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Poetry.

A SONG FOR THE BOYS.

BY J. CREISKER.

TUNE—*Uncle Sam's Farm.*

Come all ye friends of freedom, and join us in a song,
And swell the chorus lively with hearty voices strong,
For Fremont fears no gloss, 'tis plain to every child,
The country's all alive, and the people running wild.

CHORUS—While "Buck and Breck," are neck and neck, a yoke of oxen slow,
Are tugging at the Kansas load, wee, haw, gee, woo-ee,
A cracking pair of ponies, boys, we to the world will show,
The Rock Mountain Hunter and the gallant Jersey Blue.

A poor and naged orphan boy, the friends he had were few,
He early learned to push ahead—to paddle his own canoe,
Inch by inch, step by step, he reached the highest shield,
Till the honored name of Fremont was heard thro' all the land.

Chorus—While Buck and Breck, &c.

On the Rocky Mountains summit His flag he planted there
He lived upon the Buffalo, the Beaver and the Bear;
The wild and savage Indian saw his dashing, bold career,
And admired the valiant Fremont, the hardy Mountaineer.

Chorus—While Buck and Breck, &c.

He scaled the highest mountains amid the deepest snow,
He crossed the Great prairies and acros the rivers too;
But mountains, prairies, river, could not obstruct his way,
Till he came upon the golden sands of Calif-or-nia.

Chorus—While Buck and Breck, &c.

Old Buck has been in office all his long and selfish life,
But he never yet could manage to get himself a wife;
A musty, crusty, Bachelor, afraid of woman's tongue,
Should he shipped off to Salt Lake to live with Brigham Young.

Chorus—While Buck and Breck, &c.

Old Buchan had a daughter fair, Jessie was her name,
The Rocky Mountain Traveler's courting her he came,
He wooed her and he won her, and will make her by the fates,
The lady of the President of these United States.

Chorus—While Buck and Breck, &c.

Political Matter.

Speech of Hon. Henry Wilson,

OF MASSACHUSETTS,

On the Resolution introduced by Mr. Bigler of Pennsylvania, calling upon the Treasury Department to Report the Papers covering the accounts of Col. John C. Fremont with the Government. Delivered in the Senate, August 11, 1856.

Mr. President: The days of this session are rapidly passing away. Business of the highest importance presses upon our consideration. Chairmen of leading committees charged with measures of great public concern, crowd forward to obtain the ear of the Senate. While the Senate is thus engaged in the performance of its high duties to the country, the Senator from Pennsylvania, (Mr. Bigler,) thrusts before us this petty, miserable proposition, a proposition unworthy a moment's attention of honorable men, in or out of the Senate.

The Senator from Pennsylvania, not content with launching into the Senate this scheme, which must have originated with some mousing politician engaged in the pursuit of petty ends by petty means, but he presses its consideration now in spite of the ernest remonstrances of the Chairman of the Committee on Finance (Mr. Hunter,) who is charged with the care of the Civil and Diplomatic bill, and the Chairman of the Committee on the Pacific Railroad (Mr. Weller,) who wishes to call the Senate to the consideration of that great measure to unite the Atlantic and Pacific shores of the republic.

But the Civil and Diplomatic bill, the Pacific Railroad bill, and other measures, must be thrust aside by the Senator from Pennsylvania, that the Senate may consider this proposition by which certain political schemers hope to elicit something out of which they can manufacture slanders against a brave man, who has served his country with eminent ability in peace and in war.

The Senator from Pennsylvania cannot suppose that this proposition will pass this body without, at least, a passing notice.—He takes the responsibility, he chooses to pass it, and I shall take at least a few moments of the time of the Senate to characterize the proposition as I think it deserves.

Does the Senator from Pennsylvania expect to win any laurels by thrusting this proposition into the Senate? Does he suppose the generous people of this country will applaud this attempt to wound the sensibilities and defame the character of one who has won a brilliant name in the history of the republic—one whose explorations and scientific labors have conferred upon our country honor and renown among all civilized nations? Does he expect to win support for his favorite candidate for the Presidency by thrusting into the Senate this wretched proposition?

Sir, this is small game. If that Senator hopes to win popular confidence and applause—if he hopes to turn back the tide of popular favor that is bearing John C. Fremont to the Executive chair by this resolution, which I here pronounce; which honorable men in and out of the Senate will pronounce, small and mean—he will find himself sadly mistaken. Wherever this proposition, high-minded men will treat it with derision, scorn and contempt; and no little of that scorn and contempt will be visited upon the men who resort to such devises to effect political results. I would not stoop to such a warfare as this. If it was aimed at James Buchanan I would spurn it from me.

This is not the first time, Mr. President, that the shafts of political malignity have been hurled at men who have served the republic, and it is not the first time the Senate has been called upon to grope among the archives of the government to discover some account or the records of some account between the government and men who have been entrusted with public funds, out of which something would be distorted for partizan ends.

In 1824, Andrew Jackson was assailed for his military deeds. The people, unmindful of these assaults, bore him proudly to the Presidential chair, over one of the purest, ablest and most incorruptible patriots that ever graced the country of the Republic. In 1840, General Harrison was assailed by the envenomed tongue of slander, branded as a coward and denounced as a corrupt man, and the people took him in their arms and bore him to the Executive chair over his experienced and accomplished competitor.

In 1848, Zachary Taylor and the venerable Senator from Michigan (Gen. Cass) were both denounced in the same manner—their accounts with the government through long years of public service overhauled and audited over again by the political accountants and auditors.

In 1852, Gen. Scott, a soldier who has served the Republic for more than forty in peace and in war, with unsurpassed ability, was arrigned in the same manner and for a similar object.

What was gained by these assaults upon Jackson, Harrison, Taylor, Cass, Scott? I venture to say here, to-day, that all those assaults upon these distinguished men concerning their monetary transactions with the government, never lost them the confidence or support of any portion of the American people. Sir, the American people believed these assaults to be unjust, mean, contemptable. Pass this resolution, drag out of the department the bills, vouchers, letters and papers between Col. Fremont and the government—garble them, scatter them over the land, blurt their contents into the unwilling ear of the country, and the people, with that sense of justice, that practical judgment which distinguishes them, will pronounce it all political persecution.

Yes, sir, this partisan scheme will bring upon its authors, upon the men engaged in its execution, not public confidence and regard, but public censure and contempt; and it will bring to Col. Fremont the sympathy which honest men ever give to the persecuted.

Col. Fremont was entrusted by his government with high and responsible duties. Those duties were far distant from the seat of government, beyond the borders of the States—in the territories beyond the father of waters—in the Rocky Mountains—in California. Those high and responsible duties were performed in a manner that won the commendation of the government the approval of honorable Senators upon this floor, and the applause and admiration of a grateful people. His name is forever associated with the pathways to the golden shores of the Pacific, through the gorges of the Rocky Mountains—with the conquest and acquisition of California.

Money was entrusted to his hands. In the performance of the duties assigned him, men, property, money, were all for months—years—entrusted to his keeping. The people will demand why John C. Fremont is arraigned now, eight or ten years after his duties to the government were performed. If his accounts were unsettled—if he had failed to account for money placed in his hands—if he was in any sense a defaulter, "why," the people will demand, "was he not reported as the laws require by the proper officers whose accounts were reported unsettled?"

On the 16th of January, 1854, the Hon. Elisha Whittlesey, Comptroller of the Treasury, made a report to the House of Representatives, in which he says:

"In conformity with the provisions of the Act of Congress approved March 3, 1809, entitled 'An act further to amend the several acts for the establishment and regulation of the Treasury, War and Navy Departments,' and of the act passed March 3, 1817, entitled 'An act to provide for the prompt settlement of the public accounts,' I transmit it, herewith statements of the accounts which remain due more than three years prior to the first day of July, 1853, on the books of the Register of the Treasury and on the books of the Second, Third and Fourth Auditors of the Treasury, respectively."

This report, Mr. President, contains ninety-six pages of names, reported in obedience to the requirements of the law, by Mr. Bigger, Register of the Treasury, Mr. Clayton, Second Auditor, Mr. Burt, Third Auditor, and Mr. Dayton, Fourth Auditor. These reports of the auditors of the Treasury Department contain the names of persons whose accounts have remained unsettled, or on which balances appear to have been due more than three years prior to July 1st, 1853, "furnished in pursuance of the second section of the act of Congress, approved March 3, 1809, entitled 'An act further to amend the several acts for the establishment and regulation of the Treasury, War and Navy Departments,'" and "the names of officers whose accounts for advance; made, or balances unaccounted for, one year prior to July 1, 1853, and have not been settled within the year; prepared in pursuance of the 13th section of the act of March 3, 1817."

In this long list of names I find the name of some of the noblest sons of the republic. The names of Generals Gaines, Worth and Harney are in this list, but the name of John C. Fremont is not among them. If his accounts were unsettled, if balances were against him, why was not his name reported? His name is not in the list of persons whose accounts were unsettled during the year preceding the 1st of July, 1853, or the three years preceding that date.

On the 1st of July, 1853, no moneys were in his hands unaccounted for. He owed the government nothing. At that very time he had a claim for supplies furnished the government as early as July, 1851. That claim was examined and reported upon by a committee of the House of Representatives, at the head of which was Col. Orr, one of the leaders of the Administration in the House. That committee reported a bill allowing Col. Fremont $183,825, and that bill received the unanimous vote of the House and the Senate, and the approval of President Pierce, on the 29th of July, 1854.

If his accounts were unsettled—if money was in his hands unaccounted for—if the government had any balance against him—why, sir, why did not your administration compel a settlement, and secure any claims of the government when it held $183,825 of John C. Fremont's money in its coffers? Will the Senator from Pennsylvania—will any Senator—answer this question?

Some mousing politicians in the departments, or who have access to the departments; some little soulless creature ever ready to blast the reputation of honorable men, has doubtless found papers bearing upon Col. Fremont's connections with government out of which he thinks extracts can be quoted, if published, by which venal politicians can blacken the reputation of one they fear and hate, and the Senator from Pennsylvania, comes in this Chamber with this resolution to carry out this small game of political malignity.

I shall vote, Sir, for this inquiry but I wash my hands of its meanness, its abject littleness. If it applied to anybody's candidate but the one I support, I would vote against it. I would never consent to resort to such petty warfare.

The Senator from Pennsylvania assumes to be Mr. Buchanan's fugleman here. I have sometimes thought the Senator, in his deep anxiety, felt that he carried Mr. Buchanan on his shoulders. I hold James Buchanan responsible for this attempted blow at his rival, struck by the hand of the Senator from Pennsylvania, who professes to be his particular friend—who is ever watchful of his interest and name. So prompt is the Senator from Pennsylvania to rush to the defence of Mr. Buchanan, that I have come to regard him as that gentleman's "premonitory symptom" here. Nothing but that Senator's extreme desire to better the wavering fortunes of his chief could have induced him to engage in this political device.

Mr. President, the people will regard this as persecution. It will bring odium, not upon Col. Fremont, but upon the man who originated it. It will rather redound, as all such attacks against candidates for the Presidency have done, to his advantage. The issues are made up. They are the gravest and most transcendant issues ever presented to the people of the United States. All that the Senator from Pennsylvania and his candidate can make out of his inquiry will not weigh a feather in the coming contest, which is to decide whether Freedom or Slavery shall sway the policy of the Republic.

Iowa, young Iowa, has uttered her voice for John C. Fremont, by a majority of thousands. Maine will respond to Iowa for the east in a few weeks, in a voice not to be mistaken. The Senator cannot break the mighty current that is bearing the friends of free Kansas on to assured triumph by this petty political manœuvre, which gentlemen should not stoop to engage in.—Pennsylvania on the 14th of October, may teach her Senator that she is not to be won by any attempt to defame the chieftain around whose banner the liberal, progressive democratic masses of the country are rallying for the coming fight.

I have not spoken, Mr. President, of the motives that have actuated the Senator from Pennsylvania in introducing this inquiry. I have nothing to do with motives. I have spoken of the act and I have spoken as I think it deserves. Perhaps the Senator feels that he has the good name and fame of Col. Fremont as well as Mr. Buchanan in his keeping. Perhaps we ought to feel grateful to him for his zeal for the reputation of our candidate—but I can not but feel that whenever the effects of this inquiry may be upon Col. Fremont, the Senator will win no laureis by it that any one will desire to pluck from his brow.

Charles Sumner's Health--His Feeble Condition--Mrs. Swisshelm Visits Him and Tells all about It.

Mrs. Jane Swisshelm, tantalized by the various and conflicting accounts of the health of Charles Sumner, visited him at his retreat in the mountains, a few days since, and on the 23rd wrote along letter to the Tribune, from which we make extracts. She says of Dr. Jackson, at whose private residence Mr. Sumner is staying:

The Doctor is a Democrat and most accomplished surgeon, and says he thinks there is blood now settled or congested in the vessels of the membrane, which lines the brain pan, but that with plenty of mountain air, generous diet and exercise it will gradually be absorbed, and he be restored to his full vigor.

Of Mr. Sumner:

For the two days I was there I watched Mr. Sumner closely, bringing to bear upon his case a thirty years experience of frequent and sometimes long periods of nursing the sick, and think there is ample room for the worst apprehensions of his friends. He rides on horseback, over the roughest mountain paths, twelve or fourteen miles a day, and returns with a good appetite for dinner; but a walk of a quarter of a mile prostrates him very much. Prior to this injury, he was considered the best pedestrian in Washington, and ten or twelve miles was only pleasant exercise to him.

He has all the impatience of ordinary men in illness, or in the prospect of restraint, and assures everybody that he is doing well, feels very well, is quite strong, and will surely be able to go to Washington in two weeks. Mr. Burlingame assures me with tears in his eyes, that this was what he always said. Ever since his injury he has been going to be quite well in two weeks; but when he rises from his chair he takes hold of the table. His gait at a first glance, appears that of a man of ninety years of age; but watching him a while, I felt that it was the very kind of step one takes when creeping through a darkened chamber under the influence of a paroxysm of nervous headache; but he says, with a kind of lofty incredulous scorn, that his head does not ache! Sometimes he feels a pressure on the top of his head and it appears to hurt him when he walks; but he will be ready to go to Washington in two weeks.

It is a remarkable fact, that I never saw a sick man who was not either going to die in half an hour, or would not be ready to go to Washington in two weeks.

Mr. Burlingame came on Friday evening, about six o'clock, in company with a lady and gent from Philadelphia. He had not seen Mr. Sumner since the Brooks challenge, and we all sat together until after eleven o'clock. There was much to be told, and said, and explained. Without any personal resemblance, these two appeared together like father and son; but I could give no idea of their interview, even so much of it as the sacredness of private conversation would permit to be public, in less than a column, and Mr. Sumner crowds everything from my thoughts just now. When his friends left, he had no disposition to retire, and when he did, slept but one hour. Next morning his pulse was very rapid, but he took his usual morning ride in company with Mr. Burlingame, the doctor, and the ladies of the party who wished to go. They returned in a great flow of spirits, and after dinner the Senator from Massachusetts was formally expelled from the library, by a vote of the House. He retired, but did not sleep. By a strong effort I denied myself the gratification of spending Sabbath with him, and came home in the night train feeling very sadly. I tried to induce him to come down to Swissvale, where the air is scarcely less pure, and the scenery finer than on the mountains, and where he could be as nearly out of the world as he could well be, while near a railroad and telegraph; but he thinks he must go in the other direction—the direction of his duties, to Washington, to settle his affairs there, and then to the stump, to labor in the campaign. For the issue, the fearful issue! Freedom has no advocate to spare. He resists now, and will soon be strong—enjoying idleness, refraining from all intellectual labor, and recruiting fast. He only reads and writes about ten letters a day, laying his hand every few moments, while absorbed at his desk, upon the top of his head, creeping, with his unsteady gait, his hand upon a table or back of a chair, or on the small of his own back, to lie down upon the sofa; and when he feels rested, back to his desk again. But he says these are letters which require no intellectual effort. He must write to his friends in Washington to stand fast to their position on the Army Bill. Oh! if he only had a seat in the House now! Everything depends upon the House.

* * * * * *

One of the scars upon his head has still a red, angry appearance, and if his face was turned up at the time of the assault, his intended murderer must have been very much above him, for the scars are on the back part of the top of his head; and this red wound must have been inflicted while his head lay with the face downward. It must have required a forcible blow to open the scalp through the masses of coarse, strong hair with which his head is crowned.

* * * * * * *

Those mistaken friends of his who would fain see Brooks killed or maimed, would greatly distress him if any such killing or maiming were done by their agency. He shudders at the thought that Bualingame might have shot him; and appears to feel about as much resenement against him as I should feel against a tile which had fallen upon my head. I could not discern the slightest symptom of chagrin or mortification—no sense of the dishonor which so many attach to the blow unavenged. I asked him if he would have defended himself if it had been possible.

"Most certainly," was the prompt reply, "to the best of my ability, and the last extremity."

To Dr. Jackson's suggestion that the same principle which permits him to defend himself when attacked, should induce him to punish the offence, he promptly explained the difference between self-defence and revenge. He appears to have no idea, however remote, of personal enmity in the matter.

Letter from Lieut. Gov. Myers.

SARATOGA SPRINGS, Aug. 15, 1856.

ED. TOLEDO COMMERCIAL:—I notice in your paper of the 4th inst., a paragraph taken from the *Daily Cleveland*er, in which there is a statement that "It is understood that he is [I am] to be the Republican nominee for Congress." I am also informed that several persons in Toledo are taking great pains to represent that my present political position is the result of a bargain with members of the Republican party. I merely wish to say, in order to place myself right with those whose good opinion I value, that no single individual of the Republican party knew anything of my intention or determination, until it was fully decided upon by myself, and communicated to the press for publication. I never had any conversation or correspondence with any member of that party upon the subject, and I am not now, nor shall I be a candidate for Congress. My political position is the result of my conviction of what is right and what is wrong, and I do not prize office high enough to sacrifice duty to its attainment.

I hope you will do me the justice to give this note a place in your columns.

JAMES MYERS.

☞ The Boston *Post* relates the following: "A young gentleman who was arrdently arguing in favor of Fremont's election, was replied to by a buxum young miss, who expressed doubts of Fremont's success; whereupon the gentleman proposes to bet a kiss that his candidate wins, upon these terms: If Fremont is chosen, she is to kiss him—if Buchanan is elected, he is to kiss her.

☞ Col. Lane, in his speech at Lafayette, Ind., stated that there were more saw mills in Kansas than in the whole State of Missouri. Most of these were erected through the exertions of the "Massachusetts Aid Society." This is the way Northern men have interfered with Kansas affairs.

☞ The Washington correspondent of the *Herald* says: "I have been shown a list of names of Fremont electors in Virginia. Two of the number who have signed their readiness to serve in that capacity are represented as slaveholders, and gentlemen of wealth and position in their respective districts."

WHEW!—The Richmond *Enquirer* in its leader of the 26th inst. says: "If Fremont be elected, there is not the slightest hope that the Union will last an hour after Mr. Pierce's term expires." Couldn't you say an hour and a quarter?

Mr. Buchanan.

Look at the following record of Mr. Buchanan's course on the Slavery question. Will his friends here claim him as an Abolitionist, or will they brand him as a *traitor*, because, he too, has changed. It seems that he did not sympatise with the friends of freedom, but this was before he he had become a marketable commodity, and while there was still a North, and Northern men claimed a voice in our National Legislature, and were not afraid to utter that voice in favor of freedom.

"Passing along the political graveyard of buried opinions, I find it recorded that on the 23d day of November, A. D. 1819, no less distinguished a personage than James Buchanan, in Lancaster county convention, presented the following resolution:

"'*Resolved*, That the Representatives in Congress, from this district be, and they are hereby, most earnestly requested, to use their utmost endeavors, as members of the National Legislature, to prevent the existence of slavery in any of the Territories or States which may be erected by Congress.

"'*Resolved*, That in the opinion of this meeting, the members Congress, who at the last session, sustained the cause of justice, humanity, and patriotism, by opposing the introduction of Slavery into the State then endeavored to be formed out of the Missouri Territory, are entitled to the warmest thanks of every friend of humanity.

"'In 1819, he declared against the Missouri line. In 1847, in his celebrated Berk's county letter, he declared in favor of the extension of that line to the Pacific, and his solemn belief that the stability of Union itself depended upon the passage of such a measure.'"

In 1856, he is opposed to the restoration of this line. In 1836, in the United States Senate, he voted to suppress incendiary (slavery) documents through the mails in southern States. This, sir, is a good record for a presidential candidate. It furnishes an apology for northern Democratic votes, and guarantics the united support of the South.

Mr. J. Glancy Jones, of Pennsyvania, a personal friend of Mr. Buchanan, defends him on this floor against the charge of Free-Soilism, as follows:

"All such accusations as these against Mr. Buchanan are answered by thirty-six years of devotion to the Constitution of the United States.

"They are answered by the fact that, twenty years ago, in the Senate of the United States, he was among the first northern men to resist the inroads of Abolitionism.

"They are answered by his opposition to the circulation of insurrectionary documents through the mails of the United States, amoung the slaves of the South.

"They are answered by his determined support of the bill admitting Arkansas in the American Union.

"They are answered by his early support of the annexation of Texas.

"They are answered by his persevering support of the fugitive slave law.

"They are answered by his energetic efforts to effect the repeal of the law of the State of Pennsylvania, denying to the Federal authorities the use of her prisons for the detention of fugitive slaves.

"They answered by his early and unyielding opposition to the Wilmot Proviso.

"They are answered by every vote he gave in the American Congress on the question of slavery, and by the fact that, of all northern men, he has been among the most prominent in asserting and defending a strict construction of the Federal Constitution."

This endorsement of his soundness on domestic slavery, together with his Ostend manifesto, enabled him readily to outstrip all competitors in the Cincinnati Convention.

Governor Wise, of Virginia, in his great speech at Richmond, declared that, if the nominee of that convention should be elected, Kansas would be made a slave State, and that the price of negroes would advance from one thousand dollars to two, three, or even four thousand dollars a head.

If any further proof of the course to be pursued, in the event of the election of Mr. Buchanan, is needed, it is found in the speech of Franklin Pierce at a ratification meeting in this city:

"I congratulate you that your choice has fallen on a man who stands on the identical platform which I occupy, and who will take the same with the standard lowered never an inch."

Mr. Douglas says that—

"Buchanan and myself have for several years back, ever since I came into public life, held the same position on the slavery question from beginning to end."

Mr. Buchanan, speaking for himself, says:

"I have been placed upon a platform of which I most heartily approve, and that can speak for me. Being the representative of the great Democratic party, and not simply James Buchanan, I must square my conduct according to the platform of that party, and insert no new plank, nor take one from it. That platform is sufficiently broad and national for the whole Democratic party."

After this, we think no man will contend that Mr. Buchanan is national in his views or proclivities. He stands before the country the avowed representative of the Slave power—pledged to its perpetuation and extension. We ask if Northern Democrats can vote for such a nominee? He does not expect it himself, but expects his support from the slaveholding States. His friends are boasting that he is sure of all the Southern States, and say that if they can but get one or two Northern States to vote for him, he is elected. He will still be under obligations to the slave power and will be their President. Northern men, ponder well over these facts before you consent to sell your birthright.

Kansas and other Affairs.

Ruffianism and Rascality.

We copy the following items from *The Kansas* (Topeka) *Tribune* of July 28:

On Friday, the 19th instant, a lame man who was teaming for Mr. Barricle, from Palmyra to Kansas City, was taken by a band of ruffians, headed by Coleman the murderor of Dow, who assumes to be their captain. His load, consisting of provisions which cost one hundred dollars in Kansas City, was taken from him, and he barely escaped with his life. The curses and threats of extermination of the Free State settlers were long and loud among them.

Several others have been robbed of both provisions and money. Horse-stealing is carried on by this band of desparadoes on such a wholesale scale, that there are now hardly any horses in the bands of Free State settlers in that vicinity; not only do they stop and plunder teams, farm houses, &c., but several attempts have been made to murder. We are informed that on Thursday evening Mr. D. A. Clayton, jr., who is known to be an uncompromising Free State man, just after returning from Lawrence, while picketing out his horse was fired at by two ruffians, who had secreted themselves in some brush near the path, where he proposed feeding his horse. Mr. Clayton very promptly returned the fire, when the ruffians took to the bushes, one of them limping as he went.

This Coleman has erected a log fort at the head of Rull Creek, which is about fourteen miles east of Palmyra, which is manned by about 90 armed men, and three cannon. It is at this place that all the plunder in the shape of provisions, guns, &c., is deposited by their guerrilla parties.

And what makes the case still more aggravating is, that Company 1, of the United States Dragoons—who have been enrolled by order of the Administration from Col. Ruford's company, who conducted themselves so gallantly at the destruction of Lawrence, that Pierce, Douglas and Buchanan thought it necessary to take them into regular service, in order that they might have men to rely upon to do their dirty work—have been stationed at Palmyra, to defend the settlers, but instead of resisting the "law and order" bands which are prowling around them, they allowed and even participated in their rascalities.

Where are those four valliant companies that were brought up in battle array before Constitution Hall on the 4th of July, who were so eager to disband all armed bodies in the State—so much so that they even dashed through and broke up a 4th of July celebration? Where are they?—Echo answers, where? when they are called upon to disband a company of Pro-Slavery men,

From the Zanesville Courier.

Important Railroad Decision.

Thatcher Perkins vs. Joseph G. Stanley. } In the Court of Common Pleas of Muskingum Co., May Term. 1856.

This was an action to recover personal property.

It appeared in evidence that the plaintiff was appointed Superintendent of the Central Ohio Railroad Company early in December, 1855, and shortly thereafter went to Baltimore to purchase a lot of steel amounting to about $600, to be used in the repair of engines belonging to the Company. The credit of the Company was low, and the owner of the steel refused to sell upon credit to the Company, but agreed to sell to the plaintiff upon his individual acceptance at three months.

This was done, the bill drawn and accepted, the amount made out against the plaintiff, and the steel sent to Zanesville, directed to the Railroad Company, where it was received and partially used in the repairs of the Company's engines. The plaintiff paid his acceptance at maturity, with his own funds, but expected the Company to reimburse him at some period.

The defendant proved that he had an execution against the Company, and claimed the right to levy on the steel as property of the Railroad Company.

The plaintiff then gave in evidence the mortgage executed by George S. Coe, Trustee of the bond-holders, and proved the issue of bonds to the amount of two millions of dollars. The mortgages in terms convey the present and future to be acquired property, both personal and real, of the Company, to Mr. Coe. The last of these mortgages bears date in October, 1855, two months before the purchase of the steel. Upon this evidence, the plaintiff claimed that in the event of the jury finding a verdict for the defendant, such verdict should only be for nominal damages.

The road is to be run to earn revenue, and an attempt to seize the road or its equipments, or its materials, for repairs, or its tolls for freight and passengers, is fatal to the rights of the mortgagee. Nor does the assertion of its principle enable a Railroad Company to set its crediters at defiance. Whenever its creditors are of opinion that its affairs will be better managed by a Court of Equity than by the Directors, we may expect them to apply for the appointment of a Receiver.

Judge Searle charged the jury, that if they were of the opinion that the defendant's title to the property should prevail, then the amount of damages to be awarded would be the value of the steel, or the amount of the execution, whichsoever should be the smallest sum, had there been no evidence of the mortgages. The court then further charged the jury, that if they found that mortgages had been executed and bonds issued as claimed by plaintiff, then the defendant could only recover nominal damages, inasmuch as the execution could have produced no fruits. In the case of a Railroad mortgage, covering its road, rolling stock, materials for repairs, tolls, profits, rents, &c., &c., &c., a levy upon a part could not effect the mortgagee's rights. A creditor of the company having no mortgage could not compel the mortgagee to surrender a portion of his security upon the assumption that enough was left to pay the mortgage debt.

It may be doubted whether the mortgager of personal property possesses an interest in it which is the subject of levy by execution. It is certain that the purchaser cannot perfect his title without paying the mortgage the amount of his debt. The fact that this steel was purchased subsdquently to the mortgage, makes no difference. This Court held in the case of Coe *vs.* Knox County Bank and others, that this mortgage did pass afteracquired property of this nature, and it is obvious that without this principle the mortgage would be no security. Whether such would be the law in the case of an ordinary chattel mortgage containing a clause designed to embrace such chattels as the mortgagor might afterwards aequire, this Court had not decided. But an incorporated Railroad is an entirety. The Legislature has distinguished mortgages by Railroads from all other mortgages in the mode and manner of their record. See Swan's Statues, page 242.—A Railroad can own no property but such as is essential to the prosecution of its business, and the prosecution of its business is its only mode of paying any of its debts. Much more is this true with regard to a creditor who advances money to build and equip the road upon the faith of a mortgage executed at the time of the advance and before the road is either built or equipped. The road, its equipments and its revenue are pledged to the creditor. The revenue is to be semi-annually accumulated to pay the semi-annual installments of interest, and the mortgee has this lien upon it, as fast as it is earned.

The jury returned a verdict for defendant—damage six cents.

Brutality of Col. Titus.

We learn from a reliable source that Col. Titus—Gov. Shannon's right-hand man, and the same one who offered $500 for the head of Capt. Walker, a few days ago to take possession of a claim belonging to a Free State man by the name of Smith, who resides near Lecompton, and was one of the first settlers. Titus took advantage of Smith's absence, went to his claim, tore down the house, and erected a shanty of his own. On Smith's returning and finding his house demolised, he rallied a few of his neighbors and re-erected it. He had not much more than got it up, however, before Titus came along with a few of his crew, and ordered him off; which order he didn't seem very hasty about obeying. Titus became impatient; and seeing that he was much the largest man, both in regard to bulk and gas, and as he had plenty of his crew to back him, he concluded that he would be perfectly safe in attempting a fist-fight. After pounding Smith to his heart's content, and leaving him helpless upon the ground, he ordered one of his men to go and set fire to his building. The man was rather reluctant about obeying so tyrannical a mandate, when Titus drew his revolver and threatened to shoot him unless he obeyed. He accordingly set fire to the building, which was burned to the ground.

Shannon's attention was immediately called to these facts by Smith's friends; he promised them that he would attend to it, and he did so, the day following, by ordering on a company of U. S. dragoons, to defend Titus in his assumed right to the claim and improvements.

Damnable as this last act of the appointee of President Pierce may seem to some, it is strictly in accordance with his previous course, and with the spirit of this great Democratic Administration. Every step that been taken by the Administration and its supporters in regard to Kansas, has had but one idea—to drive out and exterminate every Free State settler.

They find that all their threats—the destruction of a large amount of our property by fire and ball, the incarnation of some of our prominent citizens in jail, and even in irons, and the cold-blooded murder of others, have failed to intimidate us, and now they propose to resort to the last expedient, that of driving freemen from their homes because they dare to differ with them in sentiment, and yet we are told that the time has not come to act. We should like to know when it will come. Will it be when a company of United States Dragoons are stationed on every claim to protect some hound like Titus who wishes to injoy the fruits of an honest man's toil? or will it be when we are all tied hand and foot and confined under a guard of United States troops, or hung to the nearest oak?

Clippings.

Ten dollar bills altered from ones, on the Hollister Bank of Buffalo, are in circulation.

Dr. Robertson, Fremont's schoolmaster, has taken the stump in New-Jersey in favor of his pupil.

The receipts of grain at Chicago for the month of August, will, it is said, amount to nearly 5,000,000 of bushels.

Coal has been found on the Pacific, near San Diego. The value of such a discovery cannot be overestimated.

The Utica (N. Y.) *Herald* says a fraudulent five dollar note, on the Bank of Utica, copied from the original by photography, has made its appearance. It is said to be a very dangerous fraud.

A wine has been advertised under the name of naked sherry. It ought, at least, to have some *body*.

"Come here, sonny, and tell me what the four seasons are." Young Prodigy—"Pepper, mustard, salt and vinegar; them's what mammy always seasons with."

James Russell Lowell, the poet, enters this month upon the duties of Professor of French and Spanish Language and Literature at Harvard University.

It was the sale of a copy of "The Life and Writings of Frederick Douglass," by Strickland & Co. of Mobile, that caused them to be driven out of the State of Alabama, and their business to be ruined.—Hail Columbia!