet forgive me," he added, passionately, relently at the sight of her agony. "Vengeance is mine," said a just God, and the arrow of eternal remorse is lodged in your soul. I pity you—from my innermost heart. Pity you. Rather would I be your poor senseless clod, than you—bright, beautiful, brilliant, as you are, with the murder of a fellow creature heavy on your conscience."

"Mr. Harvey, will you take me home?" she asked.

Her face was as ghastly as the one before them, and the shining hables muckers of her sorrow, flashing and flickering like graveling about a pall. Repeating that pale face looked so imploringly in his face, he would have supported her, but she sprang from him, and motioned him to lead the way.

Turning only once, she uttered a smothered cry, and passed both hands over her heart, followed Harvey as the criminal follows the executioner.

"Take me home," she said, and once there, she tore off her glittering ornaments, never to wear them again. Two years afterwards she died become the wife of Harvey; but first a subdued, broken-spirited woman, ever feeling that but for her a long life of usefulness might have been vouchsafed to one whose heart, being so tender, broke in striving to forget her. She has four beautiful daughters, but not one of them will be, in the remotest degree, that heartless being—a coquette.—Olive Branch.

### Children.

It is quite a mistake to suppose that children love the parents less who maintain a proper authority over them. On the contrary, they respect them the more. It is a cruel and unnatural selfishness that indulges children in a foolish and hurtful way.—Parents are guides and counsellors for their children. As a guide in a foreign land, they undertake to pilot them safely through the shoals and quicksands of inexperience. If the guide allow his followers all the liberty they please; if because they dislike the constraints of the narrow path of safety, he allows them to stray into holes and precipices that destroy them; to shake their thirst in brooks that poison them; to loiter in the woods full of wild beasts or deadly herbs; can he be called a sure guide? And is it not the same with our children? They are, as yet, only in the preface, or, as it were, in the first chapter of the book of life. We have nearly finished it, or are far advanced. We must open the pages for these younger minds. If children see that their parents act from principle—that they do not find fault without reason—that they do not punish because personal offence is taken, but because the thing in itself is wrong—if they see that while they are resolutely but affectionately refused what is not good for them, there is a willingness to indulge them in all innocent matters—they will so appreciate such conduct. If no attention is paid to rational wishes—if no allowance is made for youthful spirits—if they are dealt with in a hard and unsympathizing manner—the proud spirit will rebel and the meek spirit be broken. Our stooping to amuse them, our condescending to make ourselves on a level in their plays and pleasures at suitable times, will lead them to know that it is not because we will not, but because we cannot attend to them, that at other times we refuse to do so. A pert or improper way of speaking ought never to be allowed. Clever children are very apt to be pert, and, if too much admired for it, and laughed at, become eccentric and disagreeable. It is often very difficult to check our own amusements, but their future welfare should be regarded more than our present entertainment. It should never be forgotten that they are tender plants committed to our fostering care—that every thoughtless word or careless neglect may destroy

a germ of immortality—that foolishness is bound up in the heart of a child—and that we must ever, like watchful husbandmen, be on our guard against it. It is indeed little that we can do in our own strength, but if we are conscientious performers of our part—if we earnestly commend them in faith and prayer to the fostering care of their father in Heaven—to the tender love of Him, the Angel of whose presence goes before them, and who carries these lambs in his bosom—we may then go on our way rejoicing, for "He will never leave nor forsake those who trust in Him."

### Snake Fascination.

We have occasionally read accounts of persons having been fascinated or spell bound by snakes, but never knew of an instance occurring in our vicinity until a day or two since, and one that we know to be a fact. A man by the name of O'Mara had a small child, a little girl about thirteen years of age, who came to her death through the influence of a snake, one day last week, under the following circumstances: O'Mara resides on Copperas Creek, in Franklin county, and but a short distance from the Pacific Railroad depot. Some nine months ago, early last fall, his family noticed the little girl to be pining away, and became very weak and pale, although she had been very fleshy and hearty, and apparently without any cause or complaint of sickness. By the time winter had fairly set in, she was wasted away to a mere skeleton, but as soon as the weather became cold she again seemed to revive. She never complained of being unwell, and in reply to all their inquiries in regard to her health, she in amiably said she felt well, only a little weak. As soon as spring arrived, she could not be prevailed upon to eat any victuals in her father's house, but would take a piece of bread and butter, or a piece of meat, and go out to the edge of the creek to eat it. The family noticed her regularity, always going precisely to the same place, and invariably complaining of being hungry after her return, when if more victuals would be given her, she would again return to the creek, as they thought, to eat.

Finally, some of the neighbors having heard of the circumstances of the child's extraordinary conduct, and also of her wasted appearance, suggested to her father to watch her movements, which he did last Friday. The child had been sitting on the bank of the creek nearly all the forenoon, until near dinner time, when she got up and went to her father's house, asked for a piece of bread and butter, and again returned to the same place she had been. Her father kept behind her without making any noise. As soon as the child was seated, the father saw a huge black snake slowly raise its head into her lap and receive the bread and butter from her hand; and when she would attempt to take a bite of the bread, the snake would commence hissing and become apparently very angry, when the child, trembling like a leaf, would promptly return the bread to the monster. The father was completely paralyzed, not being able to move hand or foot; entertaining, as most persons do, a great dread for snakes, he felt alarmed for the safety of his child, not knowing the nature of the snake or the extent of the influence on the child. His blood became almost clogged in his veins, and he groaned in perfect agony, which caused the snake to become alarmed and glide away into the creek. The child then immediately sprang to her feet and ran home, apparently much frightened. Her father followed her, but she refused to answer any questions, and he then resolved to detain his child home, but he was advised to permit her to go again next day to the creek, and to follow her and kill the snake. Next morning she took a piece of bread and went out to the creek, her father followed her with his gun in his hand, and as soon as the snake made his appearance shot him through the head. The child swooned, the snake squirmed and worked himself around awhile and then died; the child, in the meantime, recovered from her swoon, but was immediately seized with spasms, acting in a manner resembling the writhing of the snake, and finally died at the same moment the snake did, apparently in the greatest agony.

This horrible, and at the same time melancholy occurrence, is the first we have heard of for a long time, and in fact the first we ever knew of where we could positively vouch for its truthful correctness. We know that there are persons who doubt the reality of snake fascination, but if they entertain any doubts on this subject hereafter, the relatives of this unfortunate little girl can be found

ready and willing to corroborate our statement. This should serve as a warning to parents who reside in the country to be more careful in watching their children.

We had almost forgot to mention that it was a black snake, (generally supposed to be harmless, that is, not poisonous), seven feet six inches in length, that fascinated the little girl. [St. Louis Herald.]

The HOME MOTHER.—Some one writing for the "Masonic Mirror" has drawn a charming picture of a home-loving mother:

"We must draw a line, aye, a broad line, between her and the frivolous butterfly of fashion, who flits from ball to opera and party, decked in rich robes, and followed by a train as hollow and heartless as herself. She who, forgetful of the holy task assigned her, neglects those who have been given her charge, and leave them, to the care of hirelings, while she pursues her giddy round of amusements.

"Not so our home-mother! blessings be on her head. The heart's warm to see her in her daily routine of pleasant duties. How patiently she sits, day after day, shaping and sewing some article for use or adornment for her little flock! And how proud and pleased is each little recipient of her kindness! How the little face dimples with pleasure, and the bright eyes grow still brighter as mamma decks them with her own hands, in the new dress she has made! How much warmer and more comfortable they feel, if mamma wraps them up before they go to school! No one but her can warm the mitts and overshoes, or tie the comforters around the neck!

"There is a peculiar charm about all she does, the precious mother.—They could not sleep, nay, for that matter, she could not, if she failed to visit their chamber, and with her own soft hands arrange them comfortably before she slept! Her heart thrills with gratitude to her Creator, as she looks on those sweet blooming faces, and when their prayers are done, imprint a good night kiss on each rosy little mouth. It may be too, a tear will start for one little nestling, laid in its chiral narrow bed, for whom her maternal care is no longer needed.—It sleeps, though the sleet and snow descend, and the wild winter winds howl around its head. It needs no longer her tender care! A mightier arm enfolds it! It is at rest! She feels and knows that it is right, and bends meekly to the Hand that sped the shawl, and turns, with a warmer love, if it be possible, to those little ones who are left her to love. How tenderly she guards them from every danger, and with what a strong, uplifting love, she watches by their bedside when they are ill! Blessings be on the gentle, loving home-mother.—Angels must look with love upon her acts. Her children shall rise up and call her blessed, and the memory of her kindly deeds will unfold her as a garment."

DISTINGUISHED PRINTERS.—Blackstone the distinguished jurist, was a printer; Wm. C. Bryant, the poet, was a printer; N. P. Willis, the poet, was a printer; Judge Buchanan, judge of the supreme court of Louisiana, was a printer; ex-United States Senator Simon Cameron, was a printer; Edwin Forrest, the American tragedian, was in a printing office; Wm. Bigler, the present Governor of Pennsylvania, was a printer; and now Louisiana has one of the brightest ornaments that ever adorned the Criminal bench, and he a disciple of Gottschalk, Faust, and Schoeffler.—Hon. J. C. Larue, the American Senator, the House of Representatives, every Legislature that has yet sat in this country, and every branch where the genius of intellect, soundness of judgment, and depth of profound thought have been essential, has been graced by the poor type, who once received journeyman's wages.—Shreveport Democrat.

THE LENGTH OF DAYS.—At Berlin and London, the longest day has sixteen and a half hours. At Stockholm and Upsal, the longest day has eighteen and a half hours. At Hamburg, Dantz, and Stettin, the longest day has seventeen and a half hours, and the shortest seventeen. At St. Petersburg and Tobolsk, the longest has nineteen, and the shortest five hours. At Tornea, in Finland, the longest day has twenty-one hours and a half, and the shortest two and a half. At Wambergus, in Norway, the day lasts from the 21st of May to the 23d of July, without interruption; and at Spitzbergen the longest day lasts three and a half months.

In all things be honest, work for reputation in preference to wealth.