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Our Children.

BY W. D. GALAGHER.

"The beautiful vanish and return not."

They are stricken, darkly stricken;
Faint and fainter grows each breath;
And the shadows round them thicken,
Of the darkness that is Death.
We are with them—bending o'er them—
And the soul in sorrow saith,
"Would that I had pass'd before them,
To the darkness that is Death!"

They are sleeping, coldly sleeping,
In the grave-yard still and lone,
Where the winds, above them sweeping,
Make a melancholy moan.
Thickly round us—darkly o'er us—
Is the pall of sorrow thrown;
And our heart-beats make the chorus
Of that melancholy moan.

They are waking, brightly waking,
From the slumbers of the tomb,
And, enrobed in light, forsaking
Its impenetrable gloom.
They are rising—they have risen—
And their spirit-forms illumine,
In the darkness of Death's prison,
The impenetrable gloom.

They are passing, upward passing,
Dearest beings of our love,
And their spirit-forms are glancing
In the beautiful Above.
There we see them—where we hear them,
Through our dreams they ever move;
And we long to be near them,
In the beautiful Above.

They are going, gently going,
In the angel-robos to stand,
Where the river of Life is flowing
In the far-off Silent Land.
We shall nourish them—we shall miss
them—
From our broken little band;
But our souls shall still care for them,
In the far-off Silent Land.

They are singing, sweetly singing,
Far beyond the vale of Night,
Where the angel-harps are ringing,
And the Day is ever bright.
We can love them—we can greet them—
From this land of dimmer light,
Till God takes us hence to meet them
Where the day is ever bright.

The Printer's Six Commandments.

1. Thou shalt love thy printer—for he is the standard of thy country.
2. Thou shalt subscribe to his paper—for he seeketh much to obtain the news, of which ye may not remain ignorant.
3. Thou shalt pay him for his paper, for he laboreth hard to give ye the news in due season.
4. Thou shalt advertise—that he may be able to give ye the paper.
5. Thou shalt not visit him regardless of his office rules—deranging the papers.
6. Thou shalt touch nothing that will give the printer trouble—that he may not hold thee guilty.

A lady from New York had been spending the summer in the country. The last Sabbath of her visit, she took her son, a child four years old, to church with her, for the first time. As soon as the organ commenced its strains, the little fellow started up with delight; he looked back to the gallery, he stretched his neck; he got on the cushions and raised himself to his very tallest; his mother remonstrated with him, and told him to sit down. But he refused and continued gazing aloft with straining eyes. "Sit down," said his mother. "I won't," he cried, so as to be heard all around, "I want to see the monkey."

A young lady thus writes anonymously in the columns of an Irish paper: "For my own part, I confess that the desire of my heart, and my constant prayer, is that I may be blessed with a good and affectionate husband, and that I may be a good and affectionate wife and mother. Should I be denied this, I hope for grace to resign myself—but I fear it will be a hard trial for me."

Never let people work for you gratis. If you do, you will never get out of their debt in all eternity. Two years ago, a man carried a bundle for us to Boston, free of cost.—The consequence is, that we have been lending him two shillings a week ever since.

"That motion is out of order," said the chairman of a political meeting last week, when a rowdy raised his arm to throw an egg.

PROF. J. W. WEBSTER.

Mr. Putnam's Concluding Address.

Having placed all the documents in the hands of the committee, Mr. Putnam now proceeded to address the committee as follows:

Two questions arise with regard to Dr. Webster's statement. First, is it to be believed; second, if believed, should it lead to a mitigation of the sentence pronounced by the Court.

1. After all that has passed, nothing can be claimed by Dr. Webster on the ground of his personal veracity. His mere word cannot now be taken for anything he may say in connection with this case. And yet there are strong, and I think sufficient reasons for believing his statement to be true. I will indicate to the committee some of those which have weight in my own mind, with the hope that they may be able to find the same force in them.

I have already called the attention of the committee to the circumstances under which the statements were made by Prof. Webster; the sort of appeal to which they were a response—the relation in which he and myself stood to each other at the time; the relation in which he stood to the executive—his first petition having gone in, and placing his whole reliance on that and the documents with which he thought that it could be forfeited, and having had, as yet, no idea of obtaining or seeking a commutation of his sentence. I trust that a full consideration will be given to these circumstances, as going to show that Dr. Webster did not make up his story with any view to the use that is now made of it.

2. His statements, though sudden and unexpectedly demanded, and promptly given, so as to preclude the idea of a prepared story, contains no contradictions, is perfectly consistent with itself, and with all the known facts of the case.

3. While the statement denies premeditation of the homicide, it explains satisfactorily those circumstances which were brought forward at the trial, as tending to show premeditation; such as the sending for the blood—the conversation about the gas of the dissecting vault.

Under this head I ought to refer to Petee's testimony. Petee says that Webster told him he would have no more trouble with Dr. Parkman, for he had settled with him.—Suppose that Petee recollected the words right—which Dr. Webster thinks he does not—then the words were not literally true; but they were just as near the truth if predicated on the expectation that he should make terms with Parkman, as if predicated on the expectation that he should silence his claim by murder. In either case they were predicated on a contingency. And, as they fit one expectation just as well as the other, they produce nothing either way.

On the other hand, Dr. Putnam suggested, at some length that, by adopting Dr. Webster's declaration, that the homicide was unpremeditated, some circumstances are accounted for, otherwise almost inexplicable. Such are the openness of the appointment; his making no show of ability to pay Dr. Parkman;—and the fact that he had made no chemical preparations to destroy the body.—And, again, he urged, that Dr. W.'s statement was confirmed by well known traits in Dr. Parkman's character;—extracting, sometimes severe and exasperating, and with a mania for making his debtors do just right;—while Dr. Webster's character, on the other hand is sworn to as "timid, yet irritable, hasty, and sometimes passionate."

Dr. Putnam then urged the insufficiency of the alleged motive for premeditated homicide, the little sum of \$453, to a man whose property was considerable, though embarrassed. And he added, that if he had deliberately planned the murder, he must have well considered the vital question as to the effect of his having the notes with the marks of cancellation upon them. He followed this suggestion into detail and then closed this branch of his argument by admitting that there was something inexplicable about the notes,—which Dr. Webster himself probably could not make clear.

Having thus answered the first question as to the statement,—is it to be believed?—He passed to the second inquiry. If from all the facts and circumstances of the case, credit shall be

given to the statement of Dr. Webster, and the committee shall conclude that it is most probable, or equally probable (for that would be enough) that the homicide was committed in the heat of blood, and was unpremeditated, ought the prayer of the petition be granted, and the sentence commuted?

Here he waived any wish of competency to discuss the legal question that might arise, as to malice being implied by law, and about shifting the burden of proof from the commonwealth to the prisoner. He only alluded to the known difference of opinion on that point in the Supreme Court itself, presuming however that the Executive Council would not wish to impeach at all one of its decisions, or that the people could desire, or Dr. Webster's friends, ask such interference of functions.

He supposed however that if Dr. Webster's statement could have been proved to the jury under admissible evidence,—the verdict could not have been murder. Or if then, the Court, constrained by the rules of the Common Law had instructed the jury, that they must find such a homicide murder, he supposed it would have been regarded everywhere a case for the Executive. The precise duty of the Executive, was to make the graduation of punishment to crime more perfect than any general rules of law can do.

In regard to the punishment of criminal homicide, it seems to me a settled point in the minds of the people, and in the actual administration of the law, that the sentence of death, however often the Judiciary may be constrained to award it, shall be carried into execution only in cases in which it is proved and believed that the murder is deliberately intended, and that in all cases in which the deliberate intention is wanting, or not made out nor necessarily inferred, another punishment less horrible, but still severe and sufficient, shall be substituted by the Executive.

In this latter position, said Dr. Putnam, as I believe the case of Dr. Webster stands, I believe that the prayer of his petition ought to be granted, and in my own name reason which I think should move the Governor and Council to grant it. I am here out of my usual and appropriate sphere, not to win a case, but to assist the committee in their search for the truth of the case. I have no interest in the matter distinct from that of the Commonwealth. My sympathies in the case are first, for truth and justice, and second for Webster.

Dr. Webster, continued he, does not pray for a full pardon from the Executive. His friends cannot claim it for him. He is a guilty man. The provocation, though great, was only in words and menaces, and did not justify the blow. It was the result of a passion which he admits he ought to have under control, and for the consequences of which he is justly held responsible.

He acknowledged that Dr. Webster's conduct after the offence aggravated it,—that a man of right moral tone, would instantly have made public what he had done.—Again the impression made of his character by his disposal of the body could not be removed;—though his education as a medical student and medical man, should be regarded while he was judged. His taking possession of the notes, has a very bad look, not to be palliated;—a felony indeed; enough to blast his character for probity. But still, all these bad facts, putting the worst interpretation upon them, would not separately or collectively constitute the crime of murder.

Mr. Webster's intellectual and social advantages, he said, increased his moral responsibility doubtless;—but they increased any punishment—say imprisonment in just the same degree.

And this is difference enough against him without inflicting upon him a sentence severer in terms, which the government have no legal or moral right to do. It is sometimes said, to that reply, that "Dr. Webster must be executed according to his sentence, because it will not do to relax the rigor of the law in favor of one in his position. He must die, whoever else may be spared." This is a cruel sentiment, and subversive of every principle of humanity and of right. The magistrate must recognize no castes, and must take care lest he become too conscious of them through his strenuous efforts to ignore them. Dr. Webster's case, like every other, must be determined upon its own merits, and upon no other consideration whatever. Some of his friends have all along believed that his

cause has been seriously prejudiced by his social position—and that the anxiety not to show him any undue favor on account of it has unconsciously operated to deprive him of some portion of the favor which might be accorded to criminals of a different rank. God forbid that this should be so. I know it is not so with regard to the treatment he receives from the officers who have the custody of his person. Dr. Webster certainly ought not to have his sentence mitigated because he is what he is called, in our loose social distinctions, a gentleman, and as certainly his case ought not to be shut out from candid and merciful consideration, because he is that. It is neither more nor less necessary or right that he should be executed on that account. Considerations of caste, however they may effect a portion of the public unfavorably for him, most certainly will not effect the deliberations of the Council either way—but be brushed aside as only fit to be entertained by narrow and timid minds of one social class, or jealous and malignant minds of another.

Happily the Executive has not the bold alternative of executing or pardoning the prisoner. May I be allowed to suggest, that, in this case imprisonment will best answer the public ends of justice?

When Dr. Webster's attachment shall have gone out to the public, if it shall be believed by the multitude, even by a great majority of the millions who have become interested in the case,—believed on account of its consistency, its inherent probability, and the circumstances favorable to truth under which it was first made; and, if then, the extreme sentence of the law should be executed upon him, he will certainly be thought to have been dealt with unnecessary rigor, and to have expiated his deeds too severely. And then the public sympathies, by an unalterable law of the mind, must pass over from the side of law and justice to him as a wronged man—wronged with that last wrong, which is immeasurable and irreparable. And if it should be felt that the innocent and disconsolate family of the convict—the most distressed family I think on earth,—had had their unequalled anguish increased one jot beyond the bounds of justice and the requisitions of the social welfare, the public heart could hardly pardon that. Let the punishment be graduated to the guilt proved and believed, and if the exact line of right cannot be certainly found, let the penalty fall a little short of it, rather than go a hair's breadth beyond it.—If the imperfect scales of public justice cannot be exactly poised, let that in which the prisoner's interests are placed be clearly seen, to descend—though the slightest possible degree of preponderance. Otherwise the example is lost, and the public feeling and conscience come into a fearful antagonism against the administration of the law. Let compassion and charity follow the criminal in his punishment, however deserved; but take care to keep all national sympathies fast bound on the side of law and justice.

The present question, interesting to multitudes, and unspeakably momentous to a few, is in the hands of a body, to whose wisdom, rectitude, and clemency the public and the prisoner look with equal confidence for a decision at once righteous and merciful; such a decision as shall have a debtor—though by ever so little, still a debtor—to the Commonwealth whose peace he has violated, and at the same time shall uphold the law in its majesty, and make it a terror to evil-doers.

With these words Dr. Putnam closed his appeal, adding only that if the Committee could report favorably Dr. Webster was, of course, most anxious that they should report as soon as possible. But he asked on his own part, that before they agreed on a report not favorable to the prayer of the petitioner, they would hear arguments from others than himself at another sitting.

THE PETITION FOR PARDON.
The following is a copy of the Petition of Prof. Webster, convicted of the murder of Dr. Parkman, to the Governor and Council of the State, which he withdrew previous to the statement above made:
To His Excellency Geo. W. Briggs, and the Honorable Council of the State of Massachusetts:

Having been convicted before the Supreme Judicial Court of the murder of Dr. Parkman, I would most respectfully and humbly petition your Excellency and the Honorable Council, to be permitted to declare, in the most solemn manner, that I

am entirely innocent of this awful crime—that I never entertained any other than the kindest feelings towards him, and that I never had any inducement to injure him whom I have so long numbered among my best friends.

To Him "who seeth in secret," and before whom I may ere long be called to appear, would I appeal for the truth of what I now declare, as also for the truth of the solemn declaration, that I had no agency in placing the remains of a human body in or under my room in the Medical College in Boston, nor do I know by whom they were so placed there.—I am the victim of circumstances, of a foul conspiracy, or of the attempt of some individuals to cause suspicion to fall upon me, influenced, perhaps, by the prospect of obtaining a large reward.

When first charged with this dreadful crime, I did not publish to the world a declaration of my innocence, or any explanations of the circumstances tending to bring suspicion upon me, solely, in consequence of entire ignorance of the course I ought to adopt, and implicit reliance on the calmer judgment of others.

I had however prepared for publication a document to that effect, but as there was a strong disposition from the first to misinterpret my every look, action and expression, it was deemed more advisable for me to preserve and maintain silence.

The document was, therefore, with no struggle on my part, withheld.—Immediately upon my arrest every means was resorted to to bend even the most trifling appearances in my laboratory, and insignificant circumstances, to add to the suspicions, and to pervert them to my disadvantage.

In the state of mind in which I was, silence was constantly urged upon me; and I complied more strictly, perhaps, than I ought to have done. Every method of poisoning the public mind, and of exciting prejudice against me was resorted to.—Falsehoods, imputations and fabrications were daily diffused; and I soon perceived that the contradiction of one would lead to others, and that the refutation of them all would be an endless task. I therefore submitted in silence and resignation, believing that the time must shortly arrive when He "who bringeth light out of darkness" would cause the truth to appear, and my innocence be made manifest to all.

Had I previously been aware of the use that was to be made of some circumstances on my trial, to give an unjust and erroneous impression, if explained, I should have been provided with evidence to explain them most satisfactorily.

Some of the statements, references and circumstances, however, could not be fully explained or disproved; unfortunately I could not avail myself of the proof to do it. I now pray your honors that the evidence may be received by you, and that the testimony of my wife may be heard and received, as also my own statement and explanations.

Repeating, in the most solemn and positive manner, and under the fullest sense of my responsibility as a man and a Christian, that I am wholly innocent of this charge—to the truth of which the "Searcher of all Hearts" is a witness,—I would humbly and respectfully pray that the privilege I have asked may be granted. I do this under the full belief that the testimony and explanations I may, and would now offer, are such as would disprove many things, and impair very greatly the evidence of at least two witnesses, and place in their true light circumstances now obscure.

On this review of my case, your honors will, I trust, find sufficient reason for reversing the decision of the Court, and for the interposition of mercy. The knowledge of my feelings and habits, and of my various engagements and occupation of time, both before and after the appearance of Dr. Parkman, have, from the first, been sufficient assurance to my afflicted family of my innocence; and now that their trust in Him, who has sustained both them and me in our days and nights of sorrow and sadness, has been shaken by the unlooked for result of my trial, they would pray to be permitted to unite with him, their sole earthly dependence, in this petition, believing that your Excellency and the Honorable Council will find sufficient grounds for granting to me a pardon, and of restoring to them the husband and father. For which I most respectfully and humbly pray.
Signed, JOHN W. WEBSTER.
Withdrawn on application of Dr. Webster, June 5, 1850.

The amount of taxable property in St. Louis is set down at \$32,346,564 27.

Petition of Dr. Webster.
The Boston papers contain somewhat fuller particulars concerning the application to the Governor and Executive Council for the commutation of Professor Webster's sentence, than we published last week. The meeting was public, and Dr. Putnam presented the following petition:

To His Excellency the Governor and to the Honorable Executive Council of the Commonwealth of Massachusetts:

John White Webster, a convict, under sentence of death, in Boston jail, in behalf of himself, and his wife and his children, respectfully petitions that the sentence awarded against him by the law may be commuted to such other less horrible and ignominious punishment as your honorable body may mercifully decree.

Your petitioner fully admits that he was tried before a fair and impartial tribunal, and that under the law as it exists, his jury, composed as it was of honorable and high-minded men, could have returned no verdict other than they did. But he respectfully reminds your honorable body, that the two great moral ingredients of the crime of murder, malice and premeditation, have never been found against him by a jury, but have been necessarily inferred by the arbitrary facts of the law, from certain general facts which your petitioner will not deny, but the extenuating details of which, no man in your petitioner's situation, can ever possess legal evidence to prove.

The details your petitioner has confided to the friend who presents his petition, with authority to state them to your honorable body, in the hope that you will find therein reason to extend to your petitioner and his family that mercy of which the law has made you the dispensers.

And your petitioner will ever pray.
J. W. WEBSTER.
Boston, June, 1850.

Lewis Whitaker, late of Ohio, cut his throat, in a fit of delirium tremens, at his residence in the vicinity of Cloverland, Indiana, on the 19th ult. He was an excessively intemperate character; and had several times during the week, beaten his wife so severely that she would escape with her three children to a neighbor's for protection. He had declared he would kill her, and once or twice nearly accomplished his threat. A day or two previous to committing the horrible deed, he stopped drinking—attempted to work, but becoming melancholy, he resolved to put an end to his miserable life, and did so. He survived about 46 hours after inflicting the wound, which mortified, causing death in a horrible spasm. When a physician, who had been called to see him, attempted to dress the wound, Whitaker rose up in the bed and making an effort to strike the doctor, ordered him to desist, saying he was determined to die.—*Vincennes (La.) Gazette.*

ACCIDENT AT MAYSVILLE.—A dreadful accident occurred at Maysville, on Wednesday evening. A man named MORGAN, was killed while loading a brass cannon on the lower levee. He was loading it, after having fired several times without swabbing, and was ramming it, when it went off, carrying his head entirely away, and blowing his body several feet. He leaves a wife and children to mourn his loss. The firing was to welcome a company on the steamboat Boone, from Cincinnati, to celebrate the fourth of July.

DEATH OF HON. S. S. PRENTISS.—The telegraph informs us of the death of this distinguished gentleman, near Natchez, on the 1st. He had been in bad health for some time, and some days since we heard that his disease threatened serious results. He was one of the shining lights of the age, and his death will create a deep sensation, and cause the keenest emotion of regret throughout the whole country. It will be long before we look upon his like again.—*Louisville Courier.*

KILLED BY LIGHTNING.—During a severe thunder storm, on Sunday night, the House of the Rev. Mr. Hudson, at Pekin, Ill., was struck by lightning, and a youth, 17 years of age, son of Mr. Hudson, was instantly killed. The House was blown down, but the other inmates escaped with a slight shock only.

Dean Swift said the reason of so many unhappy marriages was "because young ladies spent more time in making nets than cages."
A dairyman, being asked how many cows he had, very candidly replied, "nineteen, including the cistern."
"Illustrated with cuts," said a young urchin, as he drew his pocket knife across the leaves of his grammar.
"Illustrated with cuts," repeated the schoolmaster, as he drew his cane across the back of the young urchin.
"Don't steal my sassafras!" said a boy in market to a dandy that passed.—
"No, my fine fellow, I have too much fallah-feeeling for the cah-teen root!"
"Just thought as much," said the boy.

Our Government and Spain.

POSITIVE DEMAND FOR THE PRISONERS, &c.—A special dispatch from Washington to the Philadelphia North American, dated on Friday, says:

"Authentic advices, of the latest dates from Cuba, are not of a satisfactory character. Gen. Campbell has not received an official copy of Mr. Clayton's instructions of the 1st of June, but was in possession of a copy sent by telegraph to Mobile, which was imperfect. Upon this unofficial copy and others in the newspapers, he had made a request for the release of the Contoy prisoners, which has not been acceded to.

"Unless an arrival should, within a few days, bring news of a change of purpose on the part of the Captain General, after the receipt and presentation by General Campbell of his official dispatches, the President will make a positive demand for their liberation. The Vixen is now being fitted out for the purpose, and Commodore Warrington will be sent out to assume the command of the squadron.

"The President will not permit New Mexico to be overrun or taken possession of by Texas until Congress has decided that the territory does not belong to the United States.

"Measures will be instituted, and doubtless indictments found, against the Cuban expeditionists in New York, as against those of New Orleans."

A Valuable New Wheat.—We were yesterday shown a few heads of wheat, from a field of 12 acres on the farm of Mr. J. E. Coad, in St. Mary's county, (not far from Piney Point), in Maryland, of so remarkable a quality as to deserve a special notice.—The grain is a bearded white wheat, with large heads and grains, the average height through the whole field being at this time full six feet, of a most vigorous growth. Besides the product of this field, it is remarkable that the field from which these stalks were taken is the only field in the neighborhood in which wheat is not visible. The seed of this wheat was obtained by distribution from the Patent Office, the description of it being a bearded white wheat, producing forty bushels to the acre; a product which, or very nearly which, is expected, from its appearance, to be realized from the field of Mr. Coad.—*National Intelligencer.*

CURE FOR CHOLERA.—The Mexican papers state that in that country, where the cholera has raged terribly during the last year, a sovereign cure for the scourge has been discovered. It is the "rais del Indio," (the Indian root.) The Monitor advises the Government to lose no time in collecting large quantities of this root and giving it gratis to the poor. A portion of the root, the size of a nut, is infused in a quart of water. The water is then divided into eight doses, one of which is given every fifteen minutes. It is very seldom that more than four doses are taken before the dreadful symptoms cease.

THE WATER-GAS DISCOVERY.—We see it stated that the discovery of Mons. Gillard, of Paris, for procuring light and heat from Water, as Mr. Paine claims also to do in America, has already been generally adopted in the Lancashire towns, England, and has proved completely successful. The Nottingham Guardian, in noticing the apparatus in the Basford Iron Works for the production of gas from water, says it will produce 1,000 feet in ten hours, at an expense of less than 2s.

DR. MOSES P. CLARKE AND WIFE ACQUITTED.—The trial of these parties, for causing the death, by attempting abortion, of Miss C. L. Adams at Lawrence, Mass., resulted in the verdict of acquittal, the evidence of Taylor, the girl's seducer, who was the chief government witness, rendering any defence unnecessary. It is stated that he will probably be prosecuted for perjury.

Pisistratus, the Grecian general, walking through some of the fields, several persons implored his charity. "If you want beasts to plough your lands," said he, "I will lend you some; if you want land, I will lend you; if you want seed to sow your land I will give you some; but I will encourage none in idleness." By this conduct, in a short time, there was not a beggar in all his dominions.

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