The Middlebury Register.

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THE MIDDLEBURY REGISTER.

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J. COBB,.....W. J. FULLER.

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BUSINESS CARDS.

CALVIN G. TILDEN,
Fire and Life Insurance Agent.
☞Office with J. W. Stewart, Esq.
Middlebury, Nov. 25, 1856. 32;

WILLIAM F. BASCOM,
Attorney at Law.
Office in Stewart's Building, over R. L. Fuller's store.
Middlebury, May 27, 1856. 6

JOHN W. STEWART,
MIDDLEBURY, VERMONT,
Attorney and Counsellor at Law,
AND SOLICITOR IN CHANCERY. 26

Charles L. Allen, M.D.
Physician & Surgeon,
Having resigned his Professorship in the Castleton Medical College, and also having terminated his engagement with Middlebury College, will give his undivided attention to his profession.
CHARGES—Those established by the Addison County Medical Society.
Office at his residence, first house North of the Congregational Meeting House.
Middlebury, Nov. 26, 1856. 22;1y

DR. WM. M. BASS,
Would inform the citizens of this village and vicinity, that his present residence is the first door south of the Court House, where he will be in readiness to attend calls in his profession, and will accept gratefully a share of public patronage.
Middlebury April 22, 1856. 14tf

EDWARD MUSSEY
Respectfully informs the people of this county and the public at large, that he has taken the
ADDISON HOUSE,
In Middlebury, for a term of years. He intends to keep a first rate house, and hopes by strict attention to the wants of his guests and moderate charges, to merit a liberal share of the public patronage.
Middlebury, May 21, 1856. 5;

A. H. COPELAND,
DEALER IN
Books, Stationery, Magazines,
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IRON STORE.
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Wholesale and retail dealer in all kinds of
AGRICULTURAL IMPLEMENTS,
IRON, STOVES, HARDWARE
CUTLERY, JOINERS' TOOLS, &c.
MIDDLEBURY, VERMONT.

GEORGE M. BROWN,
TAILOR,
Informs his friends and customers, that he has opened a shop in Stewart's building over the store of R. L. Fuller, where he will attend to all business in his line.
Cutting done to suit costomers.
WANTED— a good Journeyman.
Middlebury, Oct. 15, 1856. 26;tf

Elegant Illustrated National Works.

THE WORKS OF THE BRITISH POETS—selected and chronologically arranged, from Ben Johnson to Scott. Illustrated with an immense number of steel plate engravings. To be published in 47 Fortnightly Parts, at 25 cents each. Monthly Parts 50 each.

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☞Persons desirous of subscribing for any of the above mentioned books, will please apply to the subscriber.

☞Canvassers wanted.
F. S. MARTIN.
Williamstown, Vt. 21;tf

Sheet Music.

WM. C. MYERS, will keep constantly on hand, at the Post Office, an assortment of Sheet Music, upon the same terms as kept by Mr. H. L. Sheldon. Also, Ross, Morse & Co.'s Melodeons. Please call and examine.
Sheet Music ordered at all times, and up on short notice. W. C MYERS
Middlebury, Nov. 18, 1856. 31-3m

DAILY PAPERS—New York Daily Times Tribune and Herald, and Boston Journal, received daily, at COPELANDS'

POCKET MAPS OF KANSAS, for sale by L. W. CLARK.

WASHING POWDER, a superior article for sale by WM. H. REMSEN.

Poetry.

Footsteps of Angels.

BY LONGFELLOW.

When the hours of day are numbered,
And the voices of the night
Wake the better soul that slumbered,
To a holy, calm delight.

Ere the evening lamps are lighted,
And, like phantoms grim and tall,
Shadows from the fitful firelight
Dance upon the parlor wall;

Then the forms of the departed
Enter the open door;
The beloved, the true-hearted,
Come to visit me once more.

He, the young and strong, who cherished,
Noble longing for the strife,
By the road-side fell and perished,
Weary with the march of life!

They, the lady ones and weakly,
Who the cross of suffering bore,
Folded their pale hands so meekly,
Spoke with us on earth no more!

And with them the being beauteous,
Who unto my youth was given,
More than all things else to me,
And is now a saint in heaven.

With a slow and noiseless footstep,
Comes the messenger divine,
Takes the vacant chair beside me,
Lays her gentle hand in mine;

And she sits and gazes at me,
With those deep and tender eyes,
Like the stars, so still and saint-like,
Looking downward from the skies.

Uttered not, yet comprehended,
Is the spirit's voiceless prayer,
Soft rebukes, in blessings ended,
Breathing from her lips of air.

O, though oft depressed and lonely,
All my fears are laid aside,
If I but remember only,
Such as these have lived and died.

A Frenchman's English.

The difficulty of writing in a foreign tongue, is comically illustrated in a recent pamphlet from the press of one of the leading Paris publishers, a notice of which we find in the *Western Christian Advocate*. The pamphlet gives a description of the "Hotel des Invalides," evidently translated from the French by a Frenchman, and contains some tall English. Speaking of the last words of Napoleon, the translator says:

"Touching wish of a deading man, will of an emperor expiring in the exile, realized by a king who ought to go, be too to carry his ashes on the foreign land."

The spire of the church is thus described:

"At last, from the summot of the steeple, rushes in the sky, on flated obelisk."

Further on we are told:

"It is in this darkish asylum, shutted by a gridiron, that the visiter shall see to the light of a funeral lamp, the emperor's statute, where the white marble detaches itself happily on the dark blue of the badge of the bottom."

What could be funnier than the following apostrophe to the idea which buried Duroc and Bertrand by the side of Napoleon:

"Splendid thought, noble historical triology: the Courage and the Friendship watching at the door of the glory! That accommodation has something of the Homeric it might be a song of the *Illiade*, so much the thought which presides to that arrangement is filled with poesy, with grand, with simpticity, and with proper!"

This production of "allied literature" has passed the censorship of the French press, and is duly authorized.

The Value of Scientific Men.

The Philadelphia Ledger of the 29th ult., contains an exceedingly able article on the above subject. The following extracts from it will give our readers much pleasure:—

"To many, the scientific men of a nation seems but drones, without practical utility, trying all sorts of impracticable experiments in their laboratories acids and alkalies and talking learnedly on subjects far removed from practical life, but doing nothing for mankind. Solomon tells too of a poor wise man, who delivered a city, yet no man remembered him.

If there is one sign of these times more hopeful than another, it is that scientific men are, more honored than at any former period of the world's history. James Watt, who discovered the steam engine, has enabled England, with a population of twenty five millions to do work that as many hundred millions of men could not have done without. It is thus that science has created the fabulous wealth of that monarchy. She is doing the same at this moment for our own country. Who can tell the value to this nation of the life of such a man? Fulton with his steamboats, or even above him, our own glorious old Franklin, who wrested the lightning from Heaven, and the sword from the hands of tyrants? Doubtless many a man, who boasted of his own, great practical business powers, smiled, if in passing he marked him, with kite and key demonstrating, in this our own city, the identity of lightning and electricity, and laying the foundation thus for those electrical telegraphs now ready to convey tidings from continent to continent round the globe in an instant. Who can calculate the value of such a man as Prof. Morse to the country and to the world.

'The scientific man, then, is of value to the community just in proportion to the amount of labor he saves to other men while producing similar results. Leibeg has increased the production of all the farms in England by applying the principles of analytic chemistry to soils, manure, and agricultural results generally —he has been worth millions of bushels of wheat already to Europe. The scientific medical men of that country have lengthened the average of life several years. The same is true of mental science. He who has a better knowledge of those laws which enable a man at once to distinguish truth from error, can write a book which will save thousands from some popular mistake, or from years of laborious thought, enabling men to form conclusions without delay. His empire is over the mind of man.

Nor is science less valuable even in matters of religion. Moral science is but a branch of this. M. Guizot, in Paris, is at this moment urging the establishment of a faculty of scientific theology in that city. Natural religion is, of all sciences, the most delightful, the most practical, and the most useful. It corrects a thousand political blunders and is, in effect, the basis of all true legislation."

DESPISING RIDICULE.—I know of no principle which it is of more importance to fix in the minds of the young people, than that of the most determined resistance to the encroachment of ridicule. Give up to the world, and the ridicule with which the world enforces its dominion, every trifling question of manner and appearance; it is to toss courage and firmness to the winds, to combat with the mass upon such subjects as these. But learn from the ertiest days to insure your principles against the perils of ridicule; you can no more exercise your reason, if you live in the constant dread of laughter, than you can enjoy your life, if you are in the constant terror of death. If you think it right to differ from the times, and to make a stand for any valuable point of morals, do it however rustic, however antiquated, however pedantic it may appear, do it, not for insolence, but seriously and grandly as a man who were a soul of his own in his bosom, and did not wait till it was breathed into him by the breath of fashion. Let men call you mean, if you know you are just; hypocritical, if you are honestly religious; pusillanimous, if you are firm; resistance soon converts unprincipled wit into sincere respect; no aftertime can tear from you those feelings which every man carries with him who has made a noble and successful exertion in a virtuous cause.—*Sidney Smith.*

OCCUPATION.—Occupation! what a glorious thing it is for the human heart. Those who work hard seldom yield themselves entirely up to fanciful or real sorrow. When grief sits down, folds its hands and mournfully feeds upon its own tears, weaving the dim shadows that a little exertion might sweep away, into a funeral pall, the strong spirit is shorn of its might, and sorrow becomes our master. When troubles flow upon you, dark and heavy, toil not with the waves—wrestle not with the torrent!—rather seek by occupation to divert the dark waters that threaten to overwhelm you into a thousand channels which the duties of life always present. Before you dream of it, those waters will fertilize the present, and give birth to fresh flowers that may brighten the future—flowers that will become holy in the sunshine which penetrates to the path of duty, in spite of every obstacle. Grief after all, is but a selfish feeling; and most selfish is the man who yields himself to the indulgence of any passion which brings no joy to his fellowman.

RARE BENEFIT OF LAZINESS.—It has been common to sneer at the lazy man as one destined never to prosper, and an example to be shunned by those who would avoid misfortune and ill tides in this world's affairs. But the Cincinnati Enquirer tells a story of a fellow, the laziest dog for miles around in the country, who a few years ago, became possessed of certain property in Chicago. Too indolent to take care of it, he gave directions to have it sold, and did actually dispose of it at various times, but was to lazy to make out the deeds. Meantime the property increased enormously in value, and the delays caused by the man's laziness placed him, at the end of a few years, in the possession of an estate worth some $200,000 for which at the first he would gladly have accepted $20,000. There are men in these parts who with his chance, have laziness enough to be worth untell millions.—*Hartford Press*

YANKEE SPIRIT.—Col. Hiram Pearson, of California, is now traveling in Europe. Recent foreign letters say that, having arrived at Vienna, he applied to the proper authorities for permission to inspect the government buildings. He was refused, on the ground that no one but a member of the European Congress of Science, than in session in Vienna, could be admitted. Thereupon he applied to be received in the Congress as a member, stating that his diploma had been destroyed by the great conflagration in San Francisco. This demand was complied with, and he was treated with the greatest consideration by all the members of the body, except the Archduke Charles, who took exception to his admission, as he had no diploma. Col. Pearson, feeling himself aggrieved at the manner which the Archduke's objections were made, challenged him; whereupon the Archduke descended from his dignity, apologized, and all was satisfactorily settled. Col. Pearson was admitted to the chair of Surgery and named a Vice President of the Congress.

SCANDAL.—Dr. Johnson, being once in company with some scandal mongers, one of them having accused an absent friend of resorting to rouge, he observed, It is, perhaps, after all, much better for a lady to redden her own cheeks than to blacken other people's characters.'

For the Middlebury Register.

PAN HANDLE, Va., Dec 8th, 1856.

Incomparable facts, compared—A fact worth knowing and of inestimable import.

MR. EDITOR:

That you should have heard from me ere this, I readily acknowledge but let the urgency of my business pursuits, and the unfitness of place—amid bar-room gossip and the political chit-chat of the drawing room, be my offered excuse.

But I have a fact to communicate to you, and numerous readers, and I must write, however difficult my sourroundings. Not to do so, might subject me to the imputation—

——"He who has a great truth and fails
To break it to the ear of him, who furnishes for lack
Of knowledge, commits a crime, most rank, most foul."

The fact that I am about to announce, is clothed with a deeper interest than the discovery of a continent. The scientific world is occasionally electrified with the announcement of the discovery of a planet in the vast universe of God. The mind of man is constantly gaining new conquests over matter. The material world is fast becoming a conquered province to the dominion of intellect. The triumphs of steam, have brought the most distants parts of earth near each other, and the subtle and fearful agent that everywhere prevades nature, has been tamed and taught to do man's bidding—invested with a mission but a little lower than that of angels, and performs its trips with celerity, that leaves the sun and wind behind. Human improvements sweep onward, and the earth is evidently being fitted up, for the abode of a higher state of civilization and refinement. Of these and other varied improvements which have been born during the last century, each and all dwindle to insignificance in comparison with the one under consideration.

The search for the origin of our language which we speak, carries us to India. Our religion is from Palestine.—Of the hymns sung in our churches, some were first heard in Italy, some in the desert of Arabia, and some on the banks of the Euphates. Our arts came from Greece. Our jurisprudence from Rome. Our maratime code from Russia. England taught us our system of representative government, and the tyranny of a British King, set at work causes, that at length resulted in our independent national existence. For three-fourths of a century we have been solving the problem—can a people govern themselves? Intensely interesting as these fact may be, they are as light as gossamer, when weighed with the one now being treated of!

Washington, a mere youth, under a large elm in Cambridge, near Boston, received his commission to march at the head of the American forces, and lead them to defeat or victory. There he first drew that glittering blade which carried terror to his enemies, and hope and salvation to his compatriots in arms. Jefferson was but 23 years of age when he drafted that immortal Constitution, which now serves as a bond of confederacy for the 25 millions that inhabit the American Republic. The real and personal property of the United States is valued at upwards of $7,135,000,000. The past year has been one of generous plenty to the husbandman, and the crops now secured are valued at $1,800,000,000. The traffic and commercial intercourse between the nations is so great, that a vast amount of the precious metal is required as a basis. To meet this want it is now estimated that the whole amount of gold and silver in circulation in the world, amounts to the snug sum of $2,500,000,000. Besides we own 3,500,000 human chattles, which at the lowest cash estimate, are not worth less than $1800,000,000.* Such facts are necessarily, invested with a high degree of interest, but they are pigmies compared with the one under present consideration.

We have within our boundaries 80,000 schools, 6,000 academies, and 231 colleges. We have 2,365,000 farmers, 100,000 merchants, 40,000 physicians, 21,000 lawyers, 30,000 teachers, 37,000 clergymen, 70,000 marines, 10,000 fishermen, 10,000 state and federal officers, and 2,500 doughfaces and wire workers. Our mines of gold, silver, copper and iron, are among the richest in the world. The surface of coal fields is 138,131 square mile or 88,403,840 acres. The length of our canals is 5,000 miles. The number of miles of railway in operation is about 24,000—built at a cost of $621,500,000. We have a banking capital of nearly $500,000,000, besides $60,000,000 interest in the sublime business of whiskey making. And what of all this? They are facts connected with our growth and prosperity as a nation, and however important in themselves, there is *another* of more transcendental importance than each or all of these!!

It is true our country owes a trifle.—The total indebtedness of the various commonwealths, is about $221,000,000, divided among 27 States, four being so fortunate as to owe nothing, viz: New Hampshire, Vermont, Delaware and Florida. The largest absolute debt is that of Pennsylvania, which is over $40,000,000, and the smallest is that of New Jersey, which exceeds $71,000. The heaviest debt in proportion to population is the debt of Maryland which exceeds $15,000,000, in a population of 582,000 bond and free.

Uncle Sam owes something yet, so that the entire debt of the nation, estimating the Federal debt as well as that of the States, exceeds, $275,000,000. This is not all. In Europe, if we except England, most public works are constructed by the government. In our country, nearly all the public improvements are built and owned by private corporations. The aggregate cost of the principal of these works is computed to be $1,000,000,000. Consequently to arrive at the true indebtedness of these United States, we must add the amount of this description of securities, to the amount of State and Federal ones—adding something for our merchant debt in Europe, $1,500,000,000, are about what we owe, a very respectable sum it must be acknowledged, especially for a nation but 80 years old. Be it remembered, however, that a chief part of this debt is attributable to the fact, that we have a new country, and three fourths of these millions have been spent in developing its resources. Considering the vast mineral and agricultural wealth of America—the indomitable energy of our people—the position we occupy for conducting the commerce of the world and *above all* that the slave oligarchy, in connexion with the Parritic Democrats, have now the helm of State, who can doubt that this trifling debt is as a mute before the breath of a tornado, or an ant hill in the march of an invading army? It should not be forgotten by the timid and desponding, that the slave property will soon be doubled to 7,000,000, and worth instead of 18, $400,000,000.

We are in some respects becoming economical. In addition to our tobacco and whiskey, we are beginning to raise our tea and manufacture our own wines, and have a fair prospect of supporting our own vices within ourselves. We are cultivating a noble spirit of Fillibustering, and with a due degree of practice shall be able to steal and annex a half dozen neighboring provinces, which will give us a fair sized domain with a good amount of elbow-room.

"Now facts are facts, the world all over,
And these are facts to doubt no more."

But as important as they are, there is another, which is as the oasis in the desert. It is a rose among thorns—gold amid dross—a torchlight amid surrounding gloom and darkness—a bursting forth of clear sky and sunbeams after a tempest of fearful fury and destructive rage.

I hasten reader, to announce it, but first let me congratulate you, that the detestable reign of Frank Pierce is ended, and he retires to his native haunts, loathed and despised, while the insulted voice of the nation rings in his ear—

——"There not some secret curse,
Some hidden thunder, rod with immortal wrath,
To blast the a wretch, who owes his greatness
To his country's ruin?"

Alas! he is a traitor, and in his acts closely allied to Benedict Arnold who pretended to love the cause of American Liberty, after he had deserted the army of Washington for the camp of Sir Henry Clinton and tried to surrender West Point to the British invaders.

"Pliant and apt, he's lost no chance to skew
To what base depths apostacy can go."

But gentle reader, we will turn away from the contemplation of *such* facts, to the reception of a great and glorious item of *information*, which will, doubtless, cause your heart to thrill with sentiments of lasting (if not everlasting) gratitude and joy!

It is this (and what a mercy—my pen trembles while I announce it.) Ten Cent Jimmy is Pr sident and the UNION is SAVED—THE UNION IS SAVED!

S. B. ROCKWELL.

P. S. If a similar fact, of similar importance, occurs down here, I shall be swift to inform you.—The Vergennes *Citizen*, Rutland *Herald* and all papers friendly to American interests are requested to copy. R.

ENGLAND WILL OPPOSE, BY FORCE THE REVIVAL OF THE SLAVE TRADE.—There is one question which must have occurred to those advocates of a revived Slave trade, and to which we would invite their serious attention. Have they made sure of the consent of England, in the event of their obtaining a majority in Congress, to repeal the law of 1820? We have perceived no reference to this momentous question in the journals that have yet reached us, and we are not a little surprised at the omission. Can it be supposed for a moment that we should be indifferent to the matter? Let not the men of the South deceive themselves upon this point. England will never consent to a revival of the Slave trade. Her abhorrence of it remains unmitigated and unconquerable; she has pledged herself to its suppression by innumerable treaties; she has opposed it by active hostilities for fifty years; and she will not now abandon a policy which has, under the blessing of Providence, had the effect of extinguishing the traffic in every quarter excepting in the colonies of Spain. We believe that France is equally in earnest in this matter. Let the men in Louisiana and Carolina consider these things. They may rely upon it that, in their efforts to revive the Slave trade, the opposition of the Northern States will not prove their only difficulty.—*London Post.*

☞The Russian language is said to be one of the richest and most beautiful in the world; it is soft and agreeable in sound and has not the defect of the Italian in being too effeminate; it contains many words that express the same ideas. If ever a Sclavonic Milton of Shakespeare arise, he will find an inexhaustible treasure in his native tongue wherewith to express his thoughts; but at present there is scarcely any national literature, owing to the deadening influence of the government. The principal Russian authors are Poushkin the poet, Chramsin the historian, and Krileff the writer of fables.

* The Richmond *Dispatch* has the following paragraph about Slave "Property"—According to the United States census for 1850, there were then in the United States three million one hundred and ninety-five thousand nine hundred and fifty-one slaves. Allowing for the material increase since 1850, and taking $600 as the average value, the total value of slaves in the United States at this time is estimated at $2,000,000,000, and the annual interest of which at six per cent, will amount to $120,000,000.

LAWS OF VERMONT.

SESSION OF 1856.

No. 32.—An Act in addition to chapter twenty-three of the Compiled Statutes, relating to the Repair of Highways and Bridges.

It is hereby enacted, &c.

SEC. 1. The several towns in this State may at their annual March meetings, direct the select men of the town to make contracts for repairing the highways and bridges of the town for a term of years, and the town shall direct what number of years the term shall be, and said term may be for any length of time, not to exceed four years, and the town may direct when said term shall commence.

SEC. 2. When the town shall so vote, the selectmen shall divide the highways into sections of suitable lengths, no one section to exceed the average length of the highway districts in such town, and to make a schedule of the same, which they shall post up in two or more public places in such town, with a notice that on a certain day named, they will proceed to sell and contract said sections at public auction, to the lowest responsible bidder, which notice shall be posted up at least fifteen days before the day of sale.

SEC. 3. When the town shall vote to have the highways repaired by contract as aforesaid, there shall not be any highway surveyor appointed to act during the term of time voted by said town, neither shall there be assessed any highway tax as specified in section second of chapter twenty-third of the compiled statutes, during said term, but the town may raise such sum of money as they may deem sufficient to support said highways.

SEC. 4. When the highways of a town are put under contract, as provided in the foregoing section, it shall be the duty of the selectmen to inspect all of the highways, so under contract, in the months of June and November in each year, and no contractor shall be entitled to any compensation on his contract, until the section of highway by him contracted for shall be accepted by the selectmen; and if the selectmen shall, at either of said inspections, or at any special inspection, believe any repair necessary, they shall notify the said contractor thereof, and in case the said contractor shall neglect or refuse to make the same, may proceed forthwith to make such repairs, and the expense thereof shall be deducted from any sum due, or that may become due on said contract.

SEC. 5. When the selectmen shall receive no bid for a section, or so much that they shall consider to be for the interest of the town to be accepted, then in that case the selectmen shall make the repairs, and a reasonable account made for the same under of the term.

SEC. 6. The selectmen may, and shall, at the request of two legal voters of the town, insert an article in the warning for the annual March meeting, to see if the inhabitants will vote to put the highways under contract, and to raise money to support the same especially to the provisions of this act.

Approved November 18, 1856.

No. 33.—An Act to Prevent Obstructions of the Public Highways by Freight Trains not in Motion on Railroads.

It is hereby enacted, &c.

SEC. 1. If any conductor or engineer of any freight train on any railroad in this state, shall allow said train of cars to come to a stop, and by so doing shall obstruct any public highway in the state, and shall refuse immediately upon the stoppage of such train, to open a free and sufficient passage for carriages through such train by disconnection of cars, removal of train or otherwise, unless prevented by breakage of engine or other accident, such conductor or engineer, for every such offence, shall forfeit and pay a sum not less than ten dollars nor more than fifty dollars, to be recovered with costs of prosecution in an action founded on this statute to be brought by any person, before any justice of the peace competent to try the same, and the fine so collected shall be paid into the treasury of the town in which such offence was committed for the support of the poor of said town.

SEC. 2. This Act shall take effect from its passage.

Approved November 18, 1856.

No. 34.—An Act to provide for Winter Roads.

It is hereby enacted, &c.

SEC. 1. Whenever any public highway, used for travel, shall be obstructed by snow, so that travel therein shall be deemed impracticable in the judgment of the selectmen of any town in which such highway is situated, said selectmen may in their discretion cause to be immediately laid out, opened and prepared for travel some suitable and proper road in the place of said highway so obstructed and to be used for and called a winter road.

SEC. 2. The selectmen opening such winter road shall forthwith give notice of such opening to the owners of any lands through which such road may pass; and upon hearing had and notice to such land owners, shall award to such owners such sum for damages occasioned by said winter road as shall appear just and reasonable. And if such sum awarded shall be accepted, the selectmen shall draw an order on the town treasurer therefor.

SEC. 3. Such winter road shall continue and exist only during the then current season of travelling upon snow during which said road shall be laid and opened by the selectmen.

SEC. 4. The selectmen shall, immediately upon laying out any winter road as is herein provided, certify and cause to be recorded in the town clerk's office of the town in which said winter road shall be located, all their proceedings in laying out and awarding damages for such road.

SEC. 5. If any land owner shall not accept the sum awarded for his or her damages for the laying out of such winter road, such person shall have all the remedies to obtain the damages as are now provided by law for cases where the award of the selectmen in the laying of ordinary highways is not accepted, and which are provided for by chapter twenty-two of the compiled statutes.

SEC. 6. This act shall take effect from its passage.

Approved November 18, 1856.

No. 35.—An Act for the Draining of Swamps and other Low Lands.

It is hereby enacted, &c.

SEC. 1. Any person owning or possessing any swamp or other lands within this State, who shall be desirous to drain such land, and who shall deem it necessary in order therefor, that a ditch, ditches or outlet, should be opened through lands belonging to other persons, in case the owners of such lands shall refuse to permit the opening of such ditch, ditches, or outlet through the same, may apply to the selectmen of the town where such lands lie, who shall cause notice of such application and the time for a hearing to be served on the owner of such lands at least ten days before the hearing.

SEC. 2. The selectmen shall attend at the time and place specified in said notice, and shall personally examine the premises and hear any reasons that may be offered in regard to the question to be submitted to them.

SEC. 3. If, after taking all the circumstances into consideration, such selectmen shall be of the opinion, that the opening such ditch, ditches or outlet is necessary and proper, they shall so certify in writing, together with the exact location, size, depth and slope of such ditch, ditches or outlet; and whether the benefits which will accrue or be likely to accrue to the owner of such lands from the opening of such ditch, ditches or outlet will or will not be equal to any damages that he will sustain or be likely to sustain thereby.

SEC. 4. If such benefits shall be certified not to be equal to the damages, the selectmen shall assess the same, or such sum as they shall think the owner will sustain or be likely to sustain beyond the benefits received or likely to be received, and certify the same under their hands, in writing, and deliver a copy of the same to each of the parties: *Provided*, That if any person whose lands are sought to be occupied for the purposes aforesaid, shall have already constructed a ditch or outlet at his own expense suited to the objects of the applicant, the said selectmen shall assess said applicants for such sum only as to them shall seem just and equitable.

SEC. 5. Such selectmen shall fix the time for the payment of any damages assessed by them, and also the time when the applicant may enter on such lands to open such ditch, ditches or outlet: *Provided*, That no such entry shall be made when damages are assessed until such damages are paid, or tendered to the persons entitled to said damages.

SEC. 6. If any person owning or interested in lands through which such ditch or outlet shall be opened, shall be dissatisfied with the opening of such ditch or outlet, as well as with the compensation for his damages, he may make application by petition in writing to the county court in the same county at their next term, if there shall be time for notice, if not, at the succeeding term. And any number of persons aggrieved may join in the petition. And the petition, together with a citation for that purpose, shall be served on the applicant at least twelve days before the sitting of the court; and the court shall appoint three disinterested freeholders to be commissioners to inquire into the necessity of such ditch or outlet, and the manner in which the same shall have been located as well as the damages which may have been sustained by the petitioner.

SEC. 7. The commissioners shall give notice to the parties of the time when they will make such inquiry and hear the parties; and on the report of the commissioners the court may establish, set aside or alter such ditch or outlet as shall appear just; and may render judgment for the petitioner to recover against the applicant such sum for his damages as shall be shown by such report to have been sustained; and if the sum so allowed shall be greater than was assessed by the selectmen, the court may tax costs for the petitioner or may tax costs for either party, as shall appear just. And when application shall be made to the county court, as provided in the preceding section, the opening of such ditch or outlet shall be stayed until the decision of the county court; and such court may fix the time for opening the same.

SEC. 8. Such ditch, ditches or outlet may be altered or enlarged when in the opinion of the selectmen of the town in which such ditch, ditches, or outlet is situated, such alteration or enlargement is necessary, and the damage therefor shall be assessed in the same manner as is provided in the preceding sections of this act for opening the same.

SEC. 9. After such ditch, ditches or outlet shall have been opened, it shall be lawful for the said applicant, his heirs and assigns, forever thereafter, from time to time as shall be necessary in a reasonable manner to enter upon the lands, through which such ditch, ditches or outlet shall have been opened for the purpose of clearing out and securing the same, in such manner as to preserve the original length, depth and width thereof.

SEC. 10. Any person who shall dam up, obstruct or in any way injure any ditch, ditches or outlet so opened, shall be liable to pay to the person owning or possessing such swamp or other land for the draining of which such ditch, ditches or outlet shall have been opened, double damages for such injury, to be recovered before any court proper to try the same.

SEC. 11. The selectmen shall cause their proceedings, certified as aforesaid, to be recorded in the town clerk's office in the town where such ditch, ditches or outlet are situated, which shall be notice to all persons, of the person making such ditch, ditches or outlet.

Approved November 18, 1856.

No. 36.—An Act Defining the Duties of School District Clerks.

It is hereby enacted, &c.

SEC. 1. It shall be the duty of the clerk of each school district in this state, to keep a fair record of all the votes and proceedings of school meetings in their respective districts, to certify the same when required, to ascertain and make a list, annually, of the children which shall reside in his district on the first day of January, between the ages of four and eighteen years, with the names of the heads of families, and the number of children in each, and return the same to the town clerk between the fifteenth and twenty-fifth days of February, and also to return to the town clerk his certificate of the number of weeks, in which a school shall have been kept in such district during the preceding year, and the town clerk shall make a true record of all such returns.

SEC. 2. Sections twenty-seven and twenty-nine of chapter twenty of the compiled statutes are hereby repealed.

SEC. 3. This act shall take effect from its passage.

Approved November 14, 1856.

No. 37.—An Act in addition to an Act approved November 14, 1854, relating to Treasurers in School Districts.

It is hereby enacted, &c.

SEC. 1. That hereafter all school district tax bills shall be made payable to the treasurer, and the selectmen upon making a division of the public school money, shall make the orders for the same payable to the treasurers in the several school districts, and the prudential committees of the several school districts shall draw orders for all sums due from said districts upon the respective treasurers thereof.

SEC. 2. This act shall not be so construed as to require of any school district which has not elected a treasurer for the current year, to elect such officer until the next annual meeting of such district.

Approved November 18, 1856.

To 38.—An Act in addition to Section Twelve of Chapter Twenty of the Compiled Statutes, Relating to Schools.

It is hereby enacted, &c.

SEC. 1. If any prudential committee, in any school district in this state, shall pay out the moneys of said district to any teacher employed therein, who has not obtained a certificate of qualification from the town superintendent, in the manner required by law, or in case there shall be no town superintendent in such town, from the superintendent of some other town in the same county, such committee shall be liable to such district for all such moneys so by him or them paid, to be recovered in an action on the case, prosecuted in the name of such district, and it is hereby made the duty of the selectmen of the town wherein such district is situated, to prosecute all such actions to effect at the expense of and in the name and for the benefit of such district.

SEC. 2. This act shall take effect from its passage.

Approved November 10, 1856.

No. 39.—An Act for the Preservation of Town Records.

It is hereby enacted, &c.

SEC. 1. Whenever any town in this state shall vote to have copied any of its official records, or any original paper in its town clerk's office the town clerk of such town is hereby authorized, under the direction of the selectmen thereof, to correctly transcribe all such records and original papers into a record book, to be kept in said town clerk's office for that purpose, and to certify said transcripts to be true copies of said original records and papers.

SEC. 2. When any original record or paper in any town clerk's office shall be destroyed by fire, or otherwise, or be lost, or become so defaced as to become illegible, the recorded copies thereof, made and certified as aforesaid, shall have all the validity and force of, and be kept and treated as, original records and papers.

SEC. 3. Copies of said transcript records, properly certified by the town clerk, in whose office the same remain, may be used in any court in this state, for all purposes for which copies of the original record or paper so lost, destroyed or defaced, might have been used.

SEC. 4. This act shall take effect from its passage.

Approved October 31, 1856.

No. 40.—An Act authorizing the Appointment of Special Constables.

It is hereby enacted, &c.

SEC. 1. Whenever, in the opinion of the selectmen of any town, it shall be necessary to appoint special constables in such town for the preservation of peace and good order therein, such selectmen shall have power, by writing under their hand, to appoint such special constables as they shall deem necessary, who shall hold their offices for the space of ten days next after their appointment, unless sooner discharged by the selectmen.

SEC. 2. Said special constables shall have all the powers of the regular constable of such town, for police purposes, and shall be subject to the same liabilities.

SEC. 3. Such special constables before entering upon the duties of their office shall be sworn to the faithful discharge of the same.

SEC. 4. The selectmen shall cause to be recorded in the town clerk's office every such appointment and discharge under this act, and also the oath of office of such constable and a certified copy of such record shall be evidence of such appointment, oath and discharge, in all the counties of this state.

SEC. 5. This act shall take effect from its passage.

Approved November 18, 1856.

No. 41.—An Act to Protect Court Houses, Town Houses and Public Halls from Injury.

It is hereby enacted, &c.

SEC. 1. If any person shall wilfully or carelessly deface, mar, or injure the walls, or any other part of any court house, or any other public building, or the appurtenances thereof, belonging to any county, or of any town house or other building belonging to any town, or the appurtenances