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The rates are as favorable to the assured as safety to the company will permit. Insurance in this form is of great importance to all who have others depending on them for support.

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Endymion.

BY H. W. LONGFELLOW.

The rising moon has hid the stars;
Her level rays, like golden bars,
Lie on the landscape green,
With shadows brown between.

And silver white the river gleams,
As if Diana in her dreams
Had dropt her silver bow
Upon the meadows low.

On such a tranquil night as this,
She woke Endymion with a kiss,
When, sleeping in a grove,
He dreamed not of her love.

Like Dian's kiss, unasked, unsought,
Love gives itself, but is not bought;
No voice, no sound betrays
Its deep, impassioned gaze.

It comes, the beautiful, the free,
The crown of all humanity—
In silence and alone
To seek the elected one.

It lifts the boughs, whose shadows deep
Are life's oblivion, the soul's sleep,
And kisses the closed eyes
Of him, who slumbering lies.

O, weary hearts! O, slumbering eyes!
O, drooping souls, whose destinies
Are fraught with fear and pain,
Ye shall be loved again.

No one is so accursed by fate,
No one so utterly desolate,
But some heart, though unknown,
Responds unto his own.

Responds—as if with unseen wings,
An angel touched its quivering strings;
And whispers, in its song,
"Where hast thou staid so long?"

☞ The following, by BARRY CORNWALL, appears in one of the London Annuals for 1851:

The Mother's Last Song.

Sleep!—The ghostly winds are blowing;
No moon's abroad; no star is glowing;
The river is deep, and the tide is flowing
To the land where you and I are going.

We are going afar—
Beyond moon or star—
To the land where the sinless angels are.

I lost my heart to your heartless sire;
{'Twas melted away by his looks of fire,}
Forgot my God, and my father's ire—
All for the sake of man's desire.

But now we'll go
Where the waters flow, [know.
And make us a bed where none shall

The world is cruel; the world's untrue:
Our foes are many, our friends are few;
No work, no bread, however we sue:
What is there left for us to do—

But fly—fly,
From the cruel sky,
And hide in the deepest deeps—and die!

☞ TENNYSON contributes the following stanzas to one of the Annuals for 1851:

Come not, when I am dead,
To drop thy foolish tears upon my grave;
To trample round my fallen head,
And vex the unhappy dust thou wouldst not save.

There let the wind sweep, and the plover cry;
But go thou by.

Child, if it were thine error, or thy crime,
I care no longer, being all unblest;
Wed whom thou wilt—but I am sick of time,
And desire to rest.

Pass on, weak heart, and leave me where I lie.

Go by—go by.

Song of the Wave.

DEDICATED TO MISS M A B——.

Weary, weary, the sea-wave fell,
Cold and pale on the sandy shore;
Its moan was like the moan of a bell,
When it sounds by night the parting knell
Of a voice and a glance we shall see no more.

Dreary, dreary, the clouds o'erhead,—
Wild was the distant forest's roar:
The wave had a tale of the distant dead,
For, league after league, it had swiftly sped,
With a message of spirits that come no more

"Gaily, gaily, they left the bay—
Swift and proud to sea they bore:
Like a lonely bird, day after day,
They flew o'er the sea-waste, far away,
Till coast or canvass was seen no more.

"Darkly, fiercely, the wind-king rose,—
Bold he strode o'er the ocean floor,
With a voice that benumbed, and a touch that froze—
And he laughed as he saw the cold depths close,
O'er the hearts of the loved, to open no more." B.

Feb. 7th, 1851.

☞ Mr. Burr, the New York gentleman who pretends to expose the "rappings," says there are five circumstances which vary the volume and tone of the sounds in the different mediums, viz.: the size and strength of the toe, the lightness of the shoe, the thickness and dryness of the sole, the moisture or dryness of the foot, and the substance on which the rapper stands or sits.

☞ Dr. Junius Smith, who is paying great attention to the culture of tea in South Carolina, says that the heat of summer is far more to be feared for the tea-plant than the cold of winter, and requires more watchful care. He adds, that he should not be surprised if the cultivation of the tea-plant should be vastly extended in New England, while comparatively it stands still in the South.

☞ Hamlet seems to have had a familiar friend in the person of an Irishman, inasmuch as when he contemplates the death of the King, he says—"Now might I do it, Pat."

☞ The Washington correspondent of the New York Tribune says that the Swiss Government have forwarded a beautiful stone from the Alps, to be placed in the National Monument to Washington.

From Chambers' Journal,

The Volcano Girl.

It is an axiom among travellers, that the Bay of Naples is the most beautiful place in the whole world. Every one who beholds it repeats the same statement with unvarying uniformity; and if any quaint person were to make the contrary assertion, he would not be argued with, but laughed down. I dislike paradoxes, and shall therefore subscribe to the general opinion, although I never saw a scene so dismal as when I first entered the bay. Dismal, but grand! We had left Civita Vecchia the day before, streaming through a restless, nasty sea, in the midst of as filthy a fog as ever defiled the surface of the Mediterranean during the merry month of May. Sometimes we could see nothing but the dirty-looking short waves; but now and then a dim streak of Roman territory, or two or three ghost-like islands, rewarded the efforts of our winking eyes. The night was boisterous, if not tempestuous; but when morning came the wind had abated, though without driving away the mist, and the sea rolled still in a turbulent and uncivil way.

The Maria Christina was undoubtedly the worst steamer it has ever been my lot to voyage in. There seemed to be not a well-hung piece in her whole composition, so that, in addition to the usual sea sounds, there was a perpetual slamming of doors and creaking of timbers. The villainous little craft appeared to be in constant hesitation whether it would go to pieces or not; and I believe has since taken that freak into its head. The captain, as seamanlike a fellow as ever crossed my eyes, kept up our confidence, however, even in the most ugly moments; although it could not be denied that our expedition was something like a visit to the northern seas in a Margate boat.

We crawled on at the rate of some three or four knots an hour, until, after passing San Stefano, we began to distinguish dimly the base of Ischia; for the summit was plunged in a mass of black clouds. Then a doubtful outline of rocks struggled through the vapor to the left; and at length we got into the pass, guessed at the form of the promontory, obtained a vague glimpse of Procida, and fairly entered the famous bay. All the elements of its beauty showed faintly through a moving vapor that thickened along into drifting clouds. Capri looked like a cone of dark mist lingering to the South; the island we had passed dimmed away in our rear. Bays and creeks innumerable ran in, to the left, between a strange mixture of rocks and vegetation. This was all we could see at first; but the lower half of the Vesuvius soon showed itself; and presently the curtain of mist was drawn hastily aside, just to give us a glimpse, as it were of the giant peak, faintly pencilled against the leaden sky, into which its wreath of smoke faded away, and of the reaper of Castel a Mare, and the craggy promontory of Sorrento. Then all was covered again; and a thin driving shower filled the air. Not a single gleam of sunshine gilded the scene; but I at once distinguished the orb, "shorn of its beams," poised over the depths of the bay.

First impressions are everything. Whenever I try to recall the all famous site, it always begins by presenting itself under this aspect—not without its grandeur, it is true—but far inferior to the bright and sunny scenes I witnessed when, proceeding farther under more favorable auspices, I made acquaintance with the coasts of Calabria, and the immortal Straits of Messina. With a little patience, however, I can figure to myself the Bay of Naples in all the loveliness which it afterwards displayed, and when the operation is complete, the contrast becomes interesting.

I shall say nothing about the castles of St. Elmo and Del Ovo; nor of the useless fuss about granting *pratique*; nor of an attempt made to entrap us into smuggling by a worthy who had some silks to land; nor of the annoyances of the custom house. It is not my intention to take the bread out of the mouths of the tourists. These are their legitimate topics. I have to relate a little incident which does not happen to every one who visits Naples; and I cannot therefore be accused of trespassing upon anybody's ground. What I say about scenery and manners must merely be considered as a setting to the diamond. I am willing to concede superiority in this respect to any one who may claim it.

We lodged in the Hotel de la Balle Venice, situated half way up a steep street—name not mentioned in my journal—leading from the lower end of the Strado Toledo. We were bent on travelling cheaply, and did not think four *carlines* a day too dear for a room. This hint is not intended as information to any who may follow in our footsteps; but it illustrates our character and position, and explains why in the course of our wanderings we were always meeting with strange adventures. A man may travel from Dan to Beersheba, in first class carriages of railways, coupes of diligences, saloons of steamers, he may put up at the best hotels, and hire the cleverest guides and he will see nothing, learn nothing, feel nothing, but what has been seen, learned, and felt by his predecessors. But we defy even the shyest Englishman to undertake the tour of Europe on economical principles, unless he be positively determined to keep his eyes and heart as close shut as his pocket, without bringing back something to remember to the end of his days—something to make his eyes grow dim when he meditates on it, his lips tremble when he speaks of it, his hand falter when he writes of it. For in this system of travelling he is forced, while in a mood of mind highly susceptible of impressions, into contact with all sorts of characters and incidents; and if he has a spark of nature in him, it must be struck out.

We dined the first evening at the Trattoria dell'Errole, and took an ice at the Cafe di Europa. But our heads were in a disagreeable whirl and we enjoyed nothing. We missed the creaking and the groaning of of the Maria Christina; for which the rumbling of a few carriages, and the buzz of voices on the promenade, seemed—such is the force of habit—an insignificant compensation. Lines of well-lit shops, crowds of well-dressed people, balconies filled with ladies, colonnades of churches, and facades of palaces, danced dimly before our eyes, instead of the accustomed cordages, the naked masts, the smutty sail, the breast-high bulwarks, and that horrid squat funnel, with its cascade of black smoke, tinged, as it rolled forth, with a dull red glow. When I retired to rest, I caught myself holding on to the bed as I prepared to get into it; and I dreamed of nothing all night but of trampling of feet overhead, whistling of wind through rigging, shifting of the anchor-chain, and all sorts of abominable noises. These physical reminiscences, however, disappeared next day, and I was prepared to enjoy Naples.

I did enjoy it; and I hope all my readers may live to enjoy it too. I know this is wishing a tremendously long life to some of them, but such a wish will offend nobody. During one of my strolls—this time I was alone—I came to the foot of that vast flight of steps shaded by trees which leads up towards the castle of St. Elmo. It was just past midday; and I suppose everybody was beginning the siesta; for not a single living soul could I see in any direction. I sat down on one of the steps under the shadow of a huge elm and looked upwards towards the sky along the broken avenue of trees that led aloft. There was something singularly beautiful to me in the scene. The trees here and there met, and huddled their heads together, and threw down a thick black shadow; and then some thinly-sprinkled branches bent across, and fluttered their green and gold leaves between me and the patch of blue sky that glanced at the top, seeming to be the only destination of this lofty staircase.

I was gazing upwards, as if in expectation, but in reality admiring this curious effect, when a small dark form intercepted my view of the sky. I had almost imagined myself at the foot of Jacob's ladder; but the spell was at once broken, and I was about to rise and go away, when the singular motions of the person who had disturbed me drew my attention. It was evidently a girl, with naked feet, but neat garments; her head was laden with flowers; and she skipped down with all the lightness of the gazelle for some space; then came to a halt, possibly on seeing a stranger; then continued her progress—now showing brightly in the sun, now dimly in the shade, until she came, and after a side-long glance at me, sat down on the opposite end of the same step, where there was no protection from the heat. I now noticed that she carried a basket in her hand, from which she produced a variety of objects, evidently manufactured from lava. These she arranged by her side, and examined with care, every now and then casting an impatient look towards me. There was a wildness in her eye and a quaintness in her whole demeanor that pleased me, especially as her features were almost without fault. So I remained where I was, studying her movements; and the idea suddenly struck me that I was occupying her usual place, and that shyness prevented her from coming nearer. So I rose and went a little higher up, when she at once crossed over. I thought with a graceful smile. A little while afterwards she called to me, and asked if I would buy some of her curiosities.

There was evidently no sordid motive in this; for when I came near, she made no allusion to a bargain, but said I had chosen a place where there was not sufficient shade. I asked a few questions about the lava, but got only vague answers. What conversation passed was a random kind of talk about the difference of Italy and foreign countries. It was evident that in the girl's eyes 'Napoli'—which she pronounced with magnificent emphasis—was the only place in the world worth admiring. She had seen no other. The people, however, were bad—very bad. I thought, upon this observation, that something like a story was coming—but the throat and face of the girl only darkened with a rush of blood, and she grew utterly silent. Suddenly she arranged her lava hastily in her basket, started up, leaving a piece which I had been holding in my hand, and had not paid for, and ran away down the street. I naturally ran after her to pay for what I had bought; but she turned round with flushed cheek and flashing eyes; and whilst I was endeavoring to explain my intentions, I felt a blow on my breast from a stone launched with no weak hand; and before I had time to recover from my surprise, the girl had disappeared.

A curious termination to an interview which I had begun to persuade myself had something of a romantic character! I rubbed my thorax, tried to laugh at the little slut's vivacity, but could not get rid of the uneasy annoyance peculiar to misunderstood people. Perhaps I had been taken for a robber—perhaps something I had said in my broken Italian had been thought insulting. I grew quite morose;—thought of nothing else all the afternoon, was set down as an ill-tempered fellow at dinner; and on retiring to bed, could not help perpetually stating this question—

"Why should that pretty girl, towards whom my heart had expanded, have left me in so abrupt a manner; and on my endeavoring to restore her property, have made a target of me?"

All night as I slept, I felt as if a hot coal were lying on my breast; and the place, indeed, was black and blue in the morning.

An excursion had been proposed to Vesuvius; and we started at three in the afternoon—myself, four Americans, with Mr. Jenkins and his wife—all crowded into what, I believe, is called a *corricole*. The sun, along the brink of which we went, was still stormy, and the waves washed with a slushing noise up into the very street. The drive was beautiful to Portici, the white houses and vine-wreathed porticos of which I noticed with pleasure. At Portici, after some wrangling in the house of the guide we were transferred to horses and donkeys; and off we went, first up a hot lane between stone walls, then along a fine paved road. The party was merry, and not unpicturesque, but out of character with the scene. Not one of us was subdued by the tranquil beauty of the little landscapes, the bright green nooks that opened here and there. Our temperaments were still too northern. We were not yet soothed down by the sunny sky and balmy air of Italy; and got stared at in consequence, with contemptuous curiosity, by the languid peasants in the fields.

At length a zig-zag road commenced, and up we went, turning round ever and anon to view the expanding bay, softened down into apparent calm by distance. Green gullies and ravines of lava began now to be intermingled; but tranquil observation was soon interrupted by tremendous gusts of wind that came roaring down the sides of the mountain, and enveloped us in whirlwinds of dust, sometimes mingled with pebbles, at every turn of the road. It was hard work to get on, and we were glad enough to reach the Hermitage and Observatory, where we tossed off a glass of *Lachrymæ Christi* to restore us.

The rest of the road was along a narrow ridge leading to the foot of the great black cone. On either side were gullies of green, and beyond great red fields of lava. It was not remarkably safe in riding, and by no means commodious. Sometimes one's nose touched the horse's or ass's neck; sometimes the back of one's head was whisked by the tail. It was a sort of rocking horse motion. But we arrived safe at the dismounting place: and, I must confess, looked rather dismayed at the desperately steep cone up which we were bound to scramble. But in travelling, 'on, on,' is the word; so on we went stumbling up through the triturated and black lava, as if Fame or something else equally valuable, had been at the summit. Mrs. Jenkins was in an open palanquin, borne by eight men, who grunted, staggered, crawled up or slid back, shouted, laughed, and belabored one another with their climbing-poles, whilst the undaunted lady sat as coolly as in her drawing-room at home making observations on the scenery, which we could scarcely hear, and were too breathless to answer.

In about an hour we neared the summit, and got under a vast canopy of sulphurous smoke which, blown by the furious wind, rolled grim and black over the scattered edge, stretched its impenetrable mass betwixt us and the sky, and then swooped down towards the bay, and dispersed in a vast mist. Most parts of the plain, too, were covered with a low ground fog. It was a grand sight, as we paused and looked back before the last effort. The whole sweep of the bay was visible from Sorrento to Baia, together with the islands, scattered like giant sentinels at the mouth; but all looked strange and fantastic through the sulphurous vapor. The sun was setting in a bath of blood and gold, just behind a straight line of ebony clouds with a sharp rim, like a wall of black marble. The white houses on the slopes of Castel a Mare were already looking ghastly in the twilight.

Our temples throbbed with fatigue, but the guide cried 'Forward,' and we soon came to the most disagreeable part of the business. The smoke was forced by the wind in a kind of cascade some fifty yards down the declivity, and as soon as we got into it an awful sense of suffocation came on. The guide swore, and some of us talked of retreating. But the majority were for persevering; and, panting and coughing, we dashed upwards, reached the summit, got into the midst of a fearful torrent of black smoke, like that which is vomited by a steamer's funnel, and staggered giddily about seeking which way to go. At this moment a slight form glanced toward us, said a few words to the guide, and presently we were running to the left along black and dizzy precipices, until suddenly we emerged from the volcanic vapor, and were in full view at the same time of the plain and sea, and of all the wonders of Vesuvius.

The girl whose acquaintance I had made in so strange a manner had come to the assistance of the guide, and told him what direction to take in order soonest to escape from the smoke. I spoke to her, but altho' she recognized me I think, she did not, or would not, remember our former interview. The idea suggested itself that she was touched in her intellect, so I made no farther allusion to the subject. It was evident the guide knew her, and had confidence in her. He asked her advice about the path which it would be advisable to follow, and obeyed her directions implicitly. "Who is that?" I whispered. "It is Ghita, the Volcano-girl," he replied in English, before repeating the Italian name, which might be translated, the "Daughter of the Volcano." I had no time for further enquiries. We were once more in motion, and had enough to do to keep our footing on the rough lava in the teeth of as furious a blast as ever I remember encountering. It would have been dangerous to stand even near a precipice.

It was a marvellous scene, the vast, black valley, with its lake of fire at the bottom—its cone of fire on one hand. The discharges were constant, and had something appalling in their sound. We were almost too much excited for observation. Now we looked at the cone of green and gold that sank and rose, faded and brightened, smoked or flamed; then at the strong mountains of lava; then at the burning fissures that yawned around. There were yet some remnants of day—a gloomy twilight at last revealed the jagged rim of the valley. Down we went—down, down to the very edge of the boiling cauldron of melted lava, that rolled its huge waves towards the black shore, waves whose foam and spray were fire and flame!

An eruption evidently was preparing, and soon indeed took place. We missed the sight, but what we now saw was grand enough. A troop of heavy black clouds was hurrying athwart the sky, showing the stars ever and anon between, "like a swarm of golden bees." The wind roared and bellowed among the lava gullies, while the cone discharged its blocks of burning lava, or its showers of red sparks, with a boom like that of a park of artillery.

A thousand travellers may witness and describe the scene; but it never can be hackneyed or vulgar. The volcano-girl, evidently familiar with every changing aspect, crept to my side, as I stood apart wrapt in silent admiration and wonder, and I caught her examining the expressions of my face as it was revealed by the dismal glare of the burning lake. "E bellissima!" she whispered in a husky voice, pressing close to my side, and trembling like a leaf, not with fear, but manifestly in memory of some dreadful event. We were friends from that moment, and she constituted herself my special guide, running before me to choose the surest paths, giving me her delicate little hand, and showing, in fact, all possible willingness to make up our little quarrel, if she retained any remembrance of it.

We returned towards the cone, and approached within dangerous proximity to it. The volcano-girl often pulled my arm to induce me to keep back; but when she saw I was determined to look down into the horrid flaming gulf of fire that yawned near the cone she followed me, murmuring a low pensive song. On reaching the edge, which was uncertain and trembling, I halted and gazed; and while the guide and my companions shouted to me to come back, enjoyed a moment of fearful joy. I was standing on the brink of a vast chasm of fire, in which no flame was, but on a dreadful glow, that thickened by distance into substance. The wind shrieked around, the volcano roared above, the tremendous cloud of black smoke swayed and wavered as it rolled, beaten down by the wind to the outer edge of the crater, like a vast snake, or, when the blast, for a moment ceased, towered aloft like an evil genius, and dispersed amid the clouds.

"Come back! come back!" cried Ghita, as the smoky pile of cinders trembled beneath us, and we both, panic-stricken, rushed to a surer footing, while the point we had occupied slided into the gulf of fire! I never shall forget that moment. The very memory of it makes my hair stand on end, and a cold perspiration burst out over my whole body. The girl clasped my hand convulsively as we ran, and when we stood again on the hot solid lava, uttered a low "Dio grazia!" All this was unlike folly, and, together with our companionship in danger, heightened the interest I felt in my wild-looking, beautiful guide.

We all returned towards the edge of the crater, and collected in a lava-cave to light torches for our journey back. Here we met two or three men armed with guns, who professed to be guards, but might have been brigands. One of them spoke rather roughly to the volcano-girl who took refuge by my side, and would not quit it. We started again by the light of great flaring torches, and soon began the descent down a dusty decline. It was a strange, rapid piece of work. The whole party ran, rushed, tumbled, slided, rolled down in one confused crowd, the torches glaring, flakes of burning pitch scattering here and there, the palanquin bobbing up and down, the mountain, slopping up to the clouds behind, and down into darkness before. We descended this time into the old crater—a great plain of dust and pumice stone. All was gloomy around; but the lights of Naples and Portici could be distinguished in the distance.

Our horses and donkeys were waiting for us where we had left them; and we rode rapidly back via the Hermitage, but over the plain of lava, instead of by the zig-zag road, towards Portici. Ghita ran all the way by my side, but rarely spoke, except to tell me when we approached a steep declivity. I should have felt jealous had she attended to any one else; but was quite angry at hearing her jestingly spoken of as "my conquest." A single vulgar remark sometimes throws cold water on the most delicate sentiment.

At Portici she left us. The guides were paid, and everybody forgot the volcano-girl who had been of such signal service to us. I looked for her, and saw her standing in the courtyard with the back of her little hand to her mouth in a pensive attitude. "Ghita," said I, approaching, "I must give you something"—she started slightly—"that you may buy a remembrance with it of our visit to the volcano." In such a form, the present—I did not write the amount down among my disbursements—was accepted frankly and freely. The poor girl was evidently in a state of great emotion; a few kind words from me had struck upon a chord ever ready to vibrate; the truth is, she sobbed, and could not answer. But when the tongue falters, and the limb trembles in the south, there is an eloquent substitute for language. She took my hand, and kissed it fervently, and a shower of warm tear-drops fell upon it. "Ghita," I murmured, trying to be firm, but bending over her with the tenderest affection—"I cannot help it; I have an instinctive love for the sorrowful—Ghita, you are unhappy? Can I do anything for you?" "No," was her answer, as she gain pressed my hand, and gliding away, disappeared like a shadow in the street.

We were at Naples an hour after midnight; but I found it impossible to sleep. I could think of nothing save the story of the volcano-girl: for the substance of her story was evident—the material details alone were wanting. I afterwards learned the whole truth. A volume might be filled with them; a line will be sufficient. She had been betrothed to a young man, a guide, who had perished during a visit to the volcano; she had gone mad in consequence—of a gentle, harmless madness in general; but as a few brutal people insulted her, she was sometimes suspicious of strangers. She gained her living by selling ornaments of polished lava, or by guiding travellers. This was all, but it was enough. I have kept a place in my memory for Ghita, whose acquaintance I cultivated on other occasions. I saw her once among the ruins of Pompeii, where she greeted me with a friendly nod, but without referring at all to our previous meetings—I mean in words—for at parting she gave me a handful of wild flowers, and then ran away without waiting for a recompense.

Comic Law Dictionary.

The *Burlington Sentinel* has a continuation of the entertaining series of Law Definitions, heretofore published "in all the papers," and attributed to the accomplished State's Attorney of Chittenden County—better known as author of the "Briefless Barrister." The following may be safely credited, we presume, to the same *high* legal authority:

ESQUIRE—from the French *ecuyer*—one who carries a shield. Sir Edward Coke says that every esquire is a gentleman—and a gentleman is one who bears coat armour. L. 1. 668. Thus it appears that the practice—so prevalent now-a-days—of distinguishing gentlemen by their coats, is quite ancient;—so old, indeed, that it is no great wonder it should be rather childish. That one should be considered a gentleman and called "'square," and that another should pass for scullion, merely because the former has a coat of arms, and the latter no arms to his coat; or, what amounts to the same thing, is a little "out at the elbows," is a very mortifying reflection on the discrimination of mankind. See *Sartor Resartus.* It ought to be observed, however, that all the authorities do not agree with Sir Edward Coke and his followers. *Blunt*, who seems to have been a very acute thinker, acknowledges that it is somewhat difficult to define a "real gentleman," but says very plainly that "no estate, however large, can confer this rank upon its owner."

ESTOPPED—from *etouper*, F.—an impediment to an action arising from a man's own act. *Co. Lit.* 322. The legal impediment here mentioned obviously derives its name from its analogy to the case of one who, having indiscreetly corked his bottle too tight, finds, afterwards, when he would enjoy the right of a draught, that he is stopt by his own stopple.

EVIDENCE—proof by testimony of witnesses on oath, or by writing, or records. It is a rule of the law that "hearsay is no evidence." But to this maxim there are several exceptions, of which the most notable is that relating to impeaching testimony. If the point in dispute be whether a certain dog is accustomed to bite sheep, the court will take nothing less than the witness's personal knowledge of the matter, but if the question be whether A. B. is a liar, and accustomed to bite men in respect to his promises, then "hearsay" is not only admissible, but the law won't hear the witness say anything else! Such is the profound obscurity of the law, that it is often necessary to "examine the Reports" to see what it is; but one would suppose that facts ought to be settled on a more substantial basis than Rumor.

EXCHEQUER—from the French *Echequier.* Camden says that the Court of Exchequer took its name from the particolored cloth which anciently covered the board around which the judges sat. *Bracton, p.* 113. This board of Exchequer seems to have been the oldest chequer-board of which there is any authentic accounts, having been manufactured in England under the reign of the Saxon kings.

FEES—certain perquisites allowed to attornies and others in the administration of justice. The law hath great respect for fees. Certain things are said to be odious to the law, such as dilatory pleas, which are not at all pleasing to any one but the pleader. But this cannot be averred of fees, without which it would be quite impossible to maintain either the law—or the lawyers. Fees are of several degrees and kinds, though all fees are considered by attornies as kind according to their degree.

A limited fee—is where the lawyer is pre-advised that he shall have so much for his service and no more.

A conditional fee—is where the attorney's reward is made to depend on the event of the suit.

Where the counsellor takes only a single fee it is termed *fee simple*, but if he afterwards accept a fee from the other side, the latter is termed a *base fee.* Holding a base fee is considered a dishonorable tenure, and conveyances of this sort are pretty much gone into desuetude. Although this kind of fee is not at present in good repute, there can be little doubt that its would go far not only to enrich the lawyers, but to prevent that vociferous zeal, and indecent custom of recrimination which, now-a days, characterizes the profession.

FINE—The law has a great deal to say about fines, of which it mentions many sorts. One kind of fine consists in a compulsory levying of money—but what there is so very fine about this process as to entitle it to that encomiastic epithet, it is quite impossible to conjecture. Perhaps the phrase comes from the Latin *finis*, on the hypothesis that the fine is the *end* or object of the law for the violation of which the fine is ostensibly imposed. This seems so exactly true in the case of militia fines, as to give some color to the supposition.

Fines are of great antiquity. *Plowden* says that they are as old as the first rudiments of English law, and quotes the statute 18 Ed. 1,—called *modus levandi fines.* But if Plowden had plowed in the classics a little deeper, he would have learned that fines date as far back as Horace, who, speaking of the vexations of his day, says:—

—— "sunt *certi denique fines.*"

Notes with the Knockers.

We have had a "talk with a deceased friend," no ways connected with the Foxes, and if we were at liberty to mention his name we think that none who knew him would consider fraud on his part possible! The object of publishing the particulars of 'this talk,' is simply to refute the common assumption that *nothing is ever communicated from the spirit world by these new agencies, that is of the slightest importance.* The responses, it is, said, are uniformly frivolous, useless and uninteresting. The questions and answers in this case, it will be seen, are of a very different character:

Question. My deceased friend, had the human race a conscious existence before we came on this earth?

Answer. Well, that is a practical query and no mistake. Why, you dunce, if you had ever been conscious of an existence before you began to exist, of course you would be conscious of it now!

Q. Then you mean to reply in the negative?

A. Yes Sir-ree!

Q. Can those in a higher sphere communicate with those in a lower?

A. Not exactly, now. But they are talking about getting up a joint-stock telegraph company.

Q. Apropos of stocks. Have usurers any souls?

A. Yes; to their boots. O!

Q. Has my deceased friend ever seen Adam?

A. Well, I have not met him yet; but I have seen McAdam, who can find nothing to do here. He says some of our ways are bad enough, but there are no roads that require mending.

Q. Do you read the Tribune?

A. Good gracious! If we are spirits, we require something that has consistency as well as substance.

Q. Can you see the earth and planets?

A. Well, we can.

Q. How do they appear to you?

A. Well, they appear to be some pumpkins.

Q. Why do not animals have an immortal existence?

A. Upon my soul, I can't tell why, unless it is because they have been created mortal.

Q. Can Mr. C. give us any idea of his present locality in space—whether it is on any particular planet, or around this earth?

A. Just now I ain't nowhere in particular. But I am looking out for a location.

Q. How do you employ yourself to wile away the time?

A. Well, we go on target excursions with the shooting stars.

Q. Have you any wish to come back?

A. Well, I have, for two reasons; first, I would like precious well to give that rascal, Tom D——, who has married my widow, a rap on the head for spending my money so freely; and secondly, I would like to hear Jenny Lind.

Many other highly interesting facts of a practical nature were elicited; but we have not been permitted to publish any except the above.—*N. Y. Mirror.*

A HORSE STORY.—The following story is vouched to us by first rate authority as a fact. A valuable horse of the Canadian breed, belonging to Joseph Baldwin, Esq., on one of the slippery days last week, had much difficulty in maintaining his *standing* in society, owing to the smoothness of his shoes, and came to some little bodily harm in consequence. When he was unharnessed, the teamster left him to his head, not doubting that he would go directly to the stable as he always did. Instead of doing so, however, he passed by the stable, and went directly to the blacksmith shop of Vincent & Woodward, where he had been shod some months before. He was found there patiently "waiting his turn," with several horses, as every well-bred horse does. What was that, if it was not reason?—*Nashua* (N. H.) *Telegraph.*

A SINGULAR TREE.—In the Island of Goa, near Bombay, there is a singular vegetable, called the sorrowful tree, because it only flourishes in the night. At sunset, no flowers are to be seen, and yet half an hour after it is quite full of them. They yield a sweet smell, but the sun no sooner begins to shine upon them, than some of them fall off and others close up; and thus it continues flowering in the night during the whole year.

BORN WITHOUT BRAINS.—The Paris papers contain an account of a child that was born without any brains. It lived about sixteen hours. [New-York Sun.]

We are not believers in the Paris diamond, or in the Paris snail telepraph, and not altogether in Paine's water gas—that we have under consideration; but we can easily believe that a child was born without brains and that it lived sixteen hours; for we have known some people to be born without them and live without them to a good old age.—*Washington Globe.*