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The Weekly Caucasian.

By JULIAN, ALLEN & Co.

J. M. JULIAN. E. ALLEN. W. G. M'GAVOCK

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Business Cards.

DENTISTRY.

HASSELL is still in Lexington, and has been for the last EIGHTEEN YEARS. Office, over Liebich's store. apr5 1y

T. T. MAJOR,

Resident Dentist.

LEXINGTON, MO.

OFFICE, Main street, two doors west of City Hotel. [apr5 1y]

DR. C. M. STEWART,

SURGEON DENTIST. Office over Hale & Graham's Store, opposite the Court House, Lexington, Mo. may 20 1y

ROBERT AULL,

BANKER,

OLD BANKING HOUSE, Main st., Lexington, Mo. ☞Exchange bought and sold. apr5.

GARLAND J. BLEWETT,

Attorney at Law.

LEXINGTON, MISSOURI.

Office over O. Houx's Store.

S. L. SAWYER. WM. CHRISMAN.

SAWYER & CHRISMAN,

Attorneys at Law.

Independence, Missouri.

WILL regularly attend the Courts in Jackson, Lafayette, Johnson and Cass counties. Mr. Sawyer will spend a part of his time in Lexington, and when there, may be found at his old stand. Previous notice will be given of the time he will be in Lexington. may 20 6m

MRS. SUSAN E. MONROE,

MILLINER AND DRESS MAKER, Wellington, Mo. Bonnets, Hats, Feathers, Flowers, Ribbons, Trimmings, &c. &c., constantly on hand. Bridal and Mourning Bonnets made to order in latest and best styles. my2

MILLINERY.

MRS. S. E. JAMESON.

RESPECTFULLY announces, to the ladies of Lexington and vicinity, that she has just received, at her store, on Laurel street, and opened on SATURDAY, APRIL 21st, a Splendid and Fashionable Assortment of

Spring and Summer Millinery,

to which she invites their attention, and a call from them is solicited before purchasing elsewhere, as I am satisfied that I can please them both in PRICE, QUALITY and FASHION.

☞Repairing of all kinds done with neatness and dispatch. S. E. JAMESON.

N. B.—DRESS MAKING, in all its varied branches, attended to promptly. apr5 3m

NEW MILLINERY STORE.

Mrs. M. F. PRICE

WOULD respectfully announce to the Ladies of Lexington, and Lafayette county, that she has just opened an entirely New Stock of

Fashionable Millinery Goods.

Dress Trimmings of latest Styles.

Her stock consists in part of Bonnets, Hats, Caps, Flowers, Ribbons, Ornaments, &c. Thankful for past favors, she solicits a share of public patronage. P. S. Bonnets and Hats bleached and altered to the latest fashions.

Store on Main Street, one door east of the Public Square. may 16 6m

VIRGINIA HOTEL.

Laurel Street. : : : : : Lexington, Mo.

H. J. COMER, Proprietor.

FIRST class hotel. Coaches run regularly to and from the house, to connect with all loads. And also, stages leave from this hotel every morning, connecting with the various railroads. Good Stables connected with the house. may 9 1y

W. H. BALLARD,

WITH John E. Shawhan, Commission Merchant, and agent for Flour Mills, numbers 67, 69 & 87 South Main street, St. Louis, Mo. my16 3m

DRY GOODS MART.

GEO. A. HALL & CO., Wholesale and Retail dealers in Dry Goods, 247 Broadway, S. Louis. Guaranteed as cheap as the cheapest. apr5 1y

C. W. SMALL. SAM. T. RUFFNER.

SMALL, RUFFNER & CO.,

COMMISSION MERCHANTS, No. 74 Commercial st., St. Louis. apr5 1y

MOODY, MICHEL & CO.,

WHOLESALE Dealers in Staple and Fancy

Groceries.

No. 74 Second street, corner of Olive street, ST. LOUIS. mr4 1y

WM. LIMRICK,

BANKER.

HAS resumed business at his old Banking House, and solicits the patronage of the public. ☞Deposits received; Exchange bought and sold. apr5

ROBERT AULL. J. J. POLLARD. ROBT. M. RENICK.

AULL, POLLARD & RENICK,

BANKERS AND BROKERS. Dealers in Exchange, Gold and Silver Coin and Gold Dust. Deposits received. No. 58 North Third Street, St. Louis, Missouri. apr5 3m

LOWELL BREWERY.

ALE AND PORTER—JOS. SCHMITT & CO., St. Louis, Mo. Sold in Barrels, Half and Qr. Barrels, and in Quart and Pint Bottles by the doz. DEPOT—No. 30 Commercial St., between Chestnut and Pine, where Saloons, Steamboats and Families can always be supplied. apr5 1y

D. H. WITT. E. M. SLOAN. J. A. THACHER

WITT, SLOAN & CO.,

GENERAL COMMISSION MERCHANTS, HEMP COTTON AND TOBACCO FACTORS, No. 111 North Second st., between Vine st. and Washington avenue, ST. LOUIS.

☞Prompt personal attention given to Forwarding Goods and Filling Orders for all kinds of Merchandise. apr5 1y.

EDWIN O. STANARD, NEW ORLEANS. CHAS. E. SLAYBACK, NEW ORLEANS.

STANARD & SLAYBACK,

COMMISSION MERCHANTS, New Orleans, La.

E. O. STANARD & CO.,

COMMISSION MERCHANTS, No. 5 City Buildings, St. Louis, Mo. Will advance cash and negotiate paper on shipments to our house in New Orleans. apr5 3m

Alex. Mitchell. S. G. Wentworth Wm. Morrison.

EXCHANGE & BANKING HOUSE

OF

ALEX. MITCHELL & CO.,

LEXINGTON, MO.

EXCHANGE on BOSTON, NEW YORK, PHILADELPHIA, ST. LOUIS, and other cities bought and sold. Collections made and proceeds promptly remitted at current rate of exchange.

United States and other Stocks bought and sold on Commission, and real estate paper negotiated on favorable terms.

Union Military Bonds bought and sold. my2 1y

H. J. ARMSTRONG. G. F. BELLES.

ARMSTRONG & BELLES,

ARE now receiving a large stock of

CHINA,

Glass and Queensware,

At their old stand (two doors east of the City Hotel) which will give the LARGEST and BEST ASSORTMENT west of Saint Louis.

We solicit a continuance of the patronage so liberally bestowed upon us heretofore and shall give our best attention to the wants and interests of all our patrons. In

VARIETY AND CHEAPNESS

our stock will be unequalled by any other house, and we shall make it an object for customers to buy their goods of us. ARMSTRONG & BELLES. nov25 tf

A. W. RIDINGS,

DEALER IN

DRY GOODS & GROCERIES,

Hats, Caps, Boots and Shoes.

Shawls, Gloves, Notion, &c.

Ladies' Dress Goods,

Main Street, Opposite City Hotel, Lexington, Mo.

KEEPS constantly on hand a large and well selected assortment of Fancy and Staple Dry Goods, Hosiery, &c., to which he invites the attention of the public. He is determined to keep on hand a stock which will be second to none in the upper country, and by doing a large business, will be able to sell goods as cheap, or cheaper, than any other house in the city. Call and examine for yourselves, as it is no trouble to show goods, and we are satisfied we can suit you both in quality of goods and price. We also keep constantly on hand a complete stock of

GROCERIES,

which we are offering at the very lowest prices.

A. W. RIDINGS.

Lexington, May 16, 1866. 1y

TO GOV. STONE.

AIR "WIDOW M'CREA."

For the Caucasian.

Oh, Governor Stone!
'Tis no wonder you groan,
Och hone, Governor Stone;
Indeed 'tis not fair
To be pummeled by Blair,
Oh no, Governor Stone.

When to Missouri ye came,
Wid your terrible name;
Och hone, Governor Stone;
Ye thought ye would scare
Our bully Frank Blair,
Hurrah, Governor Stone.

But mistaken ye were
For this time of year,
Och hone, Governor Stone;
The leaves are all out,
And the true boys about,
Oh yes, Governor Stone.

Now when ye start back,
Every limb that may crack,
Don't dodge, Governor Stone;
For ye will not be hurt,
If ye only act smart,
Go home, Governor Stone.

And the next time they want
A man of your cant,
Don't come, Governor Stone;
But work for your pay,
And tell them all nay,
Good-bye, Governor Stone.

RANDOLPH.

LOVE AND SHOOTING.

From the Englishwoman's Magazine.

A country house may be either one of the most miserable, or the most charming places conceivable. Its character entirely depends upon its inmates. The merest shooting-box, provided only that it is stocked with a few guests who amalgamate well, is infinitely preferable to the loftiest manor-house where the attraction of cohesion is wanting amongst the society it contains. Hatherton Park was unanimously declared to be a pleasant place to stay in: the hunting and shooting were both good, and so was Sir Richard Hatherton's wine; there was a capital billiard table, and there was always sure to be capital company.

And in the first place, there was a Miss Everington, a young lady, very handsome, very accomplished, possessed of wealth, which may be represented as amounting to one thousand, or ten thousand dollars per annum, according to the partiendar rumor current with respect to her fortune which we may wish to believe. That she had money, and in considerable quantities, there was no doubt, for Miss Everington was said on all sides to be a "great catch" —so vaguely hinted Sir Richard, who was her guardian; and so Captain Fitzgerald, of the Seventeenth Lancers, definitely settled with himself, and having thus settled, determined to act accordingly.

Captain Fitzgerald was not the man to come to a hasty conclusion. He had not gone patiently through season after season for nothing, nor had he listened to club gossip, without picking up many scraps of information which at this particular crisis stood him in serviceable stead. The captain thought that, unless he was greatly mistaken, a good thing might be made out of his present visit to Hatherton Park. Why should he not woo, and win, Miss Everington? She was handsome, piquant, and, above all things, she possessed that which Captain Fitzgerald did not—the world's riches. But in return he could give her himself—one of the best dancers in London, as good a shot as ever winged a pheasant, and he flattered himself, not without foundation, as handsome and *distingue* a man as ever need be wished for in a drawing room.

It was not the captain's nature to be particularly gushing, even to his longest known, and most tried friends; but one evening, as they sat late together in the smoking-room, after all the other men had gone off to bed, he had made the remark to George Howard, his school-mate in the old Eton days, that he thought Miss Everington would be in every way an eligible investment. George had not said much, but then he was a barrister, and his thoughts ran in a groove very different to those of the dashing captain in the Seventeenth Lancers. Very possibly Miss Everington's name would have never been mentioned, but they had been going back into the old days, and Captain Fitzgerald grew more than usually communitive. George Howard had not the brilliant qualities to recommend him which his friend possessed; he was essentially the reverse of showy. He did not care much for dancing, and was supposed to be less at home in ladies' society than in the legal circle of the Temple. However, the estimable George relished the country, and the country sports, as much as any one. He was not certainly a brilliant sportsman, but he was at least an indefatigable one—so indefatigable, indeed, that there were times when he was looked upon as rather a bore. He constantly committed blunders against the etiquette of shooting, and would blaze away in a reckless and unartistic manner, and then he was always bringing down the baronet's cock pheasants, so that George Howard's gun was often looked upon as anything but a welcome addition to the parties which issued to try their luck on the best preserves of Hatherton Park. Sir Richard had even demurred for this reason to including him amongst the select circle of visitors to be invited down that January; but then Lady Hatherton reminded her husband that as so many of George's friends were coming, and as George himself had helped their son Authur out of so many scrapes, it would be a marked inattention to omit his name; and "after all he was a good old fellow!"

About the third week in January most of the company had cleared away from the Park. Captain Fitzgerald, Mr. Howard, Miss Everington, and a few others were left. The captain's courtship was proceeding swimmingly; from rivals, he flattered himself he had nothing to fear, and was only waiting for some suitable occasion on which to declare himself, or, as he phraused it, "to go in and win."

"George, old fellow," he said plainly to his friend one evening, "you know we are old chums—Eton, and all the rest of it, and it's quite like the old times back again—do you think Miss Everington would do for me—heiresses are rarities you know, and not to be picked up every day?"

"Humph. can't tell, I'm sure—better try," said the matter-of-fact barrister.

"By-the-by, she knows that we've known each other since we've been boys. I don't suppose she said any thing to you about me this evening. I saw you with her a great deal, and lookign at me a great many times."

Mr. George Howard gave a distinct blush; immediately, however, he answered, "not that I'm aware of—don't think your name was mentioned."

The barrister's blush, however, had not been unnoticed by Captain Fitzgerald. Soon afterwards they said good night. "By jove," said the captain, "I shouldn't wonder if he was positively sweet upon her. I always heard that those quiet men when hardly ten words to say for themselves do get taken with a young girl who's stylish and fond of chaff." "Poor old boy," soliloquized Captain Fitzgerald—"I wonder if it's the old tale of the what-you-may-call-it and the candle!"

"Fitzgerald," said the baronet as they were playing their customary game of billiards the next day after lunch, "we'll try Branksome Side to-morrow; it's the best bit of shooting I have, and I've kept it till the last. The fact is, some of those fellows down here ought never to enter a good preserve, and so I thought I would reserve Branksome till we had got them away. And now there's only you, and Courtney, and Jarvase, and Acland, and—and—How ——"

"Howard's shooting is wild, isn't it, Sir Richard?" interrapted the captain, noticing the rather bewildered look which overspread the baronet's face when he began to mention his old friend's name; "we could not manage to leave him behind, could we?"

But Sir Rishard did not seem disposed to pursue the subject much further. It was settled that at ten o'clock the following morning they were to start. Just then the other men came into the billiard room. "Where's Howard?" asked their entertainer, but they had seen nothing of him. While they were speaking who should ride past the window, but one of Sir Richard's daughters, and Miss Everington, attended by no less a cavalier than Captain Fitzgerald's intimate friend, George Howard.

"What! Howard become a lady's man?" exclaimed the proprietor of Hatherton Hall; "in the next place, we shall see him shoot quietly like any other christian, and not blaze away in every direction that suits his fancy."

From which speech it may be inferred that he was not, in his host's opinion, an attractive companion for ladies, or an eligible acquisition to a shooting party. The result, however, of the afternoon's ride, was a dance in the evening, for Miss Hatherton and her friend had suddenly taken it into their heads, that the last few days had been too quiet, and having come to this conclusion, they at once started off to collect recruits for an evening's dissipation.

As it happened, George Howard was standing by when the discussion was going on, and was asked to accompany them; he could not in all politeness refuse. Impromtu dances, like impromtu pic-nics, are often the most successful; there has been no long consultation beforehand which can give rise to anxiety and disapointment, and that evening at Hatherton Park was as agreeable as any which had been passed. A pleasant dinner party came first, and by the time the gentlemen came into the drawingroom, the fine old hall had been prepared. Little preparation was needed, for its floor was polished oak. All seemed determined to enjoy themselves, and there was little doubt they did. Captain Fitzgerald was in unusually good spirits—and fascinating of course. Miss Everington looked her best, and George Howard exhibited a sprightliness "which was remarkable for him," as the captain condescendingly remarked to the lady to whom he had proposed honoring with the pressure of himself. Miss Everington smiled at the remark, and Captain Fitzgerald thought of his simile of the moth and the candle. To the captain Miss Everington seemed polite, and favorable even beyond her wont. They had just finished the Guards' Waltz, and the hall itself was becoming rather hot, he proposed that they should go into the cool atmosphere of a conservatory which opened beyond. Captain Fitzgerald had almost decided upon asking the eventful question then and there, in that flowery retreat. But Miss Everington did not seem inclined to be sentimental when they reached it, and as he reflected that there was plenty of time even yet, he thought a little waiting could do no harm. From the conservatory was a splendid view of the Hatherton demesne; the night was exceedingly still, and the moon had just risen above the copse on Branksome Side, where they were to have their day's shooting the next day. Somehow or other the captain, when he saw this, thought once more of George Howard, and what a capital plan it would be if his company could—without offence—be dispensed with on the morrow. For Captain Fitzgerald, as we have said before, was a first-rate shot, and did not wish to be interfered with by such blundering marksmen. Suddenly a thought struck him.

"Charming night, isn't it Miss Everington? You see the copse there, over which the moon has just risen—Branksome Side they call it—it's a wonderful cove for pheasants, so Sir Richard says we are to try it to-morrow; and Miss Everington, I'm going to ask you to assist me in a little plot."

"Well, Captain Fitzgerald, what can I do? I am sure I shall be delighted if it is in my power to render you any assistance."

"You see, Miss Everington," continued the captain, "Howard's a capital fellow—like him very much, I assure you; we were at Eton together and have known each other ever since we were so high, (and here the captain extended his little finger,) but sometimes, you know, one likes to be without even one's dearest friend!"—and here Captain Fitzgerald looked significantly at Miss Everington, who gave a smile of equal significance—"now, as I was saying, Howard's the best fellow in the world, but he can't shoot, on my soul, Miss Everington, he fires about him in a way that's fatai to sport. It's terrible, I assure you; of course he must come with us, unless"—and here the captain smiled.

"Of course he must," re-echoed Miss Everington.

"Unless—unless, you know, there's some stronger attraction elsewhere. Now I really believe that poor old George is quite dazzled and smitten by you, Miss Everington—on my honor I do. I know it's cruel, but if you would just help us this once! We are going to start to-morrow for Branksome Side punctually at ten. If at breakfast, Miss Everington, you were to ask Howard whether he had seen the new African shrub in the hothouse which I know he has not, and then when he says he should like to see it, as of course he will, propose that he should come with you directly after breakfast—if you would do this, Miss Everington, we might start off while Howard was nowhere to be found, and leave him behind, of course inevitably, and I assure you, you would be conferring a benefit on all of us, and giving us a splendid day's shooting, while poor George, I need not say, would hardly feel the disappointment at all when he has so rich a compensation in your society."

"Well, Captain Fitzgerald, though I think it is a great shame, I suppose I must say yes," replied the heiress with a smile.

"Of course, I knew she would—she has so much fun about her," said the captain, when that night he told his friend Courtency of the plot which he had prepared to prevent Howard from making one of the shooting party.

Their conversation was interrupted by the appearance of George Howard himself, who claimed Miss Everington for the next dance. The captain noticed that his old Eton cham had lost almost all his shyness that evening, and ventured even upon a long chat between the dances with Miss Everington. Had he waited a minute longer before he went down into the smooking-room, it is just possible he might have overheard the heiress whisper, "To-morrow, Mr. Howard, in the south hothouse, after breakfast." Mr. Howard did not come to smoke that evening. "Keeping his hand steady for to-morrow," remarked the captain, when he noted his absence with not a particularly pleasant smile. But Mr. Howard did not feel much inclined for society that evening; and when he went to sleep, which he did not do for some time, he did not dream of pheasant shooting. George Howard, had in truth stolen a march upon his friend, and the dashing officer of the 17th regiment of Lancers had for once made a false step. The barrister had not the attractive exterior of his military would-be rival, but he possessed a great many more valuable qualities which Captain Fitzgerald decidedly did not; and Miss Everington was gifted with a considerable amount of penetration. She was a lively, dashing partner in the ball-room, but she was also a good deal more; she had known more of George Howard than Captain Fitzgerald had ever supposed. It was George Howard, who five years ago, had watched over her brother's death-bed when his life was leaving him, far away mid Alpine snows. Ever since then she had admired, and loved her brother's brave and loving friend. Of none of this was Captain Fitzgerald aware, and as he met Miss Everington on the next morning at the breakfast table, he could not guess why she seemed so thoughtful and serious. Presently Mr. Howard came down ready equipped for shooting; and while breakfast was going on Miss Everington, smiling at the captain, asked him whether he had seen the African shrub.

"No," said George, "but I should like to do so very much;" and so it was arranged that a visit to the hothouse should be paid directly breakfast was over.

The visit was paid. There is no need of relating what was said there. George had almost proposed on the evening before, but everything was settled between them. When they returned to the hall, where the shooting party were to have assembled before starting, neither of them was surprised at finding that they had gone. But both Lady and Miss Hatherton were not a little startled at hearing the news.

It was quite dark when Captain Fitzgerald, who was walking on in advance of the others, smoking his solitary cigar, and indulging in building a great many very lofty and very unsubstantial castles, returned. Miss Everington and Mr. Howard were standing on the terrace, and the captain as he came up the steps, made the lowest of bows.

"George, old boy," were his first words, "I am so annoyed that you should have been left behind this morning; we could find you nowhere when we started, so we were obliged to go off without you, as Courtency and Jarvase had to leave for town this afternoon. I'm so awfully sorry you should have missed the day, which has been a splendid one. But you've been the gainer, anyhow, I should imagine," finished the unsuspecting captain, with a most meaning glance at Miss Everington.

"I think I have," said Howard. "Fitzgerald, I am the accepted husband of a very old friend's sister—Miss Everington."

"*What!*" said the captain, turning very pale; but he quickly recoved his composure, and, turning to the heiress, said, "Miss Everington, I congratulate you."

But Captain Fitzgerald soon discovered that it was time to go home and dress for dinner, and left the lovers alone. His first impulse was to go off at once to London, for he hardly knew how to face the smooking-room at Hatherton Park that evening; one second though, however, he determined to make the best of a bad matter, and thought within himself he felt awkward and uncomfortable enough, yet he endeavored to appear as if he had all along been aware of the approaching engagement between Miss Everington and George Howard.

In the drawing-room he had an opportunity of speaking with the heiress alone. "Miss Everington, I don't think you ought to have allowed me to make such a fool of myself as I did last night."

Captain Fitzgerald did not go down into the smoking-room that evening, but enjoyed his lonely cigar on the balcony outside his bedroom window from which a full view could be obtained of Branksome Side. The night was exceedingly still, and the moon had just risen above the copse. Perhaps the sight did not soothe his troubled mind. The manner in which the captain endeavored to win and contrive to loose an heiress in a laugh against him to this day among his more intimate friends.

The receipts of the St. Louis Grain Elevator for the week ending June 9th, 1866, were as follows:

Wheat	55,675 bush.

Total receipts from January 1st to January 9th, 1866, inclusive, 606,376 bushels, made up as follows:

Wheat	417,994 bush.
Corn	178,268 "
Oats	6,961 "
Barley	3,583 "
Rye	— — "
Total	606,376 bush.

Deliveries for the week ending June 9th, 1866, are as follows:

Wheat	43,699 bush.
Corn	20,158 "
Barley	6,000 "
Total	64,857 bush.

—[Republican.

Military Trials of Civilians

INDIANA CASES—ARGUMENT OF J. S. BLACK.

Continued from our last.

But our friends on the other side are not at all impressed with these views. Their brief corresponds exactly with the doctrines propounded by the Attorney General, in a very elaborate official paper which he published last July, upon the same subject. He then avowed it to be his settled and deliberate opinion, that the military might "take and kill, try and execute (I use his own words) persons, who had no connection with the army or navy. And though this be done in the face of the open Courts, the judicial authority, according to him, are utterly powerless to prevent the slaughter which may thus be carried on. That is the thesis which the Attorney General, and his assistant consellors are to maintain this day, if they can maintain it, with all the power of their artful eloquence.

We, on the other hand, submit that a person not in the military or navy service, cannot be punished at all until he has had a fair, open, public trial before an impartial jury, in an ordained and established Court, to which the jurisdiction has been given by law to try him for that specific offence. There is our proposition. Between the ground we take, and the ground they occupy, there is and there can be no compromise. It is one way or the other.

Our proposition ought to be received as true without any argument to support it; because if that, or something precisely equivelent to it, be not a part of our law, this is not what we have always supposed it to be, a free country. Nevertheless I take upon myself the burden of showing affirmatively not only that it is true, but that it is immovably fixed in the very framework of the Government, so that it is utterly impossible to detach it without destroying the whole political structure under which we live. By removing it you destroy the life of this nation as completely as you would destroy the life of an individual, by cutting the heart out of his body. I proceed to the proof.

In the first place, the self-evident truth will not be denied that the trial and punishment of an offender against the Government is the exercise of judicial authority. That is a kind of authority which would be lost by being diffused among the masses of the people. A judge would be no judge, if every body else were a judge as well as he. Therefore in every society, however rude, or however perfect its organization, the judicial authority is always committed to the hands of particular persons, who are trusted to use it wisely and well; and their authority is exclusive, they cannot share it with others to whom it has not been committed. Where, then, is the judicial power of this country? Where are the depositories of it here? The Federal Constitution answers that question in very plain words, by declaring that "the judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as Congress may from time to time ordain and establish." Congress has, from time to time, ordained and established certain inferior Courts; and in them, together with one Supreme Court to which they are subordinate, is vested all the judicial power properly so called, which the United States can lawfully exercise. That was the compact made with the General Government at the time it was created. The States and the people agreed to bestow upon that Government a certain portion of the judicial power which otherwise would have remained in their own hands, but gave it on a solemn trust, and coupled the grant of it with thi express condition that it should never be used in any way but one; that is, by means of ordained and established courts. Any person, therefore, who undertakes to exercise judicial power in any other way, not only violates the law of the land, but he treacherously tarmples upon the most important part of that sacred covenant which holds these States together.

May it please your honors, you know, and I know, and everybody else knows, that it was the intention of the men who founded this Republic to put the life, liberty, and property of every person under the protection of a regular and permanent judiciary, seperate, apart, distinct, from all other branches of the Government, whose sole, and exclusive business it should be to distribute justice among the people according to the wants and needs of each individual. It was to consist of Courts, always open to the complaint of the injured, and always ready to hear criminal accusations when founded upon probable cause; surrounded with all the other machinery necessary for the investigation of the truth, and clothed with sufficient power to carry their decrees into execution. In these Courts it was believed that judges would sit, who would be upright, honest, and sober men, learned in the laws of their country, and lovers of justice from the habitual practice of this virture; independent because their salaries could not be reduced, and free from party passion, because their tenure of office was for life. Although this would place him above the clamors of the mere mob, and beyond the reach of executive influence, it was not intended that they should be wholly irresonspible. For any wilful or corrupt violation of their duty, they are liable to be impeached; and they cannot escape the control of an enlightened public opinion, for they must sit with open doors, listen to full discussion, and give satisfactory reasons for the judgments they pronounce. In ordinary tranquil times the citizen might feel himself safe under a judicial system so organized.

But our wise forefathers knew that traquility was not to be always anticipated in a republic; the spirit of a free people is often turbulent. They expected that strife would rise between classes and sections, and even civil war might come, and they supposed, that in such times, judges themselves might not be safely trusted in criminal cases, especially in prosecutions for political offences, where the whole power of the executive is arrayed against the accused party. All history proves that public officers of any government when they are engaged in a severe struggle to retain their places, become bitter, and ferocious, and hate those who oppose them, even in the most legitimate way, with a rancor which they never exhibit toward actual crime. This kind of malignity vents itself in prosecutions for political offences, sedition, conspiracy, libel and treason, and the crimes are generally founded upon the information of hireling spies, and common relators, who make merchandise of their oaths, and trade in the blood of their fellow-man. During the civil commotions in England, which lasted from the beginning of the reign of Charles I, to the revolution of 1658, the best men, and the purest patriots that ever lived, fell by the hands of the public executioner. Judges were made the instruments for inflicting the most merciless sentences on men, the latchet of whose shoes, the ministers that prosecuted them, were not worthy to stoop down to unloose. Let me say here, that nothing has occurred in the history of this country to justify the doubt of judicial integrity which our forefathers seem to have felt. On the contrary, the highest compliment that has ever been paid to the American bench, is embodied in this simple fact: that if the Executive officers of this Government have ever desired to take away the life or the liberty of a citizen, contrary to law, they have not come into the Courts to get it done; they have gone outside the Courts, and stepped over the Constitution, and created their own tribunals, composed of men whose gross ignorance and supple subserviency could always be relied on for those base uses to which no judge would ever lend himself. But the framers of the Constitution could act only upon the experience of that country whose history they knew most about, and there they saw the brutal ferocity of Jeffreys and Scroggs, the timidity of Guilford, and the base venality of such men as Saunders and Wright. It seems necessary, therefore, not only to make the judiciary as perfect as possible, but to give the citizens yet another shield against the wrath and malice of his Government. To that end they could think of no better provision than a public trial before an impartial jury.

I do not assert that the jury is an infalliable mode of ascertaining truth. Like every thing human, it has its imperfections. I only say that it is the best protection for innocence and the surest mode of punishing guilt that has yet been discovered. It has borne the test of a longer experience, and borne it better than any other legal institution that ever existed among men. England owes more of her freedom, her grandeur and her prosperity to that, than to all other causes put together. It has had the approbation not only of those who lived under it, but of great thinkers who looked at it calmly from a distance. Montesquieu and Detocqueville speak of it with an admiration as rapturous as Coke and Blackstone. Within the present century the most enlightened states of continental Eurape have transplanted it into their countries; and no people ever adopted it once and were afterwards willing to part with it. It was only in 1830 that an interference with it in Belgium provoked a successful insurrection which permanently divided one kingdom into two. In the same year, the revolution of the Barricades gave the right of trial by jury to every Frenchman.

Those colonists of this country who came from the British Islands brought this institution with them, and they regard it as the most precious part of their inheritance. The immigrants from other places where trial by jury did not exist became equally attached to it as soon as they understood what it was. There was no subject upon which all the inhabitants of the country were more perfectly unanimous than they were in their determination to maintain this great right unimpared. An attempt was made to set it aside and substitute military trials in its place, by Lord Dunmore, in Virginia, and Gen. Gage, in Massachusetts, accomplished, with the excuse which has been repeated so often in late days, namely, that rebellion had made it necessary; but it excited intense popular angor, and every colony from New Hampshire to Georgia made common cause with the two whose rights had been especially invaded. Subsequently the Continental Congress thundered it into the ear of the world, as an endurable outrage, sufficient to justify universal insurrection against the authority of the Government which allowed it to be done.

If the men who had fought our revolutionary contest, when they came to frame a government for themselves and their posterity, had failed to insert a provision making the trial by jury perpetual and universal, they would have covered themselves all over with infamy as with a garment; for they would have proved themselves basely recreant to the principles of that very liberty of which they professed to be the special champions. But they were guilty of no such treachery. They not only took care of trial by jury, but they regulated every step to be taken in a criminal trial. They knew very well that no people could be free under a government which had the power to punish without restraint. Hamilton expressed in the Federalist the universal sentiment of his time, when he said that the arbitrary power of conviction and punishment for pretended offences had been the great engine of despotism in all ages and all countries. The existence of such a power is utterly incompatible with freedom. The difference between a master and his slave consists only in this: that the master holds the lash in his hands, and he may use it without legal restraint, while the naked back of the slave is bound to take whatever is laid on it.

But our fathers were not absurd enough to put unlimited power in the hands of the ruler and take away the protection of law from the rights of individuals. It was not thus that they meant "to secure the blessings of liberty to themselves and their posterity." They determined that not one drop of the blood which had been shed on the other side of the Atlantic, during seven centuries of contest with arbitrary power, should sink into the ground; but the fruits of every popular victory should be garnered up in this new government. Of all the great rights already won, they threw not an atom away. They went over Magna Charta, the Petition of Right, the Bill of Rights, and the rules of common law, and whatever was found there to favor individual liberty they carefully inserted in their own system, improved by clearer expression, strenghened by heavier sanctions, and extended by a more universal application. They put all those provisions into the organic law, so that neither tyranny in the executive, nor party rage in the legislature could change them without destroying the government itself.

Look for a moment at the particulars, and see how carefuly everything connected with the administration of punitive justice is guarded:

1. No *ex post facto* law shall be passed. No man shall be answerable criminally for any act which was not defined and made punishable as a crime by some law in force at the time when the act was done.

2. For an act which is criminal, he cannot be arrested without a judicial warrant founded on proof of probable cause. He shall not be kidnapped and shut up on the mere report of some base spy who gathers the materials of a false accusation by crawling into his house and listening at the key-hole of his chamber door.

3. He shall not be compelled to testify against himself. He may be examined before he is committed, and tell his own story if he pleases; but the rack shall be put out of sight, and even his conscience shall not be tortured; nor shall his unpublished papers be used against him, as was done most wrongfully, in the case of Algeron Sydney.

4. He shall be entitled to a speedy trial; not kept in prison for an indefinite time without the opportunity of vindicating his innocence.

5. He shall be informed of the accusation, its nature and grounds. The public accuser must put the charge into the form of a legal indictment, so that the party can meet it full in the face.

6. Even to the indictment he need not answer unless a grand jury, after hearing the evidence, shall say upon their oaths that they believe it to be true.

7. Then comes the trial, and it must be before a regular Court, of competent jurisdiction, ordained and established for the State and district in which the crime was committed; and this shall not be evaded by a legislative change in the district after the crime is alleged to be done.

8. His guilt or innocence shall be determined by an impartial jury. These English words are to be understood in their English sense, as they mean that the jurors shall be fairly selected by a sworn officer from among the peers of the party, residing within the local jurisdiction of the Court. When they are called into the box he can purge the panel of all dishonesty, prejudice, personal enmity and ignorance by a certain number of peremptory challenges, and as many more challenges as he can sustain by showing reasonable cause.

9. The trial shall be public and open, that no underhand advantage might be taken. The party shall be confronted with the witness against him, have compulsory process for his own witnesses, and be entitled to the assistance of counsel in his defence.

10. After the evidence is heard and discussed, unless the jury shall, upon their oaths, unanimously agree to surrender him up into the hands of the court as a guilty man, not a hair of his head can be touched by way of punishment.

11. After a verdict of guilty he is still protected. No cruel or unusual punishment shall be inflicted, nor any punishment at all, except what is annexed by the law to his offence. It cannot be doubted for a moment that if a person convicted of an offence not capital were to be hung on the order of a judge, such judge would be guilty of murder as plainly as if he should come down from the bench, tuck up the sleeves of his gown, and let out the prisoner's blood with his own hand.

12. After all is over, the law continues to spread its guardianship around him. Whether he is acquitted or condemned, he shall never again be molested for that offence. No man shall be twice put in jeopardy of life or limb for the same cause.

To be continued.

The Jeff. Davis Charge of Assassination—How it was trumped Up.

NEW YORK June 11.—The morning papers have the following specials from Washington:

A New Yorker of the name of Campbell, has just given to the *World* some queer revelations concerning the testimony lately adduced by the Judiciary Committee of the House tending to implicate Jeff. Davis in the assassination plot. He shows that a gross system of frauds and perjury has been resorted to to prove Davis and others conspirators in the matter, and backs up his assertions by facts that startle all who are familiar with the testimony.

It seems that many of the witnesses testified under assumed names, and that no such persons as the ostensible and recorded witnesses exist. In addition to this he states that when Mr. Conory, who was the principal witness and detective in the case, was asked to proceed to New York and procure some corroborative evidence of his own statements, which he had previously volunteered to furnish, that he gave the officer who was with him the slip in New York, and has actually run away, as is supposed, to avoid a prosecution for perjury, and has not been heard from by the officer or committee for several weeks.

Other witnesses have come forward and confessed to have sworn falsely.

It being understood that Mr. Greeley, who is in Washington, is in favor of the release of Jeff. Davis, he was asked by a Radical if the report was true, when he retorted by asking the interrogator if he was in favor of the indefinite imprisonment of the representative of five millions of people without conviction or trial?

Mr. Greeley was in consultation with Senator, Chandler, Wilson and others on the subject of Davis' liberation on bail, and favored it to the extent of alarming if not displeasing some of his associates. He left here for New York this evening.

Mr. O'Conner is still here, but has thus far made little or no progress in the matter. The presumption is that he expected to obtain some favorable consideration of the case or he would not have devoted so much time to it. A day or two more is expected to decide the matter.

Man is strong—women is beautiful. Man is daring and confident—woman is diffident and unassuming. Man is great in action—woman in suffering. Man shines abroad—woman at home. Man talks to convince—woman to persuade and please. Man has a rugged heart—woman a soft and tender one. Man prevents misery—woman relieves. Man has science—woman taste.

One little millitary preparation in France is the purchase of 15,000 artillery horses.

M'lle Vestvali has arrived in N. York.

Constitutional Amendment.

The following is the result of the Tinkering committee of Destructives at Washington, after nearly six month's labor:

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both houses concuring, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

ARTICLE—.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed; but whenever the right to vote at any election for Electors of President and Vice-President of the United States, Representatives in Congress, executive and judicial officers, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proport