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THE SLAVE LAW.

From the South Carolinian.

RICHARD RICHARDSON, vs. EDWARD BROUGHTON. } WITHERS, J.

The points raised for our decision in this case, are

1st. Had the Defendant the right to enter the Plaintiff's enclosure to seize the cattle and hogs, alledged to be subject to such seizure and furniture?

2nd. Was the exclusion of verbal instructions by a Magistrate to Jared W. Cantey, with whom the Defendant was confederated in the transaction, error in the Circuit Court?

3rd. Are the damages so far excessive as to warrant the interference of this Court in granting a new trial?

We are not ignorant that the determination of the first question carries with it an interest to the community, as well as to the parties in this litigation—and, therefore, we have endeavored to derive from the argument at the bar, and researches into the series of our Provincial systems of slave-law, whatever light were attainable upon the subject. Though the codes of law for the government and regulation of slaves of a date prior to 1740, have expired by the terms of their own limitation, they are nevertheless sources from which some light may be borrowed, and reflected upon the provisions of the latter code, wich in its main features, exists to the present day, by virtue of a reviewing act in 1783.

By the 34th section of the Negro Act of 1740. (7 Stat. p. 409,) an evil is declared to exist in permitting slaves to keep canoes, and hogs, and traffic and barter for the particular and peculiar benefit of such slaves, thus gaining a facility to receive stolen goods, and to confederate and conspire for insurrection. It was, therefore, enacted that it should not be lawful for any slave to buy, sell trade, traffic, deal or barter for any goods or commodities, "nor shall any slave be permitted to keep any boat, perrianger or canoe, or to raise and breed, for the use and benefit of such slave, any horses, mares, neat-cattle, sheep or hogs," upon pain of forfeiture of all goods and commodities for which he may have trafficked, and such specified articles and stock "which any slave shall keep, raise or breed, for the peculiar use, benefit and profit of such slave."—then follows:—"and it shall and may be lawful for any person, or persons whatsoever, to *seize* and *take away from any slave* all such *goods, commodities* boats, perriangers, canoes, horses, mares, neat-cattle, sheep or hogs, and deliver the same into the hands of any of his Majesty's Justices of the Peace, nearest the place where the seizure shall be made," whereupon the Justice is to ascertain on oath of the party seizing, the manner thereof, and if found to be done legally, the goods so seized are to be forfeited, and sold at auction subject to a proviso in favor of a reclamation under an oath specified to be taken by one who may have a right to or the lawful custody of such goods. The oath prescribed is in the words following—"I do sincerecerely swear that I have a just and lawful right or title to certain goods seized and taken by C. D., out of the possession of a slave named ——; and I do sincerely swear and declare, that I did not directly or indirectly, permit or suffer the said slave, or any other slave whatsoever, to use keep or employ the said goods for the use, benefit, or profit of any slave whatsoever, or to sell, barter or to give away the same; but that the same goods were in possession of the said slave by theft, finding or otherwise, to be kept *bona fide* for my use, or of E. F., a free person, and not for the use or benefit of any slave whatsoever."

The question is, had Broughton the right to enter the Plaintiff's enclosure to seize as he did, the stock captured on this occasion?

We think he had not; and therefore that in this very material particular the charge was more favorable to him than the law warranted. We are to be understood as holding this proposition, even though it be assumed that the cattle and hogs were such as came under the condemnation of the statute,

The earliest period at which the legislative policy in question is found to have been adopted, was in 1714,—when the owner of a slave was forbidden to allow him to plant for himself any corn; peas, or rice, or to keep for himself any stock of hogs, cattle or horses, under a penality upon the master, to be recovered by *qui tum* action: (7 Stat. 368.)

The form which this policy next assumed, is found in the Act of 1722, sec. 34, (7 Stat. 382) where the inconvenience was alledged to arise from the danger of insurrection by reason of slaves being permitted to keep and breed horses. Then it was required of any Justice of the Peace, who from his personal knowledge or from information should ascertain that any slave *kept* any horse or neat cattle, that he cause the same to be taken away and sold. And it was declared lawful for *any person* to seize hogs kept by slaves, and all boats and canoes *belonging* to them, and give notice to the next Justice.

In the first mentioned Act it is manifested that no entry upon the premises of the owner of a slave offending in the particular specified was at all permissible, or in contemplation. In the second Act mentioned, the right so to enter by the Justice or his Constable, is by no means clear; and it is to be remarked that in regard to horses and neat cattle, the Justice alone could deal with them.

In 1735, the laws of 1722 was re-enacted in substance—but the mode was specified there to wit: a Justice should empower by warrant a constable to take away and sell the horse or neat cattle. As before, any person might seize the hor, boats or canoes; (7 Stat. 304.) But the 32d section, at page 395, affords a ray of light to the question. It enacts—"That every person who shall send any slaves with perriangers boats or canoes, shall give them a ticket." Then we reasonably infer that the capture be permitted in regard to the water craft, was expected to occur beyond the eye and premises of the master.

The next step was in October of 1740; which has been heretofore quoted in substance.

According to the scheme of that, our existing law, it will be seen, that the power vested in a Justice of the Peace from 1722 in relation to horses and neat cattle was denied to that officer, and the right of seizure by a private person, was extended not only to them, but to a vast range of other articles of property, to wit, to any goods or commodities that a slave had acquired by selling, trading, dealing, trafficking or bartering, except in cases permitted, as well as to boats perriangers, canoes, horses, mares, neat-cattle, sheep and hogs. Now if it is to be insisted that under previous legislation, a Magistrate might enter a man's premises, or authorize another so to do, to confiscate, this power was confined, even when supervised by an officer of the law, to horses and neat cattle; and is it not incongruous to contend that while this restricted power was withholden from such public officer, by the Act of 1740, the same power (delicate and liable to great abuse when most guarded by discretion should have been by design,) vested with a vastly enlarged range of operation, in "any person?" It is manifest that in the whole system of legislation in regard to slaves, the the law-making power of Provincial times proceeded with a cautious step; for the several Acts were temporary; as was the case with that of 1740. Indeed it seems to have been defunct from 1746 to 1783. From such caution the in erence is that earnest atton was paid to the lessons of experience—to practical developements; from year to year; and that if Magistrates within their limited range, ever did enter or cause to be entered the plantations of slave-owners in quest of condemned goods, it had been found to be an injudicious license, even for them, and hence was withdrawn in 1740—an *a fortiori* it must have been deemed inexpedient to commit to the hands of any private person an inquisitorial power pregnant with vexation, oppression and turbulence, and boasting little affinity to some of the most cherished and stable maxims of the English common law.

It is eminently proper, when we are seeking, through the mists of more than one hundred years, the true interpretation of a legislative act, to resort for aid to such objects of pursuit as are declared to have been in contemplation by the Legislature. Was it necessary that a man's plantation, or it may be his negro houses within the curtilage, should be open to invasion, night or day, as might suit the convenience of a captor, in order to advance the great ends in view?

In 1722 the danger was declared to arise from the facility of intercouse between different parts of the country by negroes upon horses of their own, whereby insurrections might be hatched and matured. While it might be well therefore, to subject to capture a horse ridden by a negro and belonging to him, with no lawful permit, beyond his master's premises, what harm would come to the public peace and safety if the negro and horse remained on the master's plantation? The same remark will apply to water craft. In 1740, to the evil apprehended of dangerous conspiracies was added that of receiving stolen goods, under guise of the ownership of the several descriptions of stock mentioned. And it should be remarked that throughout this latter legislation upon the subject the idea of dealing and trafficking goes *pari passu* with every other purpose disclosed. Now if one's goods in specie,—if stock alive were traced under the cloak which was supposed to be found, to cover the reception of stolen goods, in the breeding and raising by negroes of the animals mentioned, a search warrant was sufficient and accessible to any body to detect and reclaim, what was lost and could be identified. But the moment these animals were slaughtered or otherwise transported beyond the plantation for barter or sale, then the danger apprehended would become imminent; and even though the sheep, hog or steer should have been bred and raised by the slave, it then became liable to be captured, and then, in the true legitimate and beneficial sense any person or persons whatsoever might "*seize and take away from* any slave," such article; for the statute had declared it ulawful for him to have bred or raised it, under the penality of just such a seizure and forfeiture.

It is declared to be unlawful for any slave, to barter or traffic, for goods or commodities, (except under very restricted limits, as to slaves residing, or usually employd in Charleston,) and those goods and commodities, are liable to seizure, precisely as the live stock mentioned. It is an argument to ask, whether it ever was designed, or could now be tolerated, that a man's enclosure should be invaded, perpetually it might be, by private persons, with no process of law, to hunt up and capture every mackerel, pound of sugar yard of tape or bottle of molasses, that might be unlawfully acquired by one of his slaves? Such a rule of law, diligently enforced, could have but a short and turbulent existence—or, it it triumphed, it is much to be apprehended it would triumph over many at least, of our opinions, touching the value of the institution of slavery. We are glad to find no cogent and sound rules of interpretations, that drive the country to such a result or hazard; none that might serve to place the police of the slave owner's domain, under that species of vigilance that, too often, might be quickened less by a reverence for the law, than by a covetous craft, or a restless malice.

By confining this right to the s; here which has been prescribed, there does seem to be a more prudent, rational and natural execution of the purpose which is—to "seize, and take away from any slave," an article contraband; bred, raised, or acquired, "for the *particular and peculiar* benefit of such slave;" or, (as elsewhere expressed in the Act,) "for the *peculiar use benefit and profit*, of such slave."

It is not quite apparent, when a slave raises a hog by his master's leave, and kills and eats it, or divides it among the inmates of his cabin, with his master's knowledge; or when he builds a canoe and fishes by its aid, in his master's mill-pond, that this, in propriety of language—looking either to the force of words, or the dictates of policy, shall be said, to be for the "*peculiar use, benefit and profit*," of the slave. For if he lived the better, his master's benefit might also be found in that, seeing that the honest diligence of the slave had not corrupted his morals, or disturbed the public peace, and the draft on the owner's supplies, might be so much the less. And so of many other examples, that might be mentioned.

It was urged by the counsel, and suggested by the Circuit Judge, that the right of entry was incident to the power to seize. There might have been some force in this view, if it had been urged in defence of a Magistrate or Constable, at a time when either, or both, might have acted under the peremptory commands of the Act of 1722 and 1735; but, even in that case; it might have been well answered, that such reasoning begged the question; for, the inquiry is and would then have been, was it ever required that the seizure should be made on the owner's premises. The argument looses all its force, as to private individuals acting under the law of 1740, for they are *required* to do nothing. The power is one of permission merely.

A view may be gained as to this right to enter the close, from another branch of the same law. There has ever been, and is now a lively jealousy as to the possession and use of fire-arms, and other deadly weapons, by slaves—and, as to suspicious congregations of them in any place. It will be found, that while in more ancient times, master were required (once in every month—*vide*, Act of 1690. 7 Stat., 345.) to search the habitations of their own slaves; in later times, when their search for weapons was to be made, or these assemblages to be supervised and dispersed the law makes its own agents, and prescribes its own accustomed forms. Now, when we perceive that in the same code, and in more hazardous times, the public arm is fettered in this great universal, and truly public concern, shall we at this day, incline, to unbind to invigorate, and encourage it in the violation of private domain, when the object is merely to capture, for the fortuitous gain of one who never labored for them, domestic animals, goods and commodities?

It may be seen, that in 1712, (when the code was more stringent than at latter times) the right to capture any fire-arms, by any person found in possession of a negro, was to be exercised only when such slave was apprehended with the weapon, without a ticket and out of the limits of his master's plantation. (See upon the same subject, Section 3 and 5, of Act of 1722, 7 Stat., 372—and Sec. 4. Act of 1735, 7 St., 386-7.)

We may be permitted to look at this question, from a more elevated position. In the preamble to the several Acts, preceeding that of 1740, we may find the themper of the times, arising no doubt from the greater rudeness of the institution of slavery—attributable, it may be, as well to the comparative inexperience of owners, as to the fierce nature of newly imported Africans. Accordingly, we have it on the front of the Acts, passed from 1714 to 1435, both inclusive, that slaves were of a nature too barbarous, wild and savage, to be fit for the mild sway of the common law. Yet, we do not find, within that period, full, as it manifestly was, of solicitude, concerning the tendency of slaves to insurrectionary ideas and plots, any instances, wherein the sanctity of the private domain was opened to the intrusion of unofficial persons. Magistrates, Constables, or Patrols, with a suitable posse, when that was needed, were alone to pry into the proceedings, or purposes of suspicious clubs or confederacies of slaves, and were alone to make search for deadly weapons. When we reach 1740 we enter a milder light and more tranquil atmosphere, and are met at the threshold with the evidence, that time had worked its amelioration—and it is most aggreeable to know, that in the long period of intervening time, the persuasions of domestic sympathies, the steady light of moral example, the more enlightened dictates of self-interest the tremendous power of the Christian religion, have worked with eminent success, their transforming influences upon both races. We read in the language of 1740.—"Whereas, in his Majetsy's plantations in America, slavery has been introduced and allowed, and the people commonly called Negroes, Indians, Mulattoes and Mestizoes, have been deemed absolute slaves, and the subjects of property in the hands of particular persons, the extent of whose power over such slaves; ought to be settled and limited by positive laws, so that the slave may be kept in due subjection and obedience, and the owners and others persons, having the care and government of slaves, may be restrained from exercising to great rigor and cruelty over them, and that the public peace and order of the Province, may be preserved." Now, the suggestion presents itself—admitting the point presented by the Defendant in this case, to be dubious—it seems neither judicial, philosophical, nor humane, to roll back the tide of advancing liberality—to supplant by the darkness of an earlier day, the light of our own—to introduce into the plantation or homestead, of every slave owner, a seeker after wafts, as it were, with an appetite for fortuous, gain whetted into keenness, with a range of police discipline fearfully enlarged, which in its smallest proportions, had been deliberately withdrawn from a Magistrate and Constable; and all this in the face of reasonable confidence in the plantation police of the owner himself, justified by the immense improvement, in that particular, of modern times. We deem it neither safe, well or necessary, to travel towards such a result by the construction of any ancient legislative provision, unless its words, with context conformable, be of the clearest import and the most cogent force.

We find nothing in the case of Clarke ads. Blake, (3 McC., 179,) that touches this question. A patrol there made the seizure, and they of course, might lawfully enter *as patrol*—though, on circuit, they were held to be trespassers—most probably, however, for taking chattles that proved to be exempt from seizure. Upon that ground, the case turned in the Court of Appeals, and our present leading question was not considered.

2. Was the Magistrate's verbal instruction or advice, improperly excluded? It is enough to remark, that inasmuch as he had nothing to do with the capture, the instructions or advice of any body else, might as well have been adduced. In addition, it is not easy to conceive, how his advice could have aided the party engaged, any more than the doctrine of the Circuit Court Judge which held, that they had a right to enter. Nor it is quite clear, that any thing he may have said to Cantey, who was not sued, was available to Broughton, who was.

3. As to excessive damage:—The main foundation of Broughton's defence, has been ruled in his behalf, erroneously in his favor, according to our opinion, as already has appeared, and he can scarcely except to fare better, if that proof be withdrawn; as in a new trial he would find it to be. Nor, are we disposed to interfere, in such a case as this with the appropriate and peculiar function of the Jury.

The motion, therefore, is refused.

We concur.

J. S. RICHARDSON,
JOHN BELTON O'NEALL,
JOSIAH J. EVANS
EDWARD FROST.

MISCELLANEOUS.

MUSCULAR EXERCISE.—Muscular exercise is a direct source of pleasure to every one not suffering from diseased action. Every one must have felt this. The effect of using the muscles of voluntary motion, when all the processes of the economy are being justly and healthily performed, is it to impart a marked and grateful stimulus to the nervous system generally, sufficiently noticeable by the ministering indirectly to the happiness of the individual, coloring and brightening the thoughts and feelings. So much is this believed to be the case by some, that it has been asserted, a man may use his limbs too much to leave him in the enjoyment of his fullest capability of pure and abstract thought, and to the extent making him unduly imaginative. Although this may well be matter of doubt, the fact and its wise and benevolent intention, remain unaffected: that man derives an immediate pleasurable sensation from using his voluntary muscles, which not only gives to labor a zest, and even to monotonous movements some degree of enjoyment, but produces a re-action on the mind itself, embellishing a life of virtuous toil with a degree of physical enjoyment, and mental energy, buoyancy, and hopeful lightheartedness, that can never be afforded in a like degree to the drones; the more 'fruges consumere nati'—of the human hive.—*Robertson on Diet, on Regimen.*

COOLNESS—A TALE ABOUT THE HEAD.

Jake was a little buck negro who belonged to Dr. Taliaferro; and was said to have in his little frame a heart as big as General Jackson's—to say nothing of Napoleon Bonaparte and Zach Taylor. He didn't fear even our respectable fellow citizen, Old Nick and as for coolness—he was as cool as the tip-top of the North Pole.

One day, Dr. Taliaferro, upon occasion of the commencement of a Medical College, of which he held the chair of Anatomy, gave a dinner. Among his guests was a well known ventriloquist. Late in the evening, after the bottle had done its work, the conversation turned upon courage, and the Doctor boasted considerably of the lion-heart of his favorite man, Jake. He offered to bet that nothing could scare him, and this bet the ventriloquist took up, naming the same time the test he imposed. Jake was sent for and came.

'Jake,' said the Doctor, 'I have bet a large sum of money on your head, and you must win it. Do you think you can?

'Berry well, master,' replied Jake, 'jest tell dis niggah what he's to do, an he'll do it, shore.'

'I Want you to go the dissecting room. You will find two dead bodies there. Cut off the head of one with a large knife which you will find there, and bring it to us. You must not take a light, however; and don't get frightened.'

'Dat's all is it? inquired Jake. 'Oh berry well. I'll do dat shore for sartain; and as for being frigntened the debbil heself aint a gwine to frighten me.'

Jake accordingly set off, and reached the dissecting room, groped about, until he found the knife and the bodies. He had just applied the former to the neck of the latter, when from the body he was about to decapitate, a hollow and sepulchral voice exclaimed—

'*Let my head alone!*'

'Yes, sah,' replied Jake, 'I aint 'ticlar; and tudder head 'll do jest as well.'

He accordingly put the knife to the neck of the next corpse, when another voice, equally unearthly in its tone, shrieked out—

'*Let my head alone!*'

Jake was puzzled at first; but answered presently.

'Look a yah! Master Tolliver sed I must bring *one* ob de heads, an you ain't gwine to fool me, no how!' and Jake hacked away until he separated the head from the body. Thereupon half a dozen voices screamed out

'*Bring it back! bring it back!*'

Jake had reached the door, but on hearing this, turned around and said,

'Now—now, see yah! Jes you keep quiet you fool; and don't wake up de women folk. Masters only gwine to look at the bumps."

'*Bring back my head at once!*' cried the voice.

'Tend to you, right away, sah!' replied Jake, as he marched off with the head; and and in the next minute deposited it before the Doctor.

'Yes you've got it, I see,' said his master.

'Yes, sah,' replied the unmoved Jake 'but please be done looking at him soon, *kase de gemlin told me to fotch him back right away.*'

John Donkey.

If the free States imitate the example of Illinois, and forbid negroes to settle within their boundaries; and the slave States pass a law like that which Virginia threatens to pass, expelling free negroes, the poor darkies will feel like selling themselves cheap.

The following exquisite poem is extracted from the Dublin Nation. It will be read and re read by all who can appreciate the genuine Irish grief and fondness breathed in every line.

NIGHT WATCHING.

Good night, good night, acushla machree,
Dark is the night which is setting for me,
And my tears that are falling so quietly
Will gush in a torrent soon.

There is no one beside me to cheer to night—
No one to tell me God's will is right;
But I know 'tis a deadly sin to fright
The soul which is going to him.

So I hold my peace, and in murmurs low,
Till none could guess I am grieving so;
To Him and his angels I tell my woe,
And pray for the soul departing.

He was my all in the world below,
No other friend did I seek or know,
But I will not grudge him to heaven now,
Since 'tis God's high will to take to him.

Long, long the dark night seems to stay,
Yet more I dread the morning gray,
For the weakening breath will have chill'd away
Ere its full rays brighten round him,

He will not bid me cease my moan;
My sorrow now must be all my own,
My darkest grief I must bear alone,
Astor machree, you're going.

I will watch no more with longing ear
The fall of your proud light foot to hear,
When your quiet home you are drawing near;
Oh!—dark 'twill be without you.

I will thrill no more to your words so fond,
Nor proudly think how a fairy's wand
Could never bring me a joy beyond
The bliss of being near you:

I will hold my head less lofty now,
When you are laid in the church yard low—
Too much I gloried long ago
In the happy lot God gave me.

No more for me is the laugh and song;
But still as the darkening night comes on,
The neighbors will see me creep along
To the cold ground where you're lying.

And they'll tell the young how my heart beat high,
And the flashing joy was in my eye,
And small the thought of care or death had I,
When first we two were plighted.

For the edification of those who imagine they can penetrate the designs of women, we have translated from a French volume on Oriental manners, the following little story. To understand it, we have to inform our readers, that among the Orientals, it is customary to agree for a time to pay a stipulated forfeit if a husband receives from his wife, or a wife, from her husband, anything whatsoever, without pronouncing the word *Diadeste*. Each therefore practises the greatest ingenuity to throw the other off his or her guard.

A philosopher of that country, who was by no means insensible to female charms, had often worshipped at their shrine; and as often (as he thought) had he suffered from their wiles and caprices.

But he determined to become wiser. He collected a number of stories of female cunning, copied them into a book, which he always carried about with him, as occasion might require to consult it.

One evening, as he was passing through an Arab camp, he noticed at the entrance of one of the tents, a young woman of uncommon beauty. She saluted him as he passed, offering that he might enter to rest for a while from his seat on the carpet, and near the beautiful creature, when he became alarmed; he drew his book from his pocket, and began to read, without daring to cast a single glance at his fair neighbor.

"That must be a charming book," said the lady, "which can engross your whole attention so."

"Indeed it is, "repiied the philosopher, "but it contains secrets."

"Which certainly you would not conceal from me!" said the lady, with an irresistible smile.

"Since you will have it so," retorted the philosopher, "it contains a complete list of all the arts and wiles of cunning women—but I am sure you could not learn anything from it, and so it would not interest you."

"Are you certain that your list is complete?" said the lady again.

Thus the conversation was gradually resumed, the philosopher pocketed his book, and so far forgot himself and his system of philosophy, that he was kneeling before the fair lady, holding one of her hands between his own; and who knows what might have been the result, had not the lady espied her husband, who was returning home. Struck with terror, she exclaimed: "I see my husband at a distance, returning homeward. Should he find you here, he will put both of us to death. I see but one chance for your escape; conceal yourself in this box, of which I keep the key."

It may be supposed that the philosopher did not hesitate long to conceal himself, and the lady locked the box and drew out the key.

As the Arab entered his tent, the lady met him with a smile, saying: "You come in good time, for a stranger, calling himself a philosopher, stopt at our tent to rest, but so far forgot himself and propriety, as to talk to me of love."

The Arab began to foam at the mouth with rage; but who can describe the agony of the philosopher, who could in his retreat hear every word that was spoken!

"Where shall I find the wretch!" exclaimed the Arab, "that my sword may put an end for ever to similar presumption?"

"Here, in this box," said the lady, holding out the key.

The enraged Arab snatched it out of her hand, but she soon retook it, in a fit of laughter.

"Instantly pay me your forfeit, for I have caught you at last accepting a thing without pronouncing the word *Diadeste*."

For awhile the Arab stood as if petrified, and after recovering a little from his anger, said:

"I have lost, and must pay the forfeit, but let me request you hereafter to gain your ends without giving me such bitter vexation."

After awhile the Arab had to attend to other business, and left his tent, and the lady unlocked the box, in which she found the poor philosopher more dead than alive; on saying, "You are safe!" the philosopher vaulted nimbly from his retreat. "Depart in peace," said the lady to him, "but do not forget to record this day's occurrence in your book."

GREAT FISHING.—One day last week, Messrs. Davidson and Russell drew in, at a single haul, on Mr. Hallock's shore, West side of New Haven harbor, two millions of white fish, as nearly as could be estimated, weighing on an average about three quarters of a pound each. The total weight of the haul therefore was about 1,500,000 lbs. or 750 tons! It is the greatest haul of fish ever made in that harbor, and we suspect it will not be easy to match it any where. The farmers from the neighboring country were engaged three or four days in carry them off in immense cart-loads. They sold at 50 to 75 cts. the 1000. The fishermen are much indebted to a bevy of purpoises, who drove the white fish into the harbor, helping themselves meanwhile, no doubt, to a very large number.

FATAL EFFECT OF IMAGINATION.—The son of an Italian nobleman was recently condemned to death, but through the influence of the father, a pardon was procured for him, upon the condition however, that to render lesson more terrible, the pardon should be announced to the condemned only at the moment of execution. Accordingly, on the appointed day, when the culprit had laid his head upon the block, the executioner, instead of using the axe, struck him slightly on the neck with the edge of a wetted napkin. They raised the condemned to inform him of his pardon, but he was dead! The pretence of an execution had been as fatal him as the reality would have been.

A NEGRO VERDICT.—About the commencement of the present century, a black fellow who lived at the North End of Boston, suddenly disappeared, and it was thought that he had drowned himself. Accordingly diligent search was made, and at the end of two days his body was found in a dock in Charlestown. As is usual in such cases, a jury of negroes was called together. After some deliberation they brought in a verdict something as follows:

"Dat going home one bery dark night, he fell from the wharf, and was *killed;* dat de tide comin' in strong, it floated him ober to Charlestown, and he was *drowned;* dat de weather bein' bery cold, he *froze to death!*" The coroner who was rather waggish, notwithstanding the solemnity of the occasion, said, 'You may as well add that he *died in the wool!*'"

HARD OF HEARING.—"I have a small bill against you," said a pertinacious looking collector, as he entered the store of one who had acquired the character of a hard customer. "Yes, sir—a very fine day indeed," was the reply. "I am not speaking of the weather, but your bill," replied Peter, in a louder key. "It would be better if we had a little rain." "Damn the rain!" continued the collector; and, raising his voice, he bawled "have you any money on your bill?" "Beg your pardon, sir, I'm a little hard of hearing. I have made it a rule not to lend my funds to strangers; and I really do not recognize you." "I'm collector for the Philadelphia Daily Extinguisher, sir, and have a bill against you!" persisted the collector at the top of his voice, producing the bill and thrusting it into the face of the debtor. "I've determined to endorse for no one. You may put your note back in your pocket-book. I really cannot endorse it." "Confound your endorsement! Will you pay it?" "You'll pay it! No doubt, sir—but there is always some risk about these matters, you know. I must decline it, sir."

A FINANCIAL QUESTION ANSWERED BY MR. DUNUP.—A. has given a bill to B, and A finds himself without a shilling when the bill has only two days to run. Now what is A to do under the circumstances?

ANSWER.—If the bill has two days to run, A has of course two to run also, and he had better run accordingly.

Mr. Clay is to be *kissed* into the Presidency as Harrison was *sang* into it.—*Times.*

A very dangerous precedent. If this mode of conducting a campaign becomes established, a great many men would start as candidates, merely for the fun of electioneering.

Exchange paper.

HAPPINESS.

Happiness is a glorious crown which all the jewels of the world cannot enrich, which, studded with the diamonds of the heart can receive no additional lustre from any such paltry things as power, or wealth or station.