

Edgefield Advertiser.

"We will cling to the pillars of the temple of our liberties,
and if it must fall we will perish amidst the ruins."

PIERRE F. LABORDE, Editor.

W. F. DURISOE, Publisher.

VOLUME IV.

Edgefield Court House, S. C. May 16, 1839.

NO. 15.

TERMS.

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All communications addressed to the Editor, post paid, will be promptly and strictly attended to.

W. F. DURISOE, Publisher.

Feb 7, 1839

State of South Carolina. EDGEFIELD DISTRICT. IN EQUITY.

J. W. Wimshish, Admr.

David Cobb, Thomas Cobb, et al. vs. J. Terry, c. e. & d.
IT appearing to my satisfaction that John C. Cobb, defendant in this case, reside without the limits of this State: On motion of Bellingher, solicitor for complainant, Ordered that said absent Defendants do plead, answer, or demur to the complainant's bill, within three months from the publication of this order, or the said bill will be taken pro confesso, against them.

J. TERRY, c. e. & d.
Commissioner's Office,
Edgefield, March 8, 1839. { \$8 75 ac 6

State of South Carolina. ABBEVILLE DISTRICT. IN EQUITY.

Andrew Kirkpatrick and wife and others, vs. George Bowie, George Weatherall and others.

Bill for Partition.

IT appearing to my satisfaction, that Samuel Norwood and Lucinda his wife, Richard Hodges and Mary his wife, George Weatherall, and George Bowie, Defendants in this case, reside beyond the limits of this State: Ordered, that they severally do appear and plead, answer or demur to the bill aforesaid, within three months from the publication of this order, or the said bill will, as to them, respectively, be taken pro confesso.

BENJ. Y. MARTIN, c. e. & d.
Commissioner's Office,
25th February, 1839. { \$11.75 ac 5

State of South Carolina. ABBEVILLE DISTRICT. IN EQUITY.

William Chiles, vs. Vincent Griffin and others.

Bill to have rev. funded part of Legacy.

THE Complainant having filed his bill in my office, and it appearing to my satisfaction that William Waller Senr. William Waller, Jun. Doctor Mordecai, and Caroline his wife, and George Holt and Mary Ann his wife, defendants named in the said bill are, and do reside without the limits of this State; Therefore it is ordered, that the said defendants do appear and plead, answer or demur, to the said bill, within three months from this date, or the bill will be taken pro confesso as to them.

BENJ. Y. MARTIN.
Commissioner's Office,
Feb 22, 1839. { \$11.75 ac 4

State of South Carolina. EDGEFIELD DISTRICT. IN THE COMMON PLEAS.

David Ozuz, vs. William Drum.

ATTACHMENT, ASSUMPSIT.

THE Plaintiff in this case having on the 20th day of March, 1838, filed his declaration in my office, and the defendant having no wife or Attorney known to be in this State, upon whom a copy of the said declaration may be served: Therefore ordered, that the said defendant do appear and make his defence within a year and a day from the filing of the said declaration, or final and absolute judgment will be forthwith awarded to the said Plaintiff.

GEORGE POPE, c. c. f.
Clerk's Office, Edgefield, May 14, 1838. 15

State of South Carolina. ABBEVILLE DISTRICT. IN THE COMMON PLEAS.

Charles Sproull, Admr of the Estate of James Donald, vs. James Donald.

ATTACHMENT, ASSUMPSIT.

THE Plaintiff in this case having, on the 20th day of March, 1838, filed his declaration in my office, and the defendant having no wife or Attorney known to be in this State, upon whom a copy of the declaration, with a special order of the court endorsed thereon, can be served: Therefore ordered, that the said James Donald do appear and make his defence within a year and a day from the filing of the declaration as aforesaid, or final & absolute judgment will be forthwith given and awarded against him.

JAS. WARDLAW, c. c. f.
Clerk's Office, 11th May 1838. 15

FOR SALE.

A DESIRABLE residence in Pottersville, of about 14 acres of good Land—a part not cleared. On the premises are a good Dwelling House, 1 story and a half high, with five rooms—a large furnished Kitchen and Wash-house—an excellent Well of pure water. For particulars enquire at this Office.
Feb. 14, 1839. 11 2

POLITICAL.

REMARKS

Of Mr. Ely Moore, of New York, in the House of Representatives, Feb. 4, 1839, on presenting a remonstrance from citizens of the District of Columbia against the reception of Abolition petitions, &c. (Concluded.)

Let Congress promptly reject all petitions, emanating from citizens of the States, praying for the abolition of slavery in the District of Columbia, and this corroding and wide-spreading evil will be speedily arrested. The halls of Congress, sir, have been converted into abolition laboratories, where this accumulating mischief is compounded and refined, where it receives its point and potency, and whence it is fomented upon the country.

But, again, sir, Congress have no constitutional authority to abolish slavery in the District of Columbia, without the consent of the slave owners. The Constitution declares that "no person shall be deprived of his property without due process of law; and that private property shall not be taken, for public use without compensation." An attempt to render this language of the constitution more explicit or more emphatic by any comments of mine, could but be regarded as a reflection upon the intelligence of this House. If Congress cannot constitutionally take private property except it be for public use, and only then by making compensation to the owners thereof, and this is the only true and legitimate construction, by what authority can they wrest from citizens of this District their private property? Such acts unquestionably would be without the shadow of Constitutional warrant. The advocates of abolitionism, therefore in order to surmount this constitutional impediment to their schemes, must show in the first place, that the citizens of the District of Columbia constitute no part of the citizens of the United States; and, in the second place, that slave property is not private property. Whenever they shall successfully do this, I will admit that the American Constitution affords no guarantee against the violation of the rights of property, and that Congress may constitutionally, abolish slavery in the District of Columbia, without the consent of the slave owners; but not till then.

If the citizens of this District may have one species of property wrested from them by the high hand of power, what security have they that their property of whatsoever kind will not share a similar fate? But sir, this supposition cannot be tolerated for a moment. The doctrine strikes at the very root of all free Government, and is, to all intents and purposes, subversive of the social compact. In the language of the Supreme Court: "There are acts which the Federal or State Legislatures cannot do, without exceeding their authority. There are certain vital principles in our free Republican Government, which will determine and overrule an apparent and flagrant abuse of legislative power; as to authorize manifest injustice by positive law, or to take away that security for personal liberty or private property, for the protection whereof the Government was established. An act of the Legislature contrary to the great first principles of the social compact cannot be considered a rightful exercise of legislative authority. The obligation of a law, in governments, established on express compact, and on republican principles, must be determined by the nature of the power on which it is founded. A few instances will suffice to explain. A law that punished a citizen for an innocent action, or that was in violation of an existing law; a law that destroys or impairs the obligation of the lawful private contracts of citizens; a law that makes a man a judge in his own case; or a law that takes property from A, and gives it to B. It is against all reason and justice for a people to intrust a Legislature with such powers, and therefore it cannot be presumed that they have done it. The Legislature may enjoin or permit, forbid or punish; they may declare new crimes, and establish rules of conduct for future cases, but they cannot change innocence into guilt, or punish innocence as a crime, or violate the rights of an antecedent lawful private contract or the rights of private property. To maintain that our Federal or State Legislatures possess such powers, even if they had not been restrained, would be a political heresy; altogether inadmissible in our free Republican Government." The principles here affirmed by the Supreme Court are unquestionably sound, and they apply as well to the citizens of this District, as to those of the States. Congress, therefore, can do no act affecting the rights of property in this District, that they are prohibited to do in the States. With what propriety then, can it be contended that Congress are bound to receive petitions on a subject upon which they have no constitutional right to act? Suppose individuals should petition Congress to pass a "law respecting an establishment of religion, or prohibiting the free exercise thereof," or to "abridge the freedom of speech, or of the press," would it, or could it be regarded as a denial of the right of petition for Congress to reject such petitions? No sane man will so aver, because the petitioners would, in effect, require Congress to violate the Constitution. And would it not be equally a violation of the Constitution for Congress to pass an act depriving individuals of their property without due process of law? or to take "private property" without "just compensation?" Most unquestionably it would. Let us consider,

then, for a moment, the nature of the demand made upon us by the abolitionists. And let us see whether that demand be in accordance with their sturdy pretensions to piety and patriotism or not. They petition, beseege, and implore us to do what? Why, sir, to repudiate the principles of the Federal compact—to violate the national faith—to violate the rights of private property—to trample upon the Constitution, which we have sworn to support, and consequently to pollute and blacken our souls with the terrific crime of perjury! Yes, sir, all this do the abolitionists require at our hands, when they ask us to abolish slavery—"as a great moral evil"—in the District of Columbia.

But this is not all. The abolitionists design to effect the abolition of slavery in the States, also; and it is worse than idle—in it dishonest and insolently hypocritical in them to pretend that their schemes and efforts are limited to the District of Columbia and the Territories. Every body knows, and many of the abolitionists themselves confess, that such is not the fact. It is as much their intention to accomplish the abolition of slavery in the States, as in the Territories, or in this District. Such being the case, then, let us examine, for a moment, the nature and tendency of the abolition movement. It will be acknowledged by all, that prior to the organization of the Federal Government, the States were, in all respects, and to all intents and purposes, sovereign and independent States or nations, and, as such, no one State of course could interfere with the rights or internal police of another State, without a violation of international law. An attempt, therefore, on the part of Massachusetts, for instance, to abolish slavery in Georgia, would have been truly and properly regarded by Georgia as an aggression upon her national rights, an assault upon her State sovereignty, and as a virtual denial of her independency as a State or nation. What would have been true then, would be equally true now. Any interference on the part of Massachusetts with the subject of slavery in Georgia, is as clearly wrong—as much an infraction of international law—since the formation of the Federal Government as it would have been prior to that event. The States, under the Constitution, are as essentially and as absolutely sovereign—where their sovereignty is not limited by the Constitution—as they were before the formation of the Constitution. And as slavery exists in the States—not by virtue of the Constitution, but by virtue of State sovereignty alone—it necessarily follows that it is without and beyond the power of the Federal Government to abolish it. The power to abolish slavery in the States never having been delegated to Congress, cannot be exercised by Congress without a violation of the Federal Constitution. On the subject of slavery, the States are not only independent of each other, but also of the General Government. The States having reserved to themselves the rights of sovereignty—not directly and explicitly conceded to the Federal Government—they are just as free to exercise those reserved rights as if such Government had never been established. This proposition I hold to be self-evident. The right to hold slaves not having been ceded to the General Government, but retained by the States; it follows, that an attempt on the part of the citizens of the non slaveholding States, or of Congress, to interfere with the institution of slavery in any of the slaveholding States, would be a violation of the rights of sovereign and independent States or nations, and, of consequence, in direct and positive contravention of international law.

The abolitionists, by warring against the rights and sovereignty of the States, encourage a violation of the national faith, sanction the infraction of law, and endanger the stability and integrity of the Federal Union. "In taking this ground (to adopt the language of one of the most original thinkers and energetic writers of the age) they—the abolitionists—set the law at defiance, and are either a mob or a band of insurrectionists. In taking this ground they justify all the lawless violence against which they have so vehemently declaimed. If one class of the community may set the laws at defiance, why may not another? If the abolitionists may set at naught the international law, which gives the slaveholding States the exclusive jurisdiction of the slave question, why may not other citizens say they have a right, by mob law, to prevent them, if they can, from doing it? It were not difficult to convict the abolitionists of preaching the very doctrines the mobocrats attempt to practice. They ought not, therefore, to think it strange that they have been but in too many instances the victims of lawless violence. When a portion of the community take it into their heads that they are wiser than the law, they ought to be aware that they open the door to every species of lawless violence, unchain the tiger, and must be answerable for the consequences."

What must be the certain and inevitable tendency of the abolition movement, and what its moral and political results, if its progress shall be onward and its march be throughout the Union? The consequences, alas! must be but too apparent and appalling to all reflecting men—to all who prize the Union—all who love America. The efforts of the abolitionists, whether triumphant or not, cannot fail to rock the battlements, if not rive the foundations of the Republic. In the name of liberty, they seek to overthrow her last fortress,—the American constitution. In the name of patriotism, they strive to rev-

olutionize and uproot the very foundations of our Federal system. And in the name of humanity, they would tear down the prop and pillar of the last fond hope of human kind—the sovereignty of these U. States! Such is the political character and tendency of the abolition movement. But this is not all. There are fearful moral evils involved in the designs of the abolitionists—the violation of law and of plighted faith. Nay more—allied to abolitionism is blind; reckless, feverish fanaticism. The wild, enthusiastic, and impetuous spirit which kindled the fires of Smithfield, and strewed the plains of Palestine with the corpses of the Crusaders, stands—with lighted and uplifted torch—hard by the side of abolitionism, ready to spread conflagration and death around the land.

But to return to the subject of slavery, and of the right of petition as relates to the District. The question will be asked, no doubt, if the citizens of the States have no legitimate right to petition Congress on the subject of slavery in the District of Columbia, and if Congress are not bound to receive such petitions, why it is that so many thousands have signed petitions of this character? The reason is obvious, sir. The prime movers in abolition proceedings and the great body of the intelligent signers to abolition petitions, belong to the Federal school in politics. They are consolidationists, and repudiate the doctrine of State rights. They regard the powers of the Federal Government as omnipotent. Hence they believe the Federal Legislature not only have the power to abolish slavery in the District of Columbia, but also in the States. The Federal or National Bank party, can believe nothing short of this. Sir, this whole abolition movement had its origin in a Federal heresy. Abolitionism is the veritable offspring of Federalism. It looks to centralization for the realization of its hopes, and the consummation of its purposes. Withdraw from abolitionism the sustaining arm of its parent Federalism, and it inevitably becomes helpless, and in despair falls prostrate in the dust. In confirmation of what I have just stated, I would appeal to the known and acknowledged principles of the Federal party. I would appeal to the journals of Congress—to the recorded votes of the members of this House on all test questions touching abolition. I would appeal to the history of the recent elections, and especially to the election in the State of New York, where it is well known every abolitionist and free negro voted the Federal or Whig ticket.—Nay, more. I would appeal to the ten thousand abolition petitions with which this hall has been flooded for the last four years. I will hazard the declaration and I challenge and defy successful contradiction, that among the hundred thousand individuals that have signed petitions, praying for the abolition of slavery in the District of Columbia, there are not 100 who are known to be friendly to the present administration. Who will, who can, who dare deny the truth of this assertion?

If the Federal Legislature have power under the constitution to "abridge the freedom of speech, or of the press," as has not only been contended for but the exercise of such power actually sanctioned by the Federal party in the time of the elder Adams, and if they may charter a national bank, as is also contended, and delegate to such corporation the power of legislation, in the grant of creating, at pleasure, other banks, and other directors, within any of the States or Territories of this Union, in defiance of the wishes, and in contravention of the laws of such Territories, why, I would ask, should they not also claim the power to abolish slavery, not only in the District of Columbia, but also in the States! To contend that Congress have the constitutional power to do the first named acts, and not the latter, would be sheer and gratuitous nonsense. I repeat, therefore, that the only hope of the abolitionists is in the ultimate triumph of the Federal party, and of Federal principles. So long as the Democratic or States Rights party shall maintain the ascendancy, the efforts of the abolitionists will be comparatively innocuous. But whenever the political power of this country shall be swayed by Federal hands, the designs of the abolitionists will well nigh have reached their consummation. Shall I be told that the Federalists are not all abolitionists? This may be partially true.—But then, are not all abolitionists necessarily Federalists? How can they expect to accomplish the object—the general abolition of slavery—but through the Federal power, and in pursuance of Federal principles? Certainly they cannot be so grossly ignorant as to suppose that the Democratic State Rights doctrine of strict construction would be favorable to their views, or that it would be possible to achieve their object through the influence of Democratic principles, or by virtue of Democratic legislation. But again, if the Federalists are not now all abolitionists, the time will soon come when they must become so as a party, otherwise fall into a contemptible and hopeless minority. Which will they do? Will they repudiate abolitionism and abolitionists, and, by so doing, insure their own political destruction? Or will they maintain and strengthen the league already formed with the abolitionists, in the hope of securing and confirming their political existence and ascendancy? Which will they do, I ask? Why, sir, if we shall judge of their future course by their past conduct, it will be no difficult matter to determine what they will do. They will do, as they ever have done, sacrifice every principle of honor, of virtue, and of patri-

otism, if it be necessary to enable them to direct and control the political power and destinies of the republic. When, let me ask, have the Federal party ever shown by their acts that their love of country was paramount to their love of power? Never, sir never! But this is not all. The coalition between the Federalists and abolitionists was not only to have been expected, for the reasons already stated, but from considerations of still greater pith and moment.

In all civilized communities, the two extremes of society—the affluent and the breadless, the powerful and the impotent—come together and war upon the centre—the intermediate classes. Such ever has been, and ever will be, the case. It is, in fact, a law of human society; and well do the Federal party understand the operations of this law. Hence their constant efforts to make the poor poorer, and the feeble more impotent. And hence it has ever been the policy, the aim and the object, of the Federal aristocracy of this country, to impoverish, depreciate, and degrade the Democracy; especially that portion who, in obedience to the mandate of Heaven, "eat their bread in the sweat of their face." To accomplish this, their purpose, the Federalists have availed themselves of every means in their power. They have stigmatized the Democracy as infidels, levellers, agrarians. They have done more. They have vitiated the elective franchise by political coercion, by bribery, and corruption. And more than all, they have defrauded the Democracy of their equal political rights by means of unequal, unjust, and exclusive legislation. And now, in order to render the condition of the laboring classes of the north and east still more deplorable and depressed, the Federal party joined the abolitionists for the purpose of conferring upon the black laborer nominal freedom, and upon the white laborer virtual bondage! Yes, sir, for the especial purpose of humbling and degrading the Democracy, have the Federal party of the north and east joined in the abolition crusade; and whenever their object shall be attained, and the southern negro shall be brought to compete with the northern white man in the labor market, the moral and political character, the pride, power, and independence, of the latter, are gone for ever, and Federalism will have realized its fondest and most cherished hopes. But let me tell you, sir, the Democracy of the north and east are not unmindful of passing events. Since abolitionism assumed a political character they have watched the movements of the Federal abolition party with deep concernment. They are conscious of the approaching danger, and are coolly and deliberately preparing to meet it. Yes, sir, whenever the Democracy observe the Federal party prosecuting a political measure with zeal and vigor, as they now do abolitionism, they involuntarily, instinctively gather up their energies to meet and repel approaching mischief; and I warn them now; they cannot prepare too soon, nor with too much vigor and forecast. The crisis approaches. The fearful conflict; the mortal struggle, the tiger strife is at hand, and God alone can tell the result.

NOTE.—Mr. Moore was called to order, in the course of his remarks, by Gen. Waddy Thompson, of South Carolina, and by the decision of the chair was prevented from concluding his speech. Mr. Moore, before taking his seat, gave notice that he would publish all that he had intended to say, precisely in the same form and manner he would have done, had no interruption taken place.

THE CAPITOL OF N. CAROLINA.

"Henceforth our youth may never need to roam The arts to study, better seen at home."

We take pleasure in calling the attention of our readers to the annexed letter, containing valuable information concerning the progress and structure of our new Capitol. We have always regarded this work as a matter of pride to our State, and as a memorial of the liberality of her people, which will survive the decay of many generations.—Microcosm.

RALEIGH, N. C., March 25, 1839.

Mr. Raleigh.—Dear Sir: Agreeably to your desire, I send you a description of the external and internal details of the various parts of the State Capitol as the same is executed.

The length from north to south is 160 feet, and from east to west 140 feet; the whole height is 97½ feet. The columns of east and west porticos are eight in number, and are 5 feet 2½ inches in diameter and 30 feet high, standing on a stylobate, 8 feet high, which, as well as the entablature, which is twelve feet high, are continued round the building; and the details are of the Temple of Minerva, commonly called the Parthenon, which was erected in the Acropolis of Athens, under the government of Pericles, about 500 years before the Christian era. The rotunda, in the centre of the Capitol, is formed into an Octagon at top, which is built of polished granite, and surmounts the building, ornamented with Grecian cornice; and its dome is crowned at top with a decoration similar to that of the Lanthorn of Demosthenes, at Athens.

The interior of the Capitol is divided into three stories. The basement consists of ten rooms, eight of which will be soon occupied by the Governor, Secretary, Treasurer, and Comptroller, each having two rooms of the same size and finish; which, as well as the corridors, are of the Roman Doric, and made completely fire-proof, by arches springing from pillars and pilasters of polished granite. The east and west vestibules are richly decorated with granite columns, antae and staircases, all of

polished granite, copied from the Ionic Temple of the Ilissus, near Athens. Also, two committee rooms.

The second or principal story, consists also of ten rooms; two of which are appropriated for the Senatorial Chamber and Hall of Representatives, which are 38 feet 6 inches in height, having galleries, and their walls are contained in areas of the same size, 59 feet by 55½ feet, having retiring rooms taken off the corners—four in the former and two in the latter. They, as well as the rotunda and vestibules, are respectively of the Octagon Tower of Andronicus Cyrrhestes, of the Temples of Erechtheus, Minerva, Polias and Pandrosus, in the Acropolis of Athens, near the Parthenon. The other rooms in this floor are appropriated for committee rooms.

The third or Attic story, consists of the Supreme Court and Library, which are situated in the east and west wings, which, as well as the galleries and other apartments, will be approached by granite steps; and the lobbies and rotunda are lit with cupolas; the whole of which, you will observe, is in a progressive state of completion—so as to be ready for the next meeting of the Legislature.

Before concluding, I may remark that the stone with which this edifice is constructed, is of the toughest and hardest description, containing less iron than any stone I have ever seen; hence it presents a beautiful cream color, of a much warmer tint than marble. It is also variegated with beautiful veins of quartz, the conformation of which deserves notice, having every appearance of being separated and again knitted by some trembling or concussion in its formation; and from the circumstance of no petrification being yet discovered, whether of the animal, vegetable or mineral kingdoms, geologists would term it a primitive, if not a transition formation; and with regard to the cost of the Capitol, I may mention that the Legislature have appropriated \$500,300.—The President's house cost, without furniture \$665,527, and the Federal Capitol \$2,596,500; both of which buildings have to be repeatedly painted at a cost of upwards of \$12,000; and this has to be done to prevent the disintegration of the stone—they being built of soft, loose, friable, and porous sandstone.

I am, dear sir, yours respectfully,
ARCHITECTUS.

From the New England Review.

TIMES GONE BY.

The times of old—he good old days of frankness and honesty and singleness of heart! Their memory lingers around us like sunshine upon rains, or like the incense of flowers whose beauty has been trampled beneath the feet of the spoiler! We fear the glorious days of New England have gone by—that the characteristic of her children have departed—that the luxuries and vices and fashions of strangers, have usurped the beautiful plainness and simplicity—the freedom, the generosity and the bravery of New England. A false and evil spirit has gone over the land, undermining the foundations of her strength, and despoiling her real beauty—lopping away the noble oaks of her forests—the rough-featured but useful products of her own soil, to give place to the graceful, but worthless exotic. It has penetrated every where—from the thronged village to the isolated farm-house; and the plow has been exchanged for the insignia of professional life, and the spinning-wheel for the piano.

'Tis an evil change; and we fear there is no going back to our original ground. Strange, that the young farmer, he, whose associations of life's purest and dearest enjoyments are with the homestead of his ancestors, should so readily leave the beaten and proved track of honorable industry, for the uncertainty and danger, and mortification of more fashionable pursuits.—Strange that he can thus leave the hills and streams of his boyhood, the blue skies that bent like a blessing above his childhood, the sanctuary of his father's fireside, the open communion of his neighbors, the playmates of his infancy, the companions of his opening manhood, the very graves of his fathers! Where will he again find the deep affection of the friends he is leaving? Where again will the eye of love beam so kindly on him, and where will the grasp of friendship be as warm and as sincere as in his own loved birth-place? Does he hope to find them in the gay circle of fashionable folly? Miserable will be his disappointment. For him there will be vexation, and changing hope, and fear; slight, indignity, resentment, and hate; confidence misplaced, and vows broken, and affection outraged. It is in the solitude and awful beauty of nature that heart answers to heart, thrilling with a passionate touch the mysterious chords of human sympathy, rather than in the artificial beauty and the heated atmosphere of fashionable existence.

Putting in Mind.—This common phrase was used by a Hibernian, a day or two since in rather a ludicrous connection.—Pat was driving pigs in the street, when Barney met him, and after the usual interchange of "How d'ye do," and sure it's myself that's glad to see you." Barney pointed to one of the quadrupeds, with—"It's a fine pig that sow, Patrick." "It is that same Barney, which puts me in mind of asking for your wife, the crathur, is she well!"

A Western paper says, we stop the fire to announce that a press has broken out in the woods, and it is likely to do much damage.