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There's No Such Word as Fail.

The proudest motto for the young—
Write it in lines of gold
Upon thy heart and in thy mind,
The stirring words enfold;
And in Misfortune's dreary hour,
Or Fortune's prosperous gale,
'Twill have a holy, cheering power—
"There's no such word as fail."

The sailor on the stormy sea,
May sigh for distant land;
And free and fearless though he be,
Would he were near the strand!
But when the storm on angry wing
Bears lightning, sleet and hail,
He climbs the slippery mast and sings—
"There's no such word as fail."

The weary student bending o'er
The tomes of other days,
And dwelling on their magic lore,
For inspiration prays;
And though with toil his brain is weak,
His brow is deadly pale,
The language of the heart will speak—
"There's no such word as fail."

The child of God, though oft beset
By foes without—within—
These precious words will ne'er forget,
Amid their dreadful din;
But upward looks with eyes of faith,
Armed with the Christian's mail;
And in the hottest conflict saith—
"There's no such word as fail."

From the Detroit Advertiser.

THE REGISTRY LAW—ITS CONSTITUTIONALITY.

In which the Address of the "Committee of the Democratic Members of the Legislature" is considered.

MESSRS. EDITORS:—It is possible that yourself and others of the reading public may have noticed a certain address printed in the *Free Press* of the 1st inst., purporting to have emanated from a "Committee of the Democratic members of the Legislature," and signed by Alexander W. Buel, (of this city,) E. H. Thomson, Wm. L. Bancroft, T. F. Brodhead, and five other luminaries of the "Democratic" portion of the late Legislature. But I cannot presume that any person in these busy times has had leisure to wade and struggle through the five heavy and dark columns which this laborious address comprises. More than two columns of it is devoted to the discussion of the Registry act of the last session; and it would be difficult, we apprehend, for the most skillful falsifier to invent more misrepresentations and mis-statements, than are therein contained.

Mr. Buel, the writer, assumes, in the first place, that the act is unconstitutional; and, in the second place, that it will be, in its operation, oppressive and tyrannical.

It is upon these points that I propose to say a word—disregarding, as totally unworthy of notice, all his demagoguery and twaddle about the alien and sedition laws, and the "resolutions of 1798." The *first* question, then, to which I shall devote this article, is whether the Legislature have the power, under the present State Constitution to pass an act requiring every elector, as a preliminary to the depositing of his vote, to have his name recorded in writing in the Township or Ward in which he offers to vote?—for this is the substance and point of the statute. What is the right to vote, or, in other words, the elective franchise? Section one of Art. 7 of the Constitution clearly defines it. It belongs to five classes of male persons, all of whom are required to be twenty-one years old, to have resided in the State three months, and in the Township or Ward in which the vote is offered, ten days next preceding an election.

The first class consists of white male citizens; the second of white male inhabitants residing in the State on the 24th of June, 1835; the third, of the like inhabitants residing in the State on the first of January, 1850, who have regularly declared their intention to become citizens of the United States six months before an election; or, fourth, who have resided in this State two and a half years, and declared their intention as aforesaid; and fifth, every civilized male inhabitant of Indian descent, a native of the United States, and not a member of any tribe. The Constitution declares that each of these classes shall be electors and entitled to vote. Thus the right is carefully defined and expressly granted.—Whether without this definition and grant, the same persons, and they only, would have this right, is not material to the argument—though it cannot be assumed that upon any principle of public law, that an Indian would have any right to vote or to participate in public affairs. It is sufficient that the Constitution creates and defines what the elective franchise in this State actually is; and it follows, that no other persons but those to whom it grants it, can lawfully exercise it. The object of the instrument plainly was, to do what the Legislatures of many States are, in virtue solely of their legislative authority, empowered to do; that is, to say who shall, and who shall not vote at elections; and thus by incorporating the restrictions in the fundamental law, to place it beyond the power of the Legislature to admit to that right, any persons not falling within the category, or to exclude from it those who do.

It is, then, a Constitutional right which cannot be invaded by the Legislature, by the annexation to it of any qualifications or conditions, not contained in the instrument. That is, the Legislative power cannot declare that minors, a non-resident of the township or ward, an alien, who has not declared his intention at all, or a non-civilized Indian, shall have the right to vote, but are bound by the restrictions above set forth.

This right is like any other constitutional right—a most important and sacred one, and therefore needing special protection. Can it be protected by statute? Can the Legislature enact a law for the more perfect ascertainment of the right? This is the question.

Without such a protective statute, I beg the authors of this Democratic address to inform the public how that right can be ascertained at all? It is true the constitution requires elections to be held—that is, the "elections" at which these classes are entitled to vote. But it is totally silent as to the mode of ascertaining whether the person offering to vote belongs to any one of them. This is certain. It does not say that the party offering shall be allowed upon his own oath, to judge and determine for himself whether he has this right; nor that he shall prove it by parole or by writing; nor does it provide that any particular persons, shall constitute a tribunal to determine the question. In this the constitution is wholly silent, plainly leaving it to be decided by the Legislature in what way, by what proof, and before what tribunal this right shall in any particular case be ascertained.

All this clearly pertains to the Legislature—pertains as clearly as that they may enact laws by which a man's right and title to his farm, his horse, or his watch may be ascertained. The constitution defines the classes, but it does not declare that A. B. C. and D., or any one of them in particular, shall be a voter; and it is entirely obvious that without the exertion of the Legislative power, there would not only be no means of proving or ascertaining who is an elector, but that there would be no election.

It necessarily follows that there must be *Judges of the Election, ie.*, persons appointed by law to determine who has and who has not these Constitutional qualifications. This principle and this practice are, and necessarily must be, universal in communities where the people vote. It is true of all corporations, whether public or private, because the rights of each member of the corporation are dependent upon it; and, as is well known, courts of law as well as of equity interfere to protect this right in cases which arise respecting the interests of such members.

The same principle—of establishing Judges to determine the right—is asserted in our election law of 1851; for it plainly provides, although he may be a qualified elector, is challenged at the polls and refuses to take any one of the five forms of oath (each of which is a statement that he belongs to one of five classes,) *he is not permitted to vote*. Here the fact, whether he is a qualified elector, is to be ascertained simply and solely by *his own oath*, unsupported by any other witness or any other test; for the Statute provide that "if such person so challenged will take either of the above oaths, his vote shall be received."—If on the other hand, he should refuse, although qualified as an elector, to take some one of the five oaths he is not permitted to vote. Thus a man fully qualified but refusing from whatever cause to be subjected to the oath, is by the present Statute under the present Constitution absolutely denied the right to deposit his vote. If challenged he can vote upon the condition of swearing to some one of the five forms of oath. If the right, therefore, is so completely beyond the power of the Legislature as to authorize a qualified "elector" to vote at all events and in spite of the challenge, then have the Legislature no power to create Judges of the right; then must it be left to each man, qualified or not, to determine the right for himself, and if prevented by the Inspectors from voting, he has, notwithstanding the challenge and notwithstanding his own refusal to take the oath, a good cause of action for damages against the Inspectors who under this act may refuse to receive his vote. I ask this committee if they are prepared to take this ground? Will their published ideas of natural rights and constitutional rights suffer them to stop short of this plain and distinct line? Will they face the consequences of this, their argument? for it seems to me as clear as light, that if, as they contend, the elective franchise is totally beyond the reach of the ascertaining and protective power of the Legislature, they must adopt the absurd consequences to which I have led them; must hold that the Legislature have no power to ascertain or prove who possesses the right, and consequently that the act of 1851, is unconstitutional and void, so far as the clause I have quoted is concerned. Nay, they must go farther. They must hold that the legislature have not only no power to ascertain this invaluable right by means of judges of election, but none whatever to punish false swearing or false voting at the election; for if the person offering to vote is the final judge of his own qualifications, then no oath can be required of him, and no court can reverse his decision.

But this absurd notion must be given up the moment it is examined, and it must be admitted that the Legislature have authority to provide means and instrumentalities for the ascertainment of the right, otherwise an election would be but another name for a mob, and violence and bullying, false voting, double voting, trible voting, would be the order of the day, and non-residents of the ward or the township, minors, wild Indians, and residents of other States, and even of foreign countries, might rush in and convert an election into a mere tumult, and make the ballot-box as perfect a mockery, as perfect an instrument of tyranny and outrage as it was in Kansas, California, or in a more recent instance in Missouri. "Pipe-laying and candle-box-hiding" would be mere trifles compared with the blessed results to which the worse than border ruffian argument of the "Democratic Committee of the Legislature" would lead. It is plain that the Legislature would have this power of protection and control without any special delegation of it in the Constitution. But the instrument itself, in the sixth section of the same article, plainly contemplates the enactment of statutes to "preserve the purity of elections and guard against the abuses of the elective franchise." Certainly this clause is not without meaning and obligation. It does not mean to permit a man to vote where he pleases, and it does mean that it is the duty of the Legislature to prevent such an abuse. To this end they may enact any law which, in their judgment, is necessary more certainly to ascertain who have the right to vote in the township, or ward, and to punish those for voting who have it not.

Will the Democratic Committee deny this? Of course they cannot. Will they then inform us whence the Legislature derived the power to authorize the *challenge?*—that is, to prohibit from voting a qualified elector whose right is denied by another at the polls? By what authority do they say that one elector may absolutely prevent another from voting by denying his right to do, unless the latter shall take the prescribed oath? And whence do they derive the power to require this oath? And whence the power for punishing the false swearing? None of these things are granted in terms in the constitution, and still a person would be regarded as a pettifogger or an idiot who should deny that the challenge is legal, and that the rejection of the vote, if the oath is not taken, is equally legal, and that the punishment for false swearing, is equally legal also. And yet if the right be of such an absolute nature that the Legislature may not prescribe the evidence by which it, like other rights, may be ascertained, then it follows that the act of 1851 is void for want of constitutional authority.

That act merely provides one kind or description of evidence upon which to decide the question whether the right in fact exists. It leaves the voter to furnish *his own evidence* upon his own oath. In other words, it makes him the final judge and conclusive witness in his own case; a power which it is easy to see may be and very often is grossly abused, as such a power always is; for human nature was never found to be strong enough and pure enough to resist the domineering influence of self-interest or passion.

Now the registry act simply creates another and further test of this right. It requires the elector to have his name registered in a book which the law provides for that purpose, and does not leave it exclusively to his unsupported oath, whether he is a voter or not. His registration is written affirmation, assuring his co-electors in the township or ward that he has resided there for at least ten days, and that he possesses the other constitutional qualifications; and the law thus ceased to be satisfied of this important fact upon his mere personal oath taken in the confusion of an election. It is in fact merely written preliminary evidence that he is such resident and possesses such qualifications; or rather it is his written assurance of that fact.

But the object of the law is not limited solely to this written affirmation. It goes further. It preserves the right of challenge as at present existing, and it enables the challenging party to consult the book of registration, before the election takes place, to ascertain whether A. B. C. or D. is in truth a resident of the ward or township, claiming the right to vote; and to take information from any other sources, whether in fact they possess the constitutional right. Thus it prevents the false voter from practising a surprise upon the Board of Inspectors, and from defrauding the true voter of his just share of influence in choosing the persons who are to make and administer the laws. Thus, in short, it tends "to preserve the purity of elections and guard against abuses of the elective franchise."

And to say that such an act—an act which by no means assumes to add to or detract from the constitutional qualifications of a voter—is void, for unconstitutionality, is in the same breath to assert that the act of 1851, and indeed every other act passed to protect the same right, and to punish infractions of it, are void for the same reasons. We have no fear, however, that the Courts of the State will ever adopt such an absurd principle, and flatter ourselves that whenever these "Democratic" Committeemen shall bring their actions at law against the Inspectors of election for refusing to receive their vote on the ground that their names are not registered, they will walk out of Court with the valuable privilege of 'taking nothing by their motion,' and paying their own costs; that is to say, with their gaudy feathers somewhat drooping.—At all events, I feel a benevolent anxiety to have them try the experiment, and trust that our Republican friends will interpose no obstacle to the course they contemplate, I say unto them, "go it." *

ARTICLE SECOND.

In my first article I considered the question raised by the Democratic Legislative Committee, as to the constitutionality of the registry law.

In this article I propose to examine the *second* proposition or claim of the Democratic address, which insists that the act is "*oppressive*," tyrannical, malicious, expensive and extremely stringent towards *false* voters. Its authors will of course admit that the right to vote is one of transcendent value; otherwise they would not probably make such a clamor about it. If it be such (as all will admit) then is there any reason why it should not be as carefully protected and guarded as any other personal right? Of course all will admit that there is none. Community are solicitous for the protection and vindication of every right of every human being. For this purpose they enact laws, they give authority to public officers to administer them; they erect courts of justice, establish rules of evidence and other proceedings therein, and enable the Judges to pronounce in the form of a judgment, order or decree, the sovereign will and decision of the whole community upon the disputed point. They carefully provide what shall be, in numerous cases, the evidence of a man's right to his wife, his children, his lands and all his other property,—a right existing not merely in virtue of the municipal law, but by the law of nature. Indeed it is for the protection, preservation and vindication of all the rights of a person in civilized society, for which Governments are formed, and to maintain which, such Governments and all their agents are paid by the community. And what right, let us ask, pertaining to a citizen, but which is disputed by another, is allowed to be established by the simple assertion or oath, or affirmation of the party claiming it? Where do we find the law, where the principle of public policy, which allows the claimant to be both witness and judge in his own cause?

And how numerous are the cases in which the law absolutely forbids a party to assert a most clear right, unless he does so in a particular form and within a particular period? Take an instance or two.—A, is the owner of a tract of land and conveys it by a regular deed to B. As between these parties and as between them and strangers, the title passes absolutely to B, but here the law steps in and declares that unless B shall record his deed in the Registry of Deeds, and A afterwards sells the tract to C, C is the absolute owner, although B may have paid an honest and full consideration, and no one ever disputed the power of the Legislature so to provide. Of course B deems it no hardship that the law requires him, in order to protect his title, to record his deed, and he hastens at once to the office, pays his dollar, travels, it may be, thirty miles and goes home without complaining of the law, although the land may not be worth five dollars. Is it not at least equally important to community and to him, that he should furnish written evidence also that he is a voter? We see another instance. We see an ill-tempered, noisy Locofoco residing somewhere in a township. He has been so successful in business as to raise, say ten dollars, and to loan it to some poor widow to relieve her necessities, and has taken a chattel mortgage upon her cow as security. Now, unless the chattel mortgage is filed in the township clerk's office, and should the further necessities of the widow compel her to sell the cow to another person, that person would, under the law, acquire a perfect title to the cow, to the injury of the noisy Locofoco, to the amount of ten dollars; consequently the noisy Locofoco aforesaid, resorts without delay to the township clerk's office and files his mortgage, in order to forestall and prevent so serious a disaster. He travels, say six miles, pays the fee, and thus secures his title, and goes home right happy that the law has afforded him such ample and efficient means of protection, and does not grumble that the statute thus saves him ten dollars. With what face, then, can he censure the registry act, or refuse to record his name as an elector, unless he regards this right as nothing worth?—We could present cases *ad infinitum*, of the same nature, but it is unnecessary.—And it seems to us incredible that any true lover of elective, Republican government, who looks upon the right to vote in a true light—who regards it as the palladium of popular liberty and popular power—should make a hue and cry about the *inconvenience* of registering his name. It costs him nothing. All he has to do is to walk to the township clerk's office and there write it, or have the clerk or any member of the board write it for him. And he has the whole year to do it in, and when once done it is not to be repeated until he voluntarily removes into some other township. The same is the case in the wards of cities, for the constitutional division of the State with reference to elections, is into "townships" and "wards." The expense of the proceeding is the merest trifle—The board procures the book of registration, the cost of which will not, upon the average, exceed one dollar and a half or two dollars. The services of the township board in making the registration, will be paid for in the same manner as other township expenses, and after the present year must necessarily be quite small, because it is probable that in the course of it the names of the voters will generally be registered.

It is, of course, impossible to estimate the aggregate amount of such expenses.—Every man can judge for himself, and cannot fail to see, that being distributed all over the State, the proportion which will fall to each township will be perfectly insignificant compared with the immense benefits which the statute will confer by way of excluding false voters from the polls.—Every candidate and every person taking an interest in the result of an election is entitled to a copy of the register on payment of a very moderate fee. This will enable him, long before the election, to inquire into the qualifications of any one he may suspect to be unqualified, and it will thus operate as a fatal discouragement to this class of impostors, while it works not the slightest injury or disparagement to the true voter. It will also prevent, especially in cities, a rush being made upon the polls by such crowds of unknown and unqualified persons as we have often seen in Detroit and other large towns in the State.—Against these gentry who in general, we may say always, are imported Locofocos, brought in by the same class of Locofocos who in this "address" whine so feelingly, it will operate as an effectual barrier.

We agree that a stronger necessity exists for it in cities than in the country towns, for the plain reason that in the latter almost every man is well enough acquainted with his townsmen to know whether they are voters or not. But still, it cannot be denied that the outrages against which the statute is aimed, do very frequently occur in country towns. These towns will heartily co-operate with the cities, and with each other, in putting the law in operation, seeing as they will, the great benefit to be derived to the State.

In the frontier towns of the 5th Congressional district, where more than one election has been carried by false votes, and by unqualified Indian voters, this statute is especially needed. How is it possible, in that region, without a registration to guard against the atrocious frauds upon which Indian agents, under the patronage and instructions of an unscrupulous Border Ruffian National Administration, and the *candidate* of Indian Agents, rely to carry an election? Who does not know that Mr. Peck, one of the most noisy declaimers against this act, has been deeply indebted to these frauds for his former success as a candidate for Congress? And who does not know that that extremely injured gentleman and other leaders of his party, have denounced in the bitterest terms the present respectable Indian Agent, (Mr. Fitch,) because he did not at the last election convoke to the polls his uncounted tribes of wild savages—born God knows where, and no more civilized than the savages of the Rocky Mountains—for the purpose of electing Mr. Davis? It is bad enough, heaven knows, that an American citizen should, under our Constitution, be compelled to go to the polls and vote side by side with a half naked, filthy Indian. But when this disgusting Indian privilege is carried so far and abused so shamelessly as we have witnessed; when these wild hordes are gathered from the forests of Wisconsin, Minnesota, and even *Canada*, and brought up with knife in hand and reeking with grease and vermin, to out-vote and put down the honest white citizen, and elect over his head a candidate, not of his choice, we think it high time that the Legislative authority should be exerted with a view to protect the right and prevent the wrong. And we especially commend this statute to every *white* man in that district, who is not so degraded as to be willing to be governed by Indians.

Complaint is made that a person who has been so unfortunate as not to be able previously to register his name, is put to the inconvenience of registering it on the election day, and of proving by a qualified elector that he is a resident and qualified. We see no hardship in this. It is the purpose of the act to have such registration completed *before the day of election*.—And as the elector is required to record his name but once, it was thought to be not unreasonable that he should do it so long before hand that the election should not be interrupted by doing it on election day.—And it is clear that if a registration is of any value, it should, as a general principle, be thus completed. This of course, all will admit. But it was foreseen that cases might arise when an elector had been prevented by sickness or necessary absence, from registering his name. In such cases, it would indeed be hard to deprive him of his vote, and consequently the act gives him the privilege of doing it on that day. But to guard against the abuse of this privilege, and to make it for the interest of all to register themselves seasonably, he is required by his own oath to prove that he was thus prevented, and to corroborate his own statement by the oath of some other qualified elector, who can swear that he is a resident and that he believes his statement to be true. Without this additional safeguard a throng of false voters unknown to the true ones, might rush to the polls, and by perjury cause their names to be registered on the election day, and thus render the act completely abortive, and, indeed, stop the reception of votes. And surely every honest resident voter of a township or ward cannot be so totally unknown to all the others as not to be able to produce such a witness. Besides, such cases must be of unfrequent occurrence, because it is made the sworn duty of the board of registration, upon the best information they can obtain, to register the name of every elector whether he applies or not, so that the act almost completely removes the possibility of any such case ever arising, if the board faithfully do their duty.

In order to carry such an act into execution, it is of course necessary that penalties should be affixed to violations of it. The penalties in this statute are moderate, far more so than similar statutes in other States, and far more so than those inflicted upon false voting under our present laws.—And we cannot entertain a doubt that after the act shall have been fairly put in operation, and tried upon its own merits, the people will, with one accord, approve it, and refuse for the future to be without it.

Another advantage will flow from it. A copy of the register of each town and ward in the county will be filed with the county clerk, and will be highly useful to business men as a sort of directory in seeking out the residences of persons with whom they have business transactions. And as a means of ascertaining the number of electors in the State, and in each township and ward, it is equally useful, for it requires every township and city board to report annually to the Secretary of State the aggregate number of names upon their respective registers. In the formation of new wards and townships, and in the division of [illegible], these registers will be of great utility, not only to the local authorities, but to the Legislature.

SLAVERY IN NEW MEXICO.

While New Mexico remained a Mexican Province, Slavery was prohibited by the laws of the Republic. When transferred to us under the Treaty of Guadalupe Hidalgo, there was not a slave in the Territory.

In 1850 Congress organized a Territorial Government there, and made it a part of the "compromise of 1850," that the question of slavery should be left to the settlers to decide. There was strong opposition to this by Northern men, which was only overcome by reiterated assurances from the compromise men, that slavery never could, would or should go there—that the inhabitants retained feelings of the strongest hostility to it—that climate and soil were such as to prevent its existence—Mr. Webster, particularly, remarked that to enact a prohibition of it there would only be to re-enact the laws of God.

While the debate was in progress the people of New Mexico held a constitutional convention and formed a State Constitution containing the Jeffersonian Proviso of Freedom. They sent the constitution to Washington, and it was presented in the Senate by Mr. Seward. After a warm debate the Senate refused to consider it, ostensibly because no "enabling act" had been passed by Congress authorizing such a convention, but really because the prohibition of slavery interfered with the proposed compromise.

The Territorial Convention went into operation, and simultaneously commenced an effort on the part of the planters and slave traders of Texas and Louisiana, to introduce slavery. The Southern press of course approved the movement, and the Administrations of Gen. Pierce and Mr. Buchanan lent it effective aid. Controlling all appointments to office, and generally able to control also the Territorial elections, the Federal Government wields an immense influence in a new Territory, and it is not strange, perhaps, that the efforts persisted in for years, have so far succeeded as to obtain the passage of a law by the Territorial Legislature "protecting slave property."

This law has been passed, not at the desire of their constituents, but under stimulants from Washington and New Orleans. Demoralized as the Territory is by Federal interference, we believe, notwithstanding, that a majority of its people would vote down a proposition to establish slavery, if it were submitted to them. But this, the extensionists do not intend to give an opportunity for. Their hope and purpose is to induce the immigration of slaveholders with their "property," into the Territory, in sufficient numbers to lead to the adoptation of a pro-slavery constitution when the time comes for admission.—*Albany Evening Journal.*

JERROLD AT HOME AND AT WORK.

The breakfast is a jug of cold new milk, some toast, bacon, watercresses. Perhaps a few strawberries have been found in the garden. A long examination of the papers, here and there a bit of news energetically read aloud, then cut, and put between clippers. Then silently, suddenly into the study. Work begins. If it be a comedy, the author will now and then walk rapidly up and down the room, talking mildly to himself, if it be Punch copy, you shall hear him laugh presently as he hits upon a droll bit. Suddenly the pen will be put down, and through a little conservatory, without seeing anybody, the author will pass into the garden, where he will talk to the gardener, or watch, chuckling the while, the careful steps of the little terrier amid the gooseberry bushes; or pluck a hawthorn leaf, and go nibbling it, and thinking, down the sidewalks.

In again, and vehemently to work. The thought has come; and, in letters smaller than the type in which they shall presently be set, it unrolled along the little blue slips of paper. A simple crust of bread and a glass of wine, are brought in by a dear female hand; but no word is spoken, and the dear hand and heart disappear. The work goes rapidly forward, and halts at last suddenly. The pen is dashed aside; a few letters, seldom more than three lines in each, are written, and dispatched to the post; and then again into the garden. The fowls and pigeons are noticed; a visit is paid to the horse and cow; then another long turn around the lawn; at last a seat, with a quaint old volume, in the tent, under the umbrageous mulberry-tree. Friends drop in, and join Jerrold in his tent. Who will stop to dinner? Only cottage fare; but there is a hearty welcome. Over the tea-table, jokes of all kinds, as at dinner. No friend who may happen to drop in now, will make any difference in the circle. Perhaps the fun may be extended to a game of some kind, on the lawn. Basting the bear was, one evening, the rule, on which occasion grave editors and contributors 'basted' one another with knotted pocket handkerchiefs, to their hearts' content. The crowning feature of this memorable evening was a general attempt to go heels-over-head upon hay-cocks in the orchard—a feat which vanquished the skill of the laughing host, and left a very stout and responsible editor, I remember, upon his head, without power to retrieve his natural position. Again: after a dinner party under canvas, the hearty host, with his guests, including Charles Dickens, Mr. Maclise, Mr. Macready and John Forester, indulged in a most active game of leap-frog, the backs being requested to turn in any obtrusive "two-penny" with the real zest of fourteen! Never were boys more completely possessed by the spirit of the game in a cemetery playground; and foremost among the players and laughers was the little figure of Douglas Jerrold, his hair flowing wildly, and his face radiant with pleasure.

AN ENGLISH FARMER.

Mr. Crisp occupies about five thousand acres of land, which is in separate farms, on each of which is a resident bailiff. He keeps about 3,000 South Down sheep, few cattle, many horses (Suffolks) including several blood cart mares, one beautiful blood stallion, three years old, and any *quantity* of pigs. He works a few pairs of cattle of the Dutch breed. They are harnessed to the plough, cart, or whatever they are to draw, exactly as we harness a horse—just the application of what I have long talked of. It always seemed absurd to use a yoke. They go by bit and rein, and do their work very easily—no screaming, hooting or thrashing. In most cases horses are used entirely. On Mr. C.'s farm I did not see less than four teams in a field at one time—each consisting of a pair of horses and oxen—and his ploughing is not beyond six inches deep. He never requires more than two horses for breaking up. His land is mostly very light, sandy loam, and some of it is very poor.—He manures quite heavily—I should judge about seven or eight cords per acre, or heavier than this for certain crops. In fact the land for every crop is prepared as a market gardener would prepare it. Much manure is used, everything, almost, being done by horses, and implements drawn by them.

A man to be a large farmer, here—gentleman farmer, so called, (and they are both gentlemen and farmers,)—must have the requisites, which would have made him equally a gentleman merchant. He must know the principles and details of farming, as well as any of his men, but he works the brain rather than the hands, and exercises a general and constant supervision.

Mr Crisp keeps five road horses for his own driving—all good ones. He is frequently riding from morning till evening. I asked him how many agricultural horses he kept. He replied that he did not know, but should miss one if gone. In three fields I noticed twenty horses and eight oxen at work, in two fields five teams each, and in a third, four teams. He works only the Suffolk breed. He showed me five magnificent Suffolk stallions. A two-years old colt was the finest of his age I ever saw. I don't wonder a man is inclined to spend money, if he has it, and taste withal, when such animals are shown him.

His black pigs are very fine, and seem to be taking the lead in this variety. Mr. C. breeds more of them than of the white. He has a good number of the latter, and from them I have selected a boar for you, now about ten months old. He is a fine one and brother to the one which took the first prize at Chester. Mr. C. pursues a different course in breeding from that followed by many in my country. He prefers breeding stock of two and a half to six years old, to that of less age. The progeny is stronger and more thrifty.

On Saturday morning Mr. Crisp took us to walk over his farms. We were on foot from nine o'clock in the morning till two in the afternoon, and I should judge must have walked at least ten miles, mostly over ploughed ground. He pursues the four-shift system. In this mode of rotation every piece of land bears the same crop but once in four years. The difference between this and the six-shift is, that in the former there is but one crop of wheat, while in the latter there are two or more crops of that grain. Hence it requires far better land to carry the last two methods of rotation than the first. The four-shift is the general one in England—the others exceptional. Of the mode of culture practiced for different crops, I will speak on another occasion.—*Boston Cultivator.*

PARTIZAN JUDGES—A CONTRAST.

The organs of the Dred Scott democracy don't like partizan Judges, and yet, with glaring inconsistency support Gov. Felch for Chief Justice of the Supreme Court. The Detroit *Tribune* makes the following truthful comparison, showing as between Judge Martin and Gov. Felch, who is the partizan:

"It has been more than ten years since Mr. Felch was on the Bench, *and since that time he has been constantly in politics and held none but political offices.*—For the past eight years Judge Martin has been upon the Bench *and had nothing to do with politics whatever.* If we mistake not Judge Martin has never held any other than a judicial office, but be this as it may, for eight years past he certainly has not.

In 1856 Mr. Felch traversed this State in company with Gen. Cass and Senators Bright, Preston and Douglas, on a purely political mission, holding forth from the stand the extreme pro-slavery doctrine of the men with whom he associated. A majority of 20,000 of the people of Michigan at that time condemned his company and his doctrine. While Gov. Felch was thus engaged, Judge Martin was pursuing his usual dignified calling upon the Bench.—Again, Mr. Felch has been Governor, Senator, Commissioner to settle land claims in California, and all the time he has been thus engaged, Judge Martin has been upon the Bench—the former exclusively in politics, the latter as exclusively in law. It has been eight years certainly since Judge Martin made a political speech, or mingled actively in politics; indeed, he was never what we mean by an active partizan.

Look also to the conventions which nominated the two men. Judge Martin was nominated by acclamation, and his name sent forth to the people upon its merits. No partizan appeals were made in the convention, and no partizan resolutions were passed as a platform for him to stand upon. In the Democratic State Convention Mr. Felch was nominated after a spirited contest with several of the acknowledged *partizan leaders* in that party in this State. After his nomination the speakers in the convention, including the most influential democrats in the State, all commended him as a partizan Judge—a good reliable democrat. Messrs. Lothrop and Walker, of this city, especially said that they could interpose no objection to Judge Martin but that he was a Republican, thus basing their support of Mr. Felch on *purely partisan grounds*. But this was not all. He was put up by the convention on a platform endorsing the present pro-slavery and corrupt National Administration, and in favor of Cuba-stealing and the Dred Scott decision. This substantiates the charge beyond cavil that he is a partizan Judge, and consequently, to adopt the language of our democratic cotemporary in this city, an impure man, calculated to contaminate the judiciary, certainly not impartial and pledged to party. We agree with our cotemporary that such a man should be defeated, and we believe he will be defeated.

Thus we have contrasted the two men in their political relations. But what has Mr. Felch to set off against the stores of legal knowledge and individual experience, which Judge Martin has accumulated during the eight years that he (Mr. Felch) has been out of practice or nearly so?—Has he superior and pre-eminent ability over Judge Martin? He has not. He has no effect of any kind. The people of the State will appreciate these facts and elect Judge Martin.—*Grand Riv. Eagle.*

FINAL DECISION IN THE GREAT ATLANTIC COLLISION CASE.—The Detroit *Tribune* says: "In 1852, it will be remembered that the steamboat *Atlantic* and Propeller *Ogdensburgh* came in collision near Long Point, Canada, by which the *Atlantic*, worth $75,000, was sunk, and the *Ogdensburgh* damaged some $3,000. The Messrs. Ward, of this city, owners of the steamer, instituted a suit in the United States District Court, in Ohio, for damages. On the first trial the owners of the *Ogdensburgh* recovered $3,000 damages. An appeal to the United States Circuit Court, before Judge McLean, reversed the judgment and gave the Messrs. Ward $36,000 damages.

The case was taken by appeal to the Supreme Court at Washington. It was argued elaborately by Judge Spalding, of Cleveland, and Henry Stanbery, of Cincinnati, for the owners of the *Ogdensburgh*, and by Hon. N. H. Swayne, of Columbus, O., and Jno. S. Newberry, Esq., of this city, for the owners of the *Atlantic*, at the term of the Supreme Court just closed. On Saturday the Supreme Court affirmed the decision of the Court below, which gives a judgment in favor of E. B. Ward and Stephen Clemen, of about $41,000.

We are also advised that, on Monday morning Mr. Chamberlain, one of the proprietors of the Northern Transportation Co., and the principal defendant in this suit, met with Captain Ward in this city, and the amount of the judgment was fully and satisfactorily arranged.

Thus, after six years and a half of litigation, this important suit has been brought to a successful termination.

The points involved in this case are of the greatest importance to the navigation of the Lakes, and as soon as the Supreme Court write out this opinion, we shall take occasion to publish it in full.

THURSTON CONVICTED.—After a protracted trial at the Circuit Court, now in session, Judge Turner presiding, David Thurston was, last evening, found *guilty* of poisoning his wife with intent to kill her. The jury were about half an hour making up their verdict. He was sentenced this morning to twenty-five years imprisonment at hard labor.—*Flint Citizen, March 19.*

A SLIGHT VARIATION.—A witness was asked if the defendant "stood on the defensive?"—"No, he stood on a bench and fit like the devil."