THE HERALD
IS PUBLISHED
EVERY WEDNESDAY MORNING,
At Newberry C. H.,
By Thos. F. & R. H. Greneker,
Editors and Proprietors.
TERMS, $3 PER ANNUM,
Invariably in Advance.
☞ The paper is stopped at the expiration o ime for which it is paid.
☞ The ✓ mark denotes expiration of subcription.

The Newberry Herald.

Vol. VI. WEDNESDAY MORNING, SEPTEMBER 21, 1870. No. 38.

Relation of Plants to the Soil.

AGRICULTURAL CHEMISTRY.

MINERAL CONSTITUENTS OF PLANTS.—The mineral substances which plants obtain from the soil are known by analysis of the ashes which they yield on combustion. They consist of acids and bases, which enter into the composition of all fertile soils. The bases are potassa, lime, magnesia and oxides of manganese and iron. These are found combined in the ashes with silicic, sulphuric and phosphoric acids, and are accompanied by small proportions of common salt. The carbonic acid which is found in certain ashes is produced in the combustion of the plant. The ashes of all cultivated plants contain the above substances; but in different proportions according to the nature of the plant. The phosphates predominate in grains; lime exists in large proportion in grasses; potash in edible roots; and silicia in straw. The approximate composition of the ash of different plants is given in a table in the Appendix. In estimating the relative proportions of the different constituents which are abstracted from the soil by different crops, the quantity of the crop, as well as the composition of its ash, is of course to be brought into this account.

COMPOSITION OF SOILS.—Many of the above substances are contained in the soil in extremely small proportion. Soils are principally composed of vegetable matter in a state of decay, with clay, sand and carbonate of lime. The vegetable matter consists of the remains of plants of previous years, and the clay, lime and sand are the product of the gradual crumbling and decomposition of the rocky crust of the earth.

USE OF VEGETABLE MATTER IN SOILS.—The wood, leaves and twigs of which vegetable matter is composed, furnish, in their gradual decay, the potash, silica, and other constituents of their own skeletons to form the framework of new plants. The organic matter is at the same time converted into ammonia and carbonic acid; these constitute the gaseous food on which all vegetable life is sustained.

ADDITION OF VEGETABLE AND ANIMAL MATTER.—The addition of more of this material to the soil, in the form of peat or muck from swamps, is of great advantage, because it increases the supply of the two important classes of materials which have been mentioned. Animal matter of all kinds, whether decomposed, as in stable manure and guano, or in its original condition in the form of flesh, wool and bones, is a still more valuable addition to the soil. The reason of its higher value, consists in the fact that while it yields most of the other substances which decaying vegetable matter supplies, it furnishes ammonia, which is the rarest and most expensive one, in much larger proportion.

USE OF THE CLAY.—The clay in soils serves to retain the ammonia and certain other valuable materials, which would, otherwise, be washed away by the descending rains. It seizes not upon that which comes from the decaying humus, but finds particles in the drops of every shower, which it stores safely away for the future use of the plant. It serves also to retain moisture in the soil, and to impart to it the tenacity by which the roots are enabled to gain a firm hold upon the earth. Soils which contain but a small proportion of clay are for these reasons improved by its addition.

USES OF THE SAND.—Sand, where it exists in due proportion, gives the proper degree of porosity to the soil, and thus ensures the entrance of the air and fertilizing liquids, and the draining away of all excess of water. Access of air is important, because it brings with it fertilizing ammonia and carbonic acid, and by accelerating the decay of vegetable matter, produces more of these valuable substances.

USES OF THE LIME.—The lime in soils, beside serving directly as building material for all forms of vegetation, is the key which unlocks other treasures of the soil and supplies them, also, to the growing plant. The building material which is furnished, as before explained, by the decay of previous plants, is not sufficient. A portion of it never reaches the fields from which it was originally derived. Exported in the form of grain, or milk, or beef, it returns to the soil in some distant region or is poured into the rivers and the sea through the drains of populous cities. New supplies of potash and other material, are, therefore, demanded by the vegetation of every successive year.

A large part of the materials referred to are locked up in hard grains of granite or other silicates which are found in the soils.—Being insoluble in water and the other solvents of the soil, they are inaccessible to the plant.—Lime has the property of forcing itself into the rocky prison of every such insoluble grain, and setting part of its inmates at liberty. At the same time it opens the door to the action of other agencies which liberate the rest. They are then floated away in the water which penetrates the soil, and being in due season absorbed, are built into the substance of the plant.

ACTION OF LIME ON MINERAL MATTER EXPLAINED.—The action of lime, which has just been mentioned, is a simple consequence of its basic properties. It takes possession of part of the silicic acid of the alkaline silicate in the rocky grains. Their potassa and soda being now combined with this acid in small proportion, are soluble in the water which penetrates the soil.

The water of the soil always contain a certain proportion of carbonic acid. This acid being itself material for vegetable nutrition, has also the property of dissolving those mineral substances which the plant needs for its support. By the joint action of carbonic acid and water, this transfer is constantly going on even without the aid of lime. But the latter substance very much accelerates the action, and thus adds greatly to the fertility of the soil.

ACTION OF LIME ON ORGANIC MATTER.—Lime has another important effect on soils, in hastening the decomposition of their organic matter, and thus, indirectly supplying in large quantity, valuable materials, before mentioned, which these are adapted to furnish. As this decompositon proceeds in the presence of lime, part of the nitrogen of the organic matter takes the form of ammonia, and part is converted into nitrates, as will be remembered from the Chapter on Salts. But the proportion of either is practically immaterial, as both are found to subserve a similar purpose in building up the plant.

All of the effects which have been mentioned, may be regarded as gradually produced in every soil which contains carbonate of lime as a constituent. When it is deficient in quantity, they are, of course, increased by its addition in the form of chalk, marl, or limestone. These substances have also the effect of sweetening peaty and marshy soils, which are rendered sour from the presence of too large a proportion of vegetable matter, and thus rendering them fit for cultivation.

BURNED LIME.—Burned or caustic lime has all these effects in a much greater degree, and therefore its extensive use as a fertilizer of the soil. It should be used cautiously on soils which contain but a small proportion of vegetable matter, for fear that in the more rapid decomposition which it stimulates, it may entirely exhaust the soil of this material.—If employed in such cases it should be with admixture of vegetable matter, that the loss which it occasions may be completely replaced.

EFFECT OF ASHES ON SOILS.—Potassa or soda applied in the caustic state, or as carbonates, have entirely analgous effects on the soil. They render the insoluble silicates soluble, by increasing in them the proportion of base, and also hasten the decay and conversion of vegetable matter. The admixture of lime or ashes with guano or decomposed manure is to be avoided, because of their effect to expel the ammonia which these substances contain. This may be prevented by previously incorporating the material with a large proportion of clay or vegetable mould, which shall serve as an absorbent of the liberated gas.

COMPOSTS.—Composts consist of vegetable and other matter, heaped together for fermentation and partial decay in order to prepare them for application to the soil. In such mixtures, all alkaline materials, including lime, have an effect similar to that which they produce upon the organic matter of the soil.

GUANO.—Guano consists of the accumulated droppings of birds, and is principally obtained from certain rocky islands on the coast of South America. In these haunts of the heron, flamand, and other sea-fowl, it is accumulated, in some instances, to the depth of a hundred feet. The deposit is usually in smaller quantity, but amounts in the aggregate to millions of tons. The material was employed as a fertilizer by the natives of Peru and Chili, long before its introduction into England or the United States for the same purpose.

DIFFERENT VARIETIES.—The quality of guano differs materially, according to the source from which it is derived. The ammoniacal salts, on which its agency as a fertilizer principally depends, being soluble in water, the product of moist climate is of comparatively little value. The best is obtained from the coast of Peru, where rain seldom or never falls. The African, Potagonian and other varieties are much inferior.

AGRICULTURAL VALUE.—The agricultural value of guano lies principally in the ammonia and phosphate of lime which it is capable of yielding to plants. These constitute, in the best varieties, about one-third of the whole weight.—Part of the ammonia is ready formed, and part is produced in the subsequent change which the nitrogenous matter of the guano experiences in the soil. The latter may be produced immediately by a chemical process, and its quantity accurately determined. In estimating the value of guano, it is customary to record the quantity of this *potential ammonia*, as if it were an existing constituent.

ARTIFICIAL AMMONIA.—The constituents of the ammonia which we purchase in the form of guano at so great expense and bring from distant regions of the earth, exist in unlimited quantities at our very doors. Four-fifths of the atmosphere is nitrogen gas, and the ocean is an exhaustless reservoir of hidrogen. But, strange to say, the chemist with all his skill, cannot, except by circuitious and expensive methods, effect their combination. The discovery of some cheap and ready means of accomplishing this object, would transform the face of the earth, by the unlimited quantity of fertilizing material which it would supply. This result may, perhaps, be reached by patient investigation. But no sudden triumph over nature need be anticipated. Improvements in agriculture will, as a general thing, be only realized by the earnest co-operation of scientific and practical men, in laborious and oft-repeated experiment.

EXHAUSTION OF SOILS.—When soils become exhausted of those substances which form the mineral food of plants, the growth of vegetation ceases. It is never absolute, but consists in a great reduction of that portion of their material which is in a condition to be appropriated by the growing plant. Such soils are gradually restored by rest. A gradual decomposition of their insoluble material occurs by means of agencies which have before been mentioned, and the soil is thus restored to its original condition. These effects are very much hastened by plowing in such a growth as can be obtained. Rye, buckwheat and clover are among the plants best adapted to the purpose. Vegetable matter is thus added to the soil, which, in its decay, hastens the decomposition of the soil itself.

DEFICIENCY OF ONE OR MORE CONSTITUENTS.—The comparative exhaustion of some one or more of the constituents of the soil is a much more frequent occurrence. It is commonly the result of the cultivation of the same crop during many successive seasons, and the consequent reduction of those materials which the particular plant requires in largest proportion. Deterioration of soils from this cause is repaired by an artificial supply of the failing ingredients. It is more wisely guarded against by such a rotation of crops as shall make different demands upon the soil in successive years.

MAINTENANCE OF FERTILITY.—The effect of decomposing animal matters on the soil has been already considered. They return the very material which was abstracted from the soil, with the addition of nitrogenous matter originally derived from the air by the growing plant. In an enlightened system of rural economy, the production of these materials in large quantity and their careful preservation, is therefore an object of paramount importance. The addition of gypsum or dilute sulphuric acid to fermenting manures, is of great advantage in retaining their ammonia in the form of sulphate and preventing its escape into the air. When additional ammonia is required, it is most cheaply obtained in the form of guano. The phosphates, whose quantity may be often increased with advantage, are best supplied in the form of "super-phosphate of lime." Other materials are less frequently required. For further information on the subject of the present section, the student is referred to works which treat especially of Agricultural Chemistry.

"SUPERPHOSPHATE OF LIME."—The method employed in the manufacture of "superphosphate of lime," has been already given in the Chapter on Salts. As in the case of guano, its agricultural value depends on actual or potential ammonia and phosphate of lime. In proportion as the phosphoric acid is in a soluble form, the value is much increased.

In Texas, a sister's beau is called a brevet brother-in-law.

The Two Thinkers.

In one of the villages of the Newcastle coal-mining region was the humble dwelling of a very humble man. The little, old-fashioned kitchen was the home and study of a very poor man, of whom the world then knew nothing, but has since known a great deal. He worked in a coal-pit. He never learned to read or write till he was eighteen, and then went to school three evenings in the week. But he had eyes, and what he saw with his eyes he thought upon. He carried it home, worked it over in his mind, and when occasion called, could use it in a manner that astonished his neighbors. I will give you an instance.

One of the coal-pits was flooded with water. The engine had been fruitlessly pumping for nearly twelve months, and came to be regarded as a total failure. The pit "was drowned out."

On Saturday afternoon he went over to examine the engine more carefully than he had done before. One of the men asked him, "Weel, George, what do you mak' of her?" "Man," said George, in reply, "I could alter her and make her draw in a week's time from this I could send you to the bottom."

"What do you know about engines?" cried the man scornfully. But the superintendent, hearing of it, determined to give George's skill a trial. In three days he had altered the engine, and in two days more the pit was cleared of water and the workmen sent to the bottom.

How did he do it? He was not bred an engineer. He had no books to teach him. It was because he was a thinker. He had seen engines just as the other men had; but he did what the rest did not. In his spare moments he set his mind to work about how they were built, and all the whys and wherefores. In this way he saw the cause of the difficulty and how to remedy it.

Look at him. He is planning, and drawing and studying, instead of spending his time at ale-shops and cock-fights. See the wheels, and cogs, and axles, and bits of machinery about the room. He has no books to guide him. The knowledge of other men was beyond his reach.

His little son is interested in all that interests his father, and his father explains to him pretty much all he knows. Robert goes to school. At thirteen his father sends him to the academy at Newcastle. Bob hunts up all the books which tell about machinery. If he could only carry them home to his father! But that is against the rules. What did he do? He took the pains to copy all the pictures and diagrams of machinery which he thought would interest and help his father, and when he went home on Saturday he explained them to him. While Robert was still at school, his father proposed to him during the holidays that he should construct a sun-dial to be placed over their cottage door. "I expostulated with him at first," said Robert, afterwards, when he had become famous, "that I had not learned sufficient astronomy and mathematics to enable me to make the necessary calculations. But he would have no denial. 'The thing is to be done,' said he,' so just set about it at once.' Well, we got Ferguson's Astronomy, and studied the subject together. Many a sore head I had while making the calculations necessary to adapt the dial to the latitude of Killingworth. But at last it was done, and we made a very respectable dial of it; and there it is, you see," pointing to it over the cottage door, "still quietly numbering the hours when the sun shines." The date carved upon the dial is, "August 11th, MDCCCXVI."

Would you know what all this led to? It laid the track of the first railroad and built the first locomotive. The man's name is George Stephenson, who drove the first steam horse the world ever saw; and his son is Robert Stephenson, who planned the largest bridge in North America, that over the St. Lawrence River at Montreal, called the Victoria Bridge; two names that the world will not soon let die.

No beginning could have been less promising than that of George Stephenson. Born in a poor condition, yet rich in spirit, he was from the first compelled to rely upon himself. Whether working as a brakeman or an engineer, his mind was always full of the work in hand. When a workman, he put his brains and labor into his work; and when a master he put character and conscience into it.

You may go to school, boys, and read ever so many books, but unless you learn to think, you will never be able to turn your knowledge to any good or great account. It will be as loose ends in your mind, never ready to use, adding little or nothing to your efficiency or excellence.

The Fortifications.

The failure to carry the fortifications of Paris at once must, it seems to me, prove highly disastrous. The French capital is a fortified city of the first order. Every means known to the science of engineering, all the aids which experience could give and the skill of clever generals suggest, have been applied to the works around Paris—works which have been shown with pride for some years past. Yet, in modern warfare, it is still an open and disputed question how far, if at all, the best devised fortifications, the finest system of bastions, salients and curtains are superior to the earthworks which may be thrown up in a few weeks' time. Even the strongest fortresses have fallen again and again. "Here, Sire," said Vauban, handing the keys of Verdun to the King, "is a fortress which all my art would not suffice to take;" yet Vauban lived to see that very fortress taken three times. It was this same Vauban who first conceived the idea of surrounding Paris with a double fortified *enceinte*, and to make it play an important part in the defence of the country. Thus we see that during and since the reign of Louis XV the state of things which exists to-day was not only conceived but freely discussed. Louis XV refused to grant the money necessary for the commencement of the plans proposed by Vauban, and it was only in 1833 that a system of permanent fortifications was begun. In that year Marshal Soult demanded from the Chamber of Deputies a credit of thirty-five millions for the purpose of putting Paris in a state of defence. After much trouble the money was granted, and seventeen pentagonal forts were established, eleven upon the right bank of the Seine and six upon the left. These were the ordinary detached casemate forts, of no manner of use at the present day, and cast aside as early as the year 1840 for the present perfected system. This consists of two lines of fortifications surrounding the city; the first a series of detached works, capable of being provisioned and of being used for the purpose of retarding the enemy; the second, the most complete line of works, around the entire city, which ever resulted from engineering skill. The fortifications of this second line are all bastioned, and comprise, first, the zone of fire, of about three hundred yards, cleared of all things which could shelter an enemy, and within which no means are left for the construction of earthworks by night; second, the military ground, or zone of fortification proper, embracing counterscarp, fosse, escarp, the glacis and bonquette, with almost every other term employed in engineering. The line is a zigzag, with sharp salient angles; it connects the strong bastions with each other, and forms an unbroken line round the greater part of the city. Anything more formidable than these works would be difficult to imagine. Necessarily the line is broken at the points where the public roads diverge, but here the line is doubly strengthened by a series of outworks, mounted with heavy cannon, the approaches to which are covered by both casemate and barbette guns. The bastions are really fully armed and equipped forts, with casemates and loopholes for musketry; and upon the whole line guns are mounted *en barbette*, and there are broad glacis where batteries of howitzers, field guns or of the deadly mitrailleur could be used with terrible effect. The ditch is nearly twenty feet in width; the walls of the scarp, on an average, along the curtain, ten feet in height and four feet in thickness—the bastions, of course, being higher, thicker, stronger and more heavily armed than the rest. Thus we see that the zigzag allows of a double fire upon any given point in the zone, while the same point is swept by two or more of the bastions. With some experience in the matter of fortifications, I am free to confess that this line of works seems to be utterly beyond escalade, and when once beneath the walls, (if he ever does get there,) I do not think that the Crown Prince would be rash enough to order an assault. Upon this formidable line of works guns of all calibre are mounted, the heavy cannon sweeping the approaches to the town. To attempt a siege within the radius covered by these guns would be simply murderous. To establish a complete blockade beyond their range would require a million of men. There would be a line of eighteen miles to maintain, placing the besieging army beyond the sphere of action from these forts, and to attempt such a feat is simply absurd. The most that could be done would be to concentrate the force upon the principal avenues leading from the city. And here, again, the besiegers would be at great disadvantage. Running entirely around the city, and sufficiently protected, is a circular railway, by which the French could throw large bodies of men upon any given point in a very short space of time, and with its aid the effect of sudden sallies, nearly always successful for the time, is greatly increased.

CAN PARIS BE BOMBARDED?

It is an interesting question to consider how near the enemy may come, and what defensive advantages may be gained by the series of detached forts beyond the circle of fortifications proper. No one of these forts could hold out, perhaps, if a very large force was massed against it; but no one of these could be taken without terrible loss. Even when one of them was silenced or taken, the position would be hardly tenable, for the guns from the inner line would cover every foot of the ground, and sweep the field around with fatal effect. These forts silenced, the serious work would begin.—Vauban's object was to make forts something like Martello's towers, for the sole purpose of embarrassing and retarding an enemy; and no one can deny that they are admirably adapted for this purpose, although not proof against modern artillery. The battered and crumbling walls of Fort Sumter showed that while such fortifications could be destroyed and taken, they yet have great powers of resistance. In connection with this topic it will be interesting to consider how near the enemy can come, and to calculate as to how far his fire will effect the valuable public buildings of Paris. It is said that one or two shots were thrown into Petersburg from a distance of very near five miles; but such shots must be exceptional, and only from established works. The Germans can hardly sit down here to build batteries, and they have no field-guns which can do execution over three English miles. Well, the Tuilleries, the Louvre, the Palais Royal and most of the other public buildings, are that distance within the fortifications. The Prussians could not bring their artillery closer to the outer forts than twelve or sixteen hundred yards; and even supposing these forts taken, they could hardly maintain a battery within the zone of fire from the fortifications. This would give five good miles from the centre of the city, even if all the French troops were within the lines of circumvallation. No one need fear, therefore, that these buildings will be destroyed by a bombardment. One or two, perhaps, like the Pantheon, situated upon a height, might be liable to get a few shots.

The Surrender at Sedan.

GENERAL DE WIMPFFEN'S ADDRESS TO HIS SOLDIERS—THE FRENCH WITHOUT PROVISIONS OR AMMUNITION.

PARIS, September 9.

The following is the address of General Wimpffen to the soldiers, dated Sedan, September 3:

Soldiers—On Thursday you fought against a force greatly superior in numbers, from daybreak until dark. You resisted the enemy with the utmost bravery; when you had fired your last cartridge, were worn out with fighting, and not being able to respond to the call of generals and officers to attempt to rejoin Marshal Bazaine by the road to Montmedy, you were forced to retreat on Sedan. In this desperate effort, but 2000 men could be got together, and your general deemed the attempt utterly hopeless and impracticable. Your general found, with deep regret, when the army was reunited within the walls of the town, that it had supplies neither of food nor ammunition; could neither leave the place nor defend it, means of existence being alike wanting for the population. I was therefore reduced to the sad alternative of treating with the enemy. I sent yesterday to Prussian headquarters, with full powers from the Emperor, but could not at first bring myself to accept the conditions imposed by the enemy. This morning, however, menaced by a bombardment to which we could not reply, I decided to make a fresh attempt to get honorable terms. I have obtained conditions by which we are saved much of the possible annoying and insulting formalities which the usages of war generally impose.

Under the circumstances in which we find ourselves, it only remains for us, officers and soldiers, to accept with resignation the consequences of this surrender. We have at least the consolation of knowing a useless massacre has been avoided, and we yielded only under circumstantes against which no army could fight, namely, want of food and ammunition. Now, soldiers, in conclusion, let me say that you are still able to render brilliant services to your country, without being needlessly slaughtered.

DE WIMPFFEN,
General Commander-in-Chief.

LONDON, September 13.—Bismarck's official report to the King, dated September 2, describes his interview with Napoleon, at Sedan. Napoleon wanted better terms of capitulation than the Germans offered. Bismarck refused to discuss the subject, as it was a military question but was willing to discuss terms of peace. The Emperor replied, that as a prisoner, such discussion was impossible. He referred Bismarck to the Government at Paris. Bismarck replied that the situation at Paris offered no entering point for peace overtures. The Emperor proposed that the French army be allowed to pass into Belgium, and there surrender. Refused. The Emperor stated that he deplored the horrors of war, but had yielded to public opinion in declaring war. The Emperor war not allowed to see the King until the capitulation was completed.

China advices through Russia are unfavorable. The Chinese are preparing for war. Further outrages have been committed on missionaries.

BERLIN, September 12.—The King to the Queen, Sunday night: "The citadel of Laon exploded after surrender, just as the Prussians were preparing to enter. 350 men were killed, inclueing 200 of the Mobile Guards. Many were shockingly mutilated. There must have been treason."

ROME, September 13.—Immense posters have been stuck up on the dead walls proclaiming an universal Italian republic. The proclamation is signed by the Republican Revolutionary Committee.

The Italy *Daily News* has a despatch that the arrangement for occupation of the Papal States, has been concluded. A *plebiscitum* will be taken whether the people desire the Pope or King as civil ruler, the decision to be binding on both parties. Meantime, the Italian troops will hold Roman territory. If the result is adverse to the King, he will withdraw. Naples urges the King not to hesitate to make Rome the capital of the nation. The official *Journal* at Florence justifies the occupation as necessary for the Pope as for Italy. The *Journal* hopes the Pontiff will occupy the guardianship of the Italian Government.

PORTLAND, MAINE, September 13.—One hundred and fifteen towns give Perham 5,242 majority—a Republican gain of 168. Linch, whose district was the only doubtful one, will certainly be elected. The towns yet to hear from gave 1,291 Republican majority last year.

BANGOR, MAINE, September 13.—The Democrats are rejoicing over their first majority in this city.

SAN FRANCISCO, September 13.—The Oregon Legislature has been organized. The Democrats fill all the offices.

THE CUIRASSIERS' LAST CHARGE.—McMahon had already lost the battle. We must keep charging, *mes enfans*," said the Duke, turning to the Colonel and the few around him. The Colonel touching his hat, replied: "Marshal, in the state in which we are, to charge is certain death." McMahon, with a slight shrug of his shoulders, answered low, yet audibly: "What matters, Colonel; but let us embrace each other first." Not another word. The Marshal waved his hand, the Colonel gave the command, and onward they thundered; once, then forming again for a second time; again for the last. Out of that magnificent array there were but 105 men in the last charge; ninety-seven went down wounded or killed, eight remained, and of those eight one tells the story.

THE SINKING OF THE IRON-CLAD, THE CAPTAIN.—This immense English ship, the finest afloat, went down to the caverns of the deep, with nearly all her crew. She foundered off the Spanish coast. The Captain was 4 272 tons burden, and armed with a battery of six 300-pounders. It was moved by engines of 900 horse-power, and manned by a picked crew of 500 men. The armor which encircled it, as it turned out with its fatal casing, ranged from eight inches on the most exposed portion of her hull to seven, four and three inches, as the hull became less exposed. This huge man-of war was regarded a master-piece of mechanical skill, and was deemed invulnerable. But like some strong knight, weighed down by the weight of his armor, the "Captain" yielded to the weight of the waves that broke over deck and went down with its freight of human souls. It seems that a few only of the crew were saved.

Napoleon is accompanied in his exile by Gen. Castelnau, the Prince de la Moskowa, and Counts de Genlis, de Waubert, Reille, and Pajol, all of his personal staff.

Milford, Pa., fulfils the propheey of Isaiah—"In that day seven women shall lay hold of one man:" accurate statistics showing that place to contain a proportion of seven females to one man."

Legal Intelligence.

[From the American Law Times for September in advance of publication.]

In our State Courts Reports for the present month will be found a number of adjudications of unusual interest.

The nature of the writ of mandamus, a remedy which is becoming more and more useful, is ably discussed in the case of *The State ex rel Townsend et al v. McIver, &c*, and a decision arrived at which will gratify not a few of our readers. The gist of the opinion is that a mandamus may issue to compel a transfer of R. R. stock on the books of the company, and this, even, if the company have not adopted regular by-laws.

In *Powell v. Lash*, the doctrine of *tantum præscriptum, quantum possessum* is very happily applied to a case which is likely to furnish a valuable precedent. A had enjoyed a twenty years' user of a dam, and built another six feet from the first, which being sounder caused the bed of the stream to fill with sand to the damage of B. B sued, and in the appellate court was sustained.

The effect of a partner signing with a seal the firm name to an executory contract is discussed by Judge Sharkswood in *Schmertz v. Shreeve*. The Court hold that if the contract be good without the seal, the latter may be rejected as surplusage.

Gates v. Preston, adjudicated in the Court of Appeals of New York, will not, we apprehend, seem conclusive to all who read it although a careful examination will show that is good law. A judgment of a Justices Court, obtained by a surgeon for professional services, is held to be a bar to an action for malpractice in the performance of such service.

In *Detroit v. Blakely* a doctrine is enunciated which is directly in contravention of what has been very generally accepted as indisputable. It is declared that a city cannot be held liable for a personal injury resulting from a defect in its streets. The ruling will appear most unusual, and yet the reasoning and interpretations are as lucid as they are bold. The learned author has evidently given the subject most careful attention, and reached his conclusions only after a review of probably all the important American cases which are supposed to lead in another direction.

What may be the effect of this remarkable opinion remains to be seen. It is not improbable that it may prove to be productive of great results.

The cases contained in our U. S. Courts Reports are also of great consequence.

The opinion of Chief Justice Chase in *Head v. Talley*, defining the responsibility of fiduciaries who have invested in Confederate bonds, is one of the most important delivered since the close of the war.

In *Bigler v. Waller et al*, the case of *Hanger v. Abbott*, and *Ward v. Smith*, are construed, and the rule laid down that as a general principle interest does not accrue between beligerents, although in some instances it may. The date of the commencement of the war, and its termination in Virginia, are, also fixed; but it is asserted, a fact which is not generally understood, that the "date of termination applicable to all cases" has not been settled. The ruling in the Thorington case is, also, explained.

From the recent opinions of the Supreme Court we give the cases of *Neal v. Neal*, and *Bigelow v. Forrest*.

In the former it is decided that when there is a parol gift of land accompanied by possession, and the donee makes valuable improvements, specific performance will, upon proper proof, be decreed. The opinion further furnishes some useful instruction as to amendments in equity proceedings.

Bigelow v. Forrest treats of the removal of actions under the act of 1863, declaring that this act relates only to actions which are strictly personal. The fifth section of the "Confiscation Act" is held to bar those only whose property has been seized, and the estate taken under the act is defined to be an estate equal to the life estate of the holder at the time of seizure.

Judge Hill's opinion in *Ring v. Steamer R. E. Lee*, establishes that there must be an actual delivery to render a common carrier liable for loss of baggage. It is chiefly useful as going to show the general current of authority at the present time, and the departure from the Common Law.

Other valuable information relating to legal topics will be found in the pages of this number.

The Turcos in the French army cut off heads and gouge out eyes. Perfect devils, says an intelligent German.