Daily Appeal.

MEMPHIS.

FRIDAY, JUNE 10, 1859.

Largest Circulation in the City.

Reading Matter on Every Page.

The Official Journal of the City.

DEMOCRATIC TICKET.

FOR GOVERNOR,

ISHAM G. HARRIS.

FOR CONGRESS, TENTH DISTRICT,

WM. T. AVERY

FOR REPRESENTATIVES, SHELBY COUNTY,

J. P. FARRELLY & W. T. FARLEY

THE APPEAL—Is regularly discontinued at the end of the time paid for, unless renewed in advance.

THE OPPOSITION—HOW CAN THEY ACHIEVE THEIR ENDS!

When the Opposition are proposing such magnificent results from their organization—when they are promising the country in less a week than the reform of gigantic abuses, which they allege to exist, and the clearing away of the foul and wide-spread corruption which they charge, by wholesale, upon the Democratic party, but which they have failed to demonstrate to the satisfaction of thinking and patriotic men, it well becomes those persons who may have been deluded into the belief that these things are so, to inquire into the means and probabilities that this bragging party possesses to carry out its designs. The Opposition candidate for Governor of Tennessee, and all the journals that echo his sentiments, prefer the charge of enormous corruption and reckless extravagance against the present Administration. We have seen how this charge has been met, repelled and turned upon its authors by Gov. HARRIS, in all his discussions with Col. NETHERLAND. But if we adopt the violent presumption that the Administration is corrupt, extravagant, and not to be trusted by the people, it remains to be shown that the Opposition have the least prospect of acquiring the power to apply a remedy. If they can not show this, then all their boasted purposes are a mere sham and pretense. By what sort of combination do they expect to gain possession of the Government? We call upon their journals to give some definite, tangible and probable plan by which they hope to effect their end, advance from the attitude of mere Opposition-ists, to that of power and responsibility, and sweep away from their magic hearth the accumulated corruption which, in the language of Rob HARVEY, "smell to heaven," and which defile the nostrils. If they can not do this, then they must confess, by their silence, that they have undertaken a work to which they are totally incompetent—that they are powerless to effect their boasted purposes, and they are practising an imposture upon the people when they pretend that there is the least probability of such a work, imbecile, and unsustained organization purifying the Government, correcting abuses and sweeping away whatever corruption may exist. It is simply the paroxysm of a paralyzed and desperate faction which is conscious that it must propose something, however absurd and reckless, in order that it may afford a specious pretext to transform itself from the "Opposition" to the "Impositions." We no assert under the hypothesis that our opponents fail to show clearly and distinctly by what means they propose to achieve their proposed ends. This they have so here failed to do; and this, we must assert, they are of necessity bound to do before they can claim any benefit for themselves from the abuses that they allege to exist. They may shed Mr. NICHOLSON and Governor of Tennessee, and he would be as powerless in the capital, as a reformer of the Federal Administration, as he would be in his law office or in his private dwelling. It is this necessity of their position, united with declarations of leading journals, both in the Northern and Southern States, both of the Black-Republican and Know-Nothing parties, and with the declared opinions of Messrs. BLAIR, BOYTS and SEWARD, that has fortified Gov. HARRIS with the powerful argument and irresistible logic which he plies in all his speeches, demonstrating that it is the contemplation of the leaders of Black-Republicanism and of Southern Opposition-ists to run a common candidate for the Presidency, and thus unitedly to get possession of the Federal Government at the Presidential election of 1860. It is this necessity of their position, together with the open discussions that are daily taking place with reference to such a union, both by Northern and Southern organs of the two factions, that forces the conviction upon the minds of all intelligent observers, that the success of any ticket for the Presidency in 1860, in opposition to the Democracy, will eventuate in the virtual triumph of a Black-Republican candidate, under whatever auspices or pretenses it may be effected. Such a conclusion is inevitable, from the well-known and undeniable fact that the Black-Republican faction must necessarily compose a controlling and overwhelming majority in any proposed union, however the Black-Republican admixture may be disguised, and under whatever leader—whether northern or southern—the allies may marshal themselves. This important and startling fact is now becoming more and more evident—more and more pressed every day, from the emphatic, arrogant and forcible demands of the Republican leadership, promulgated with reference to the arrangement of terms for the proposed alliance in 1860. We have already directed the attention of our readers to the significant intentions of the leader next to SEWARD, of the Republican forces, Mr. GREELY, in his KANSAS speech. And we desire to make yet more prominent and emphatic these important revelations, and to call the attention of our immediate Opposition cotemporaries, in this city, so that they may distinctly see what they will have to submit to, upon what humiliating and disgraceful terms they will be compelled to wage the war with the National Democracy, if they are to hope for success in their warfaring and with what a corrupt and despicable organization they must unite in order to effect their purposes, however honest they may be in their motives. Are they prepared, then, to concede to Mr. GREELEY, that if "there is to be a union, the Republicans will go into it as Republicans—not asking pardon for what they have been, and promising for the future to be something else?" Are they willing that these Republicans "shall join battle with the common adversary under their own proud banner, under which they have already achieved a victory in nearly every free State of the Confederacy?" Are they ready that these Republicans, flushed with the confidence naturally engendered by whatever victories they may have achieved over the South, shall boldly proclaim "No new watchwords, no strange devices will serve our turn?" Do they accept the tender which says, "Our cardinal principles of slavery restrictions we cannot—must not surrender; we ask our allies to surrender none of theirs, and in conflict with this, if we concede candidates, we do not thereby abandon our principles, but do our best to advance them?" Do they accept the proposition by GREELEY, of Mr. BELL, Mr. BOTTS or EDWARD BATES, "upon a distinct and open understanding that he wield the power with which he may thus be entrusted, not to extend and fortify slavery, but to limit and restrict it to the States whereby it is still cherished?"

It is important that the Opposition should make up their minds, at once and before the elections of this summer, upon this issue; because, if they make up their minds to accept the terms of the proposed organization, who must be their ally if they succeed, they may as well abandon their cherished schemes of beating the Democracy and reforming the Government, as they so complacently propose.

But again, we ask the Opposition of Tennessee to take the bold demand of ABRAHAM LINCOLN, of Illinois, one of the leaders of the north-western Black-Republicans, and see whether they can agree on his proposed condition. Judge LINCOLN says: "As to the matter of fusion, I am for it, if it can be had on Republican grounds; and I am not for it on any other terms. A fusion on any other terms would be as foolish as unprincipled. It would lose the whole North, while the common enemy would still carry the whole South."

So speaks LINCOLN—he who was defeated by Judge DOUGLAS for Senator. Such is the doctrine of SEWARD, and so will all the leaders say, when interrogated closely.

Now, we ask to submit, into what a dilemma the Opposition of the South are placed by these bold avowals. Our next neighbor of the *Bulletin* has *on editorio* gone so far as to promise to unite with Republicans, in supporting a common candidate for President, *as individuals*. But we think too highly of our neighbor to suppose that he will submit to these disgraceful overtures. Yet, if we are right, he owes it to his own position, to indignantly and resolutely reduce a proposition coming from GREELEY and LINCOLN, and naming such an opponent. But if he does this, then the last hope for a union of factions has expired, and the Opposition of the South are forced to admit that their prospect of beating the "foul Democracy," and "reforming the abuses of the Government," is at an end. In such a dilemma do the Opposition men of the South find themselves. We second our friends to imitate the example of the illustrious GENTRY, and (all that have them,) retire to their Sabine farms, and "pray for Rome." We doubt not their prayers will prove more efficacious in saving the Republic than any thing they will be able to effect by a common Opposition with such persons as GREELEY, LINCOLN, SEWARD, etc.

The Case in a Nut Shell.

From the New York Journal of Commerce.]

We suspect the Hon. Abram Lincoln, of Illinois has hit the nail on the head about as squarely as any Republican who has lately spoken on the subject of a fusion of parties for the Presidential campaign. The wonder perhaps, is, that like others of that sect he did not evade the question put to him, and endeavor to wheedle the old line Whigs and Americans into a belief that they could stand some chance in an Opposition Convention. But he has spoken out in plain language. Here is what he says:

"As to the matter of fusion, I am for it, if it can be had on Republican grounds; and I am not for it on any other terms. A fusion on any other terms would be as foolish as unprincipled. It would lose the whole North, while the common enemy would still carry the whole South."

What could be more honest and frank? "I am for it if it can be had on Republican grounds, and I am not for it on any other terms." That is the long and short of all the humbug about a union of the Opposition, and we commend the brief but emphatic declaration of Mr. Lincoln, to the Buffalo Commercial, the Boston Courier, the New York Express, the Louisville Journal, and numerous other papers which repudiate Republicanism, but yet have an itching for a union with Republicans. Mr. Lincoln has told them the story precisely as Mr. Weed, Mr. Seward and others would do if they were equally frank in speech, and we advise them to honestly phrase, to put it in their pipe and smoke it. It is all the same to them, they will not, however decline the language with which they are beguiled into an "Opposition" Convention.

The Buffalo Commercial *Advertiser*, supposed to represent the views of Mr. Fillmore, Ex-Governor Hunt and other conservative men, in a late number placed in our hands alows we have nothing to complain of, with a point upon this subject in very emphatic terms. We quote:

"What we want to know is this: Will the friends of Mr. Seward unite in a call for a National Convention of the united Opposition, to which the entire Opposition shall be welcome, and in which the voice of the majority shall be final? Shall that Convention be truly national? Will it receive delegates from Maryland, Virginia, Kentucky, Tennessee, from all Southern States where an Opposition exists and is anxious to take the field against Democracy? If Mr. Seward is willing to take his chance in a National Convention, the question of union is settled in the affirmative.

"So far as we know all other candidates are willing to submit their claims to this ordeal. If we are wrong in supposing that Mr. Seward is not, let us be convinced. But if the convention must be made up with special reference to the success of a single candidate, if it is to be a packed jury, pledged aforethe to a certain verdict, it is useless to speak of such a mere sham and pretence as a union."

This is valiantly, and, we do not doubt, honestly spoken; and the inquiry is quite pertinently and skillfully put. We think, however, we can anticipate the answer, and if we do not misjudge, the *Commercial* will get more than it bargained for, in agreeing to go into an Opposition convention. The Republicans will agree to the proposition, with the understanding that the convention is to be called by the Republican Committee, which has just been in session under proper auspices, at Albany, and of course the delegates will be chosen through the Republican organization. The old Whigs, the Americans, or anybody else who choose, can attend the meetings, but the Republicans are almost every where numerous enough to control them, and they will be able to control the National Convention.

What then will be the condition of the Commercial and its friends?

The Liability of the Telegraph.

Washington and New Orleans Telegraph Company vs. John C. Hobson & Son.

We understand that the Court of Appeals decided this case on Tuesday. It will be recollected by our readers that this case was an appeal from the Circuit Court of Richmond. The action was brought in the Circuit Court to recover damages for an alleged mistake by the Telegraph Company in the delivery of a message sent by Hobson & Son on the 24th March, 1854, from Richmond, to their factors, R. S. Smith & Co., residing in Mobile, to purchase five hundred bales of cotton. The message delivered was to purchase two thousand five hundred bales. The parties purchased two thousand and seventy-eight bales before the mistake was discovered. On the discovery of the mistake, the President of the Company visited Mobile, and offered to take the over-purchased cotton off the hands of the factors, and relieve their principals from all claim and demurrer, except the commissions of the factors for the purchase made. The factors refused to accept the proposition unless their commissions were also paid. The Company refused to pay them. The factors, under orders, sold at a great sacrifice, and seventy-eight bales in Mobile, at a loss of $87.72, including all cases, commission and charges, and had to have a sufficient number of hundred bales of over-purchased cotton, they sent it forward to Liverpool, where it was sold at a loss of $2,525.00. Suit was brought by the factors against this action was brought. The jury, in their verdict, assessed the damages at $7,501.45, with interest from 26th day of March, 1855.

The case went up on various points reserved. In the decision of the Court of Appeals, we understand the following points were ruled, which are of importance to the commercial community: That the Telegraph Company were responsible for the mistake in the delivery of the message; but that the Company had the right to demand and take the over-purchased cotton off the hands of the factors, but should have paid the commissions. Refusing to do this, the factors in Mobile should have sold the cotton at once in the Mobile market, as it was, on shipboard, and looked to the Company for all consequential damages resulting from the mistake after such sale; but that they had no right to ship the cotton to a foreign market; and if the cotton was shipped, it was incumbent on them to sell it after it left the Mobile market at once, and look to the Company for any and all damages resulting from such sale. Not having done so, and the loss complained of having accrued from the sale in Liverpool, they cannot look to the Company for the loss, but can only recover the damage which would have accrued had the cotton been at once sold in the Mobile market, as it was, at the time of the refusal of the Company to take the over-purchased cotton. In other words, all and every loss consequent upon the shipment to, and sale in, a foreign market, falls on Hobson & Son, all loss which might have accrued on a sale in the Mobile market is properly chargeable to the Telegraph Company. Judgment below reversed, and cast back to the referees to the arrangement of terms for the proposed alliance in 1860. We have already directed the attention of our readers to the significant intentions of the leader next to SEWARD, of the Republican forces, Mr. GREELY, in his KANSAS speech. And we desire to make yet more prominent and emphatic these important revelations, and to call the attention of our immediate Opposition cotemporaries, in this city, so that they may distinctly see what they will have to submit to, upon what humiliating and disgraceful terms they will be compelled to wage the war with the National Democracy, if they are to hope for success in their warfaring and with what a corrupt and despicable organization they must unite in order to effect their purposes, however honest they may be in their motives. Are they prepared, then, to concede to Mr. GREELEY, that if "there is to be a union, the Republicans will go into it as Republicans—not asking pardon for what they have been, and promising for the future to be something else?" Are they willing that these Republicans "shall join battle with the common adversary under their own proud banner, under which they have already achieved a victory in nearly every free State of the Confederacy?" Are they ready that these Republicans, flushed with the confidence naturally engendered by whatever victories they may have achieved over the South, shall boldly proclaim "No new watchwords, no strange devices will serve our turn?" Do they accept the tender which says, "Our cardinal principles of slavery restrictions we cannot—must not surrender; we ask our allies to surrender none of theirs, and in conflict with this, if we concede candidates, we do not thereby abandon our principles, but do our best to advance them?" Do they accept the nomination by GREELEY, of Mr. BELL, Mr. BOTTS or EDWARD BATES, "upon a distinct and open understanding that he wield the power with which he may thus be entrusted, not to extend and fortify slavery, but to limit and restrict it to the States whereby it is still cherished?"

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REPEALABLE CHARTERS.

From the Nashville Union and American.]

MASSACHUSETTS.—The convention which framed the constitution of Massachusetts declared, in regard to Harvard College:

1st. That the President and Fellows of that institution, in their corporate capacity, and their successors, should exercise and enjoy for ever all the franchises they then exercised and enjoyed.

2d. That gifts, grants and devises of lands, etc., made at sundry times, were confirmed to them forever.

3d. That it being necessary, in this new constitution of government, to ascertain who shall be successors to the Governor, Deputy-Governor, Council, and Magistrates, it is declared that the Governor, Lieutenant-Governor, Council, and Senate shall be their successors, who, with the President, and certain ministers, are declared the overseers.

These provisions have, however, the following clause added:

Provided, That nothing herein shall be construed to prevent the Legislature from making such alterations in the government of said University as shall be conducive to its advantage, and to the interest of the Republic of Letters, in as full a manner as might have been done by the late Province of Massachusetts Bay.

Now little corporation was founded on private gifts, grants and devises, and was not exclusively a public foundation, to which the King of England would have been the visitor, but a quasi-corporation to which, (according to the Dartmouth case) the persons making the grants, or the original proprietors of the charter, should have continued, in all time to come, the government of the institution. Judge Story expressed the opinion that, if the principle was conceded to, that the Legislature of New Hampshire should place public officers on the list of overseers of the New Hampshire College, the most disastrous consequences to literary and charitable foundation would ensue. Yet in his own State and county we behold the great institution subjected to that very government which he so much dreaded; and subjected to what he called "the capricious interference of the Legislature," but what must be called, by those who have an abiding confidence in the capacity of man for self-government and in the success of free institutions, the enlightened supervision of its representatives of the popular will.

The revised statutes of Massachusetts, adopted so far back as 1836, page 230, chapter 44, in the general act authorizing the creation of corporations, contains the following:

"Every act of incorporation passed since 15th March, 1831, or which may be hereafter passed shall at all times, be subject to amendment, alteration or repeal, at the pleasure of the Legislature; provided that no act of incorporation shall be repealed unless there be some violation of its charter, or other default, when such charter shall contain an express provision limiting the duration of the same."

If there be no limitation as to the time of its duration, the charter may be repealed at the pleasure of the Legislature; if there be a fixed time of expiration, the charter may be repealed if Mr. Seward is willing to take his chance in a National Convention, the question of union is settled in the affirmative.

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GOV. HARRIS AND THE OLD SOLDIERS—A CALUMNY REFUTED.

Correspondence of the Nashville Union.

PULASKI, June 1, 1859.

MESSRS. EDITORS: I see that the Opposition press is indulging in every gross misrepresentation of Gov. Harris' position upon the question of increasing the pay of the old soldier. I was an attentive hearer of the discussion between the candidates for Governor both at Lawrenceburg and Pulaski. Col. Netherland stated at Lawrenceburg that:

"In 1847 we had a war with Mexico. Tennessee volunteers were there, and did honor to their State and the country. They came home after service assisted in planting the stars and stripes in triumph in the City of Mexico. And in 1850 a proposition was made in Congress to give additional pay to the rank and file of the army that had served in that war. Giddings and his Abolition cohort voted against it, and a member from Tennessee was found skulking to shoulder with that arch-Abolitionist in his opposition to that measure. Who was he? Turning to Gov. Harris, he continued, "as Satan said unto David, thou art the man."

Gov. Harris, in reply, stated that his competitor persisted through almost the entire canvass in misinterpreting and misrepresenting the provisions of the bill referred to, and had repeatedly explained to Col. Netherland the provisions of the bill, and begged him not to misrepresent them. That he could hardly believe that he should be so further misunderstanding or misrepresentation of the provisions, he would read the bill to the audience; to the reading of which he especially invited the attention of his competitor, so that he might, in future, understand its provisions, and state them fairly when he had occasion to refer to them at all. Gov. H. here read the bill as follows:

CHAP. XX.—AN ACT to increase the Rank and File of the Army, and to encourage Enlistments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter each company of artillery designated and serving as light artillery, shall, during such service, consist of the commissioned officers as now provided by law, and of four sergeants, four corporals, two artificers, two musicians, and sixty-four privates.

Sec. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, by volunteer enlistment, to increase the number of privates in each company of the companies of the existing regiments of the army, at present serving, or which may hereafter serve, at the several military posts on the western frontier, and at remote and distant stations, to any number not exceeding seventy-four, and to cause such portions of the army as may, by law, be serving on foot, to be properly equipped and mounted whenever, in his opinion, the exigency of the public service may require the same: *Provided*, that the said enlistments shall be for the term of five years, unless sooner discharged.

Sec. 3. *And be it further enacted*, That whatever enlistments are made at, or in the vicinity of, the several military posts, and remote and distant stations, a bounty equal in amount to the cost of transporting and subsisting a soldier from the principal recruiting depot in the harbor of New York, to the place of enlistment be, and the same is hereby, allowed to each recruit so enlisted, to be paid in unequal installments at the end of each year's service, so that the several amounts shall annually increase, and the largest be paid at the expiration of each enlistment.

Now, said Gov. H., it is apparent to the mind of every man, from the reading of this bill, that it contains no proposition to increase the pay of the soldiers who fought the battles of the country in Mexico or elsewhere. It is purely a proposition to *increase the standing army* from about 10,000 to about 14,000 or 15,000 men, and this too in time of profound peace.

The only monetary feature contained in the whole bill, is a bounty offered, not to the old soldier, but to the new recruit, of a sum equal in amount to what it would cost the Government to transport him from New York, to the place where he was enlisted; and to that extent he gives the new recruit, who had never fired a musket or seen a sword gleam in the sunlight, more pay than was received by the old war-worn soldier who bled on every battle field and maintained in triumph the liberty, rights, honor and flag of the country.

Gov. H inquired if it was just, then to increase the pay of the new recruit above that of the old soldier? He said he had voted against the bill, and would do so again under the same circumstances. He was opposed to a large standing army in this country in time of peace, and even in time of war he had rather rely upon the intrepid courage, gallantry and patriotism of the Tennessee volunteer to maintain in triumph the rights and honor of the country than any standing army on earth.

Gov. H. said that it was strange that his competitor when examining the vote upon this bill had been unable to find any votes against it except Giddings and his abolition cohorts and himself. Strange, that he had overlooked the fact that Gov. Johnson, Gen. W. Jones, Gov. A. G. Brown, of Mississippi, and a great many other distinguished southern as well as northern gentlemen voted against it also.

At Pulaski, Col. N. drew a glowing picture of the brilliant achievements of our army in the Mexican war; of the old soldier who had returned from the bloody fields of battle, covered with scars and honors, hobbling up to Congress in 1850, and asking Congress to increase his pay so as to give him a small pittance to aid him in his declining years. He said that some generous man in Congress offered a bill to increase the pay of the rank and file of the army, the new recruit, not the officers, and that Giddings, the hoary-headed Abolitionist from Ohio, voted against it. Mann voted against it. Only voted against it, and one man from the volunteer State, Gov. Harris, voted against it.

Gov. Harris, in the course of his reply, said that he very much regretted the course his competitor had taken upon the question of increasing the pay of the old soldier.

He said that he understood his competitor as labouring to make the impression on the mind of the audience that he, Gov. H., had voted in 1850 against increasing the pay of the *old soldier who had fought the battles of the country*, and jeopardized his seat in Congress by having voted against it, and opposed to the unjust discrimination between the new recruit and the old soldier that he had voted against the bill, but voted right and was responsible to the country for it, and stood there ready to justify it, and appealed to all who were in favor of increasing the pay of the old soldiers who had *fought the battles of the country one cent*, but on the contrary to draw an invidious distinction between the old soldier and the new recruit, giving to the new recruit more pay than the old war-worn soldier was receiving, or entitled to receive; that he had voted against the bill being in its present form, and *file of the standing army* and not to increase the pay. Governor H. said he was opposed to increasing the standing army in time of peace, and opposed to the unjust discrimination between the new recruit and the old soldier that he had voted against the bill, but voted right and was responsible to the country for it, and stood there ready to justify it, and appealed to all who were in favor of large standing armies in time of peace to vote for his competitor for he, Governor H., would never favor such policy.

Governor H. said that he had repeatedly explained the provisions of this bill, and on the day before had read it to the audience in the presence of his competitor, and had hoped that after the reading it would not be further misconstrued or misrepresented. Yet his competitor persisted in doing violence to its plainest provisions.

I have only noticed this one point in a discussion, which resulted here overwhelmingly to the advantage of our candidate.

SPECTATOR.

CLIPPINGS.

Three things that never agree—two cats over one mouse; two wives in one house; two lovers after one girl.

Letcher and Goggin were both made life members of the M. E. Missionary Society in Petersburg, Va., on Sunday.

Hon. Cyrus Spink, a member of Congress elect from Ohio, died suddenly of apoplexy, on Monday last.

It has been announced in Paris that not a single newspaper correspondent will be allowed to enter the camp of the allies.

The friends of General Shields, now Senator in Congress from the new State of Minnesota, recently gave him a public reception at Fairbault, his home in that new State.

A Georgia editor accuses one of his cotemporaries of "a disease in the brain, which produces a kind of mania, so as to get some female into the embrace of his rattling bones."

Gen. Wool, the veteran officer of the Mexican and other wars, is now with England, recommended by a correspondent of the New York *Daily News*, as a Democratic candidate for the next Presidency.

It is understood that, if the indisposition of Sir Edward Bulwer should not be of much longer duration, the Cabinet have determined to accept his resignation, and to appoint a successor to the Colonial Office.

It turns out that the "Vegetable Wax," of Japan, about which so much has recently been said in the papers, is nothing more nor less than the product of the common myrtle bush, to be found on every roadside thicket bush in North Carolina.

The fruit crops in New England, it is stated, do not look favorably, the peach buds having in far less number than a week previous, and no blossoms having appeared, while apples promise only a moderate crop.

Zebedee H. Wilson, a resident of Tilbury East, Canada, slept on a hemlock roof, and the person who had the care of his food, gave him a half a half from the effects of the potion. A sad warning to persons against eating of herbs whose qualities they are unacquainted with.

A jury in Cayuga, N. Y., has decided the question, "Is lager beer intoxicating?" in the affirmative. Witnesses swore to drinking a hundred glasses of the beer daily without feeling the effects of any intoxication. The chemist analyzed the beer, and professed to get a pint of whisky from two quarts of lager. That settled the jury.

The War Department has directed a board of medical officers, consisting of Surgeons Bernard P. Moore and Assistant Surgeons R. H. Coolidge and John Campbell, to assemble at West Point on the 1st inst., to examine into the physical qualifications of the candidates for admission into the Military Academy.

A tribute to American credit, and a fact which does great honor to American merchants and shipping, is given in the shape of a Dublin letter to the New York Express. It is to the effect that not a single piece of American mercantile paper had ever at the Bank of England during the late panic now remains unpaid.

At Detroit, recently, an ox was killed because he could not understand the French language. The team, consisting of one Eng-lish and one French ox, drawing a heavy load and driven by a French driver, was crossing the track when the express train made its appearance. The driver, in great excitement, immediately ordered his ox to "—haw!" the French word for "haw." The French ox understood him, and turning off the track, saved himself, but the English ox, not having studied the language, pressed further on, and was instantly killed.

The Chester (S. C.) *Journal* gives this item of musical intelligence: A queer incident occurred during the late Fellows' celebration. It seems there was a calf, some two months old, confined in a fodder house to the Methodist Church, and Fellows' Lodge Brass band commenced to play one of those soul-stirring airs which always accounts to the highest pitch the feelings and passions of the human soul, the calf became immediately excited, and began to dance and leap about, and as continued to do so long as the music was kept up, and finally it became, as it were, frenzied by excitement, and commenced to butt its own brains out against the fodder house, and died instantly, without a struggle.

England Recommends Neutrality to Germany.

The Brussels *Independance*, of Wednesday, contains the following communication from Frankfort:

"The English Government has addressed circulars to its representatives at the small German courts, and at Frankfort, in which it discountenances all aggressive acts against France. The dispatch was signed by Count Platen, at Hanover, by the English Envoy, and the latter begs to be accredited also to Brunswick, and to that effect sends the bitter circular to the knowledge of the ducal government. At Hamburg, Mr. Hodges, the charge *d'affaires*, communicated the circular to the Senate. Here at Frankfort, the Senate, by the mouth of Doctor Mallet, has made known this fact not of his accession to several German Envoys. This step is regarded as another proof (iff) England will check the ardent desire of the Bund to take a hand in the war. The circular, on the other hand, that this neutrality will not be purely passive, and that England is determined to maintain her position as a great Power. I may mention that she has previously made some reserves at Paris on the subject of the imperial manifesto of the 3d, to the effect that her abstention is not to be interpreted as a complete acquiescence in the views and projects which that manifesto appears to indicate."

BROKERS' TECHNICALITIES.—*Thompson's Bank Note Reporter* thus defines some of the phrases used in stock circles and by newspapers:

A bull is one who buys stocks on speculation, thinking they will rise, so that he can sell at a profit. It is to his interest to have stocks bold, and he will use every means to bring about the desired result.

A bear is one who sells stocks on speculation, thinking they will fall, so that he can buy in for less money to fill his contracts. It is to his interest to break down the market, and he will resort to the most desperate means to accomplish that end.

A corner is when the bears cannot buy or borrow the stock to deliver to fulfillment of their contracts.

A *shave* is earnest money, lodged in the hands of a third party as a guaranty; "5 op," "10 op," etc., is the language expressive of a shave of stock.

Overloaded is when the bulls cannot take all pay for the stocks they have purchased.

Short is when a person or party sells stocks when they have none, and expect to buy or borrow from time to time to deliver.

Long is when a person or party has a plentiful supply of stocks.

A flyer is to buy some stock with a view to selling it in a few days, and either make or lose, as luck will have it.

A wash is a pretended sale, by special agreement between the seller and buyer, for the purpose of getting a quotation reported.

The Neutral Attitude of Prussia Defended.

From the Cologne Gazette.]

We have been continually condemned to read, in different journals, a series of blind attacks upon Prussia; they persist in accusing her of waiting too long before mobilizing her army, and of refusing to place a corps of observation on the Rhine, and to march against the detested enemy of the German nation. We are still compelled to read and hear these absurd reproaches, although the protest and rejecting policy of Prussia has been acknowledged, on several occasions to be the only one that rational people can approve. It appears, nevertheless, that this opprobrium has not been given in terms sufficiently distinct, and simple for a large number of our brothers in the south of Germany, whose prejudices render them blind. For this reason we now explain once more, in plain terms, the principles that have guided Prussia hitherto in the calm and prudent tenor of her way.

1. Because the cause defended by Austria in Italy cannot inspire her with any sympathy.

2. Because Austria, disregarding the mediation and warning of Prussia, has assumed the offensive at the moment when least expected.

3. Because Prussia, as a Federal State, in virtue of the fourteenth article in the Federal Treaty, is not obliged to assist another State of the Germanic Confederation in a war undertaken by that State for its extra-federal possessions, unless there be danger for the Confederation itself.

4. Because no enemy has yet made any threatening demonstration against the French possessions bordering the German counties of the Rhine.

5. Because, if Germany were to draw a cordon of Prussian troops upon the Rhine against France, instead of shaking the Napoleonic dynasty, threatening the peace of Europe, would consolidate it and would, in addition, since this mode of proceeding would provoke a similar one from Russia, in the east of Germany, against the Austrian and Prussian provinces, and so the war might easily become European.

7. Because Prussia has nevertheless long been quietly arming, and at the very moment when ordered its nine army corps to be placed on a war footing in the most extended sense of the term, because she has made a like proposition to the Diet for all the Federal States, so that they all may be ready to march and take the field in case the territory of the Confederation should be attacked in any side whatever, and thus to repel, without delay any enemy desirous of seizing the Rhenish frontiers.

8. Because, in short, Prussia is most, when contrasted with the other Germanic States, are at ease, to have due regard to the good or evil consequences likely to result therefrom, limiting the duration of the calamity to impose sacrifices; because, on the contrary, when real German interests are at stake, she is always ready to defend them, not merely with vain, but with all the force of her whole force brought into action, all the sacrifices being imposed upon herself. Such are, in a few words, the chief motives that have hitherto determined Prussia's line of con