State Library

THE OREGON SENTINEL.

$4 IN ADVANCE. JACKSONVILLE, OREGON, SATURDAY, AUGUST 24, 1861. VOL. VI.—NO. 32.

BUSINESS CARDS.

SAMUEL E. MAY,

NOTARY PUBLIC,

OFFICE IN "SENTINEL" BUILDING,

Jacksonville, Oregon.

Dentistry.

DR. J. HERBOLD

WOULD respectfully announce to the citizens of Jacksonville and vicinity that he is now prepared to do

VULCANITE OR RUBBER WORK

for artificial teeth in the best style, and at prices to suit the times.

All kinds of Dental operations attended to in a skillful manner.

Jacksonville, June 24, 1861. 20tf

WAR SCRIP, WAR SCRIP.

B. F. DOWELL,

ATTORNEY AT LAW.

Will practice in all the Courts of the Third Judicial District, the Supreme Court of Oregon, and in Yreka, Cal.

He has an agent at Washington, and expects to visit that city and the Atlantic this Summer and Fall, and any business will receive prompt attention. my25:1y

W. G. T'VAULT,

ATTORNEY AT LAW,

WILL attend to business in the several Courts in the First Judicial District of Oregon, and in the Supreme Court. Office on California St., opposite "Sentinel" Office,

JACKSONVILLE, OREGON.

May 25th, '61. 19:m

SEWALL TRUAX,

SURVEYOR & CIVIL ENGINEER,

OFFICE, AT THE COUNTY BUILDINGS,

Jacksonville, Oregon.

ALL business pertaining to Land or Land Laws promptly attended to.

Jacksonville, May 11th, 1861. 17tf

REED & BERGEN,

Attorneys at Law,

JACKSONVILLE, OGN.,

Will attend to any business confided to them in the several Courts of the First Judicial District of Oregon, and in the Supreme Court. 18.

CHAS. B. BROOKS, M. D.,

HAS LOCATED IN JACKSONVILLE, and offers his professional services to this community in the practice of *Medicine, Surgery and Obstetrics.*

Office on California street, next door to Neuber's Jewelry store.

Calls attended to at all hours of day or night.

G. W. GREER,

PHYSICIAN AND SURGEON,

OFFICE, JACKSONVILLE DRUG STORE.

Oregon.

L. H. DEWEY

HAS opened a shop opposite Anderson & Glenn's, on California street, in Dr. L. Ganung's drug store, for repairing

WATCHES, CLOCKS, JEWELRY, ETC.

All work warranted to give satisfaction.

Jacksonville, Dec. 22d, 1860. 19:1y

PETER BRITT,

PHOTOGRAPHIC ARTIST

Jacksonville, Oregon.

Is prepared to take Pictures in every style of the Art, with all the latest improvements. If

PICTURES

do not give satisfaction, no charges will be made. Call at Funk's Cigar Store, or at the Gallery on the Hill, and see his Pictures. 14tf

D. WM. DOUTHITT,

Attorney and Counselor

AT LAW,

Jacksonville, Oregon.

BY APPOINTMENT,

NOTARY PUBLIC

For Jackson County.

C. P. SPRAGUE,

ATTORNEY AT LAW,

KERBYVILLE, JOSEPHINE COUNTY, OGN.,

Will punctually attend to business entrusted to his care. April 13, 1861.—13tf

GREAT REDUCTION!

ON the First of January, '61, the prices of WHEELER & WILSON'S

Sewing Machines

were reduced *twenty per cent.* on the Pacific coast. A few of these, the best and cheapest machines made, at San Francisco rates.

E. C. SESSIONS, Agent.

Jacksonville, Jan. 12. 52tf

BAN'S

Barber Shop,

Opposite the Post Office.

SHAVING, Hair-cutting, Shampooing Curling and Hair Dyeing.

Also, a genuine article of Fish's HAIR RESTORATIVE, and Cristadora's *Excelsior Hair Dye* for sale. Jacksonville, June 22d. 23tf

DR. G. W. BROWN'S

MEDICAL AND SURGICAL OFFICE,

California st., opposite Sentinel Office.

Jacksonville, Oregon.

TO those who can appreciate truth. Such will not fail to call upon Dr. G. W. Brown.

He also invites the attention of all who are suffering with diseases of the Eye to call at his office.

THE EYES! THE EYES!

No Cure, No Pay.

Office hours from 8 A. M. to 4 P. M.

June 1, '61. 20:tf

JOB PRINTING of all descriptions neatly executed at the SENTINEL OFFICE.

THE OREGON SENTINEL.

PUBLISHED EVERY SATURDAY, BY

DENLINGER & HAND,

HENRY DENLINGER, WM. M. HAND,

EDITORS AND PROPRIETORS.

Office over Clugage & Drum's Stables.

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(INVARIABLY IN ADVANCE.)

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A liberal discount will be made to persons who advertise to the extent of four squares.

The number of insertions should be marked on the margin of advertisements.

Charge of Judge Catron to the Grand Jury in the U. S. Circuit Court at St. Louis, July 10th.

Judge Catron presented the following charge in writing, which was read to the jury by Commissioner Hickman:

GENTLEMEN: The oath just taken by you indicates with sufficient clearness the spirit of judicial impartiality, patience and independence by which your deliberations should be governed. It is your duty to discover and bring to trial all who have been guilty of offenses under the United States statutes committed within this State, and to protect the innocent from unfounded or malicious accusations. Popular clamor, unjust suspicion, partisan favor or malice, personal prejudices, illegal views of rights and duties—in short, "all fear, favor or affection" must be excluded—not suffered for a moment to enter the jury room or intrude upon your counsels. You should find or ignore indictments solely as the law and evidence may demand, and without respect to persons.

You should hear all evidence which can throw any light upon an accusation, whether tending to show the innocence or guilt of the accused, and if convinced thereby of the guilt of the accused, find an indictment: otherwise, ignore the bill. Mere suspicions, vague and remote probabilities, rumor or illegal testimony, is not a basis for action—in other words, you should, before indicting any one, be satisfied that on the same testimony as presented to you a petit jury would find a verdict of guilty. The wise prohibition of the United States Constitution against holding any one to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand Jury, would be practically disregarded, become a mere nullity, if indictments were found on improper or insufficient evidence, or without careful discrimination and scrutiny, or upon a hasty or inconsiderate view of the facts and circumstances. So, on the other hand, the Constitution and laws would be impotent for protection or good, if offenders against whom a sufficient case is established, were not brought to trial.

The jurisdiction of this Court extends over the whole State, and covers every offense declared to be such by any existing act of Congress. You have no cognizance of crimes or offenses at common law, but merely of those pronounced as such by United States statutes. If there is no act of Congress upon a subject, it is beyond your jurisdiction.

As your foreman has no power to administer oaths, all witnesses before you will be first sworn in open Court.

A brief reference to some of the offenses of which you have cognizance, and a succinct statement of the law concerning them, may aid your investigations and serve for your guidance:

"The Constitution and laws of the United States" "are the Supreme law of the land," "anything in the Constitution and laws of any State to the contrary notwithstanding." Their supremacy is thus declared in express terms. Whatever conflicts therewith has no operative or obligatory force. Allegiance to the United States Constitution and laws, are the paramount duty of every citizen. Within their legitimate sphere, they command the obedience of all; and no State Constitution or statute can absolve any one therefrom.

There is one crime of great magnitude in its effects upon society, the power to punish for which is so liable to abuse that the Constitution has carefully defined and limited it to two distinct species. It involves the peace, safety and happiness of all, by striking at the very foundation of public order. The power to repress and punish it, is essential to every Government, whatever its form to civil and political organization. But as an abuse of that power may be destructive of liberty it is essential that it should be so determinate in its character that no excitement, passion or popular rage can pervert it to ends of tyranny, faction or frenzy. Properly considered, it is a power of self-protection, lodged in the Government to enable it to preserve its legitimate functions against all lawless violence or force, directed to their subversion or overthrow. Legitimately used, it can never be an instrument of ambition, malice or faction; nor can it strip a citizen or community of any privilege guaranteed by the fundamental laws of the land. It ought not to absorb or overthrow rights declared inviolable; nor remain dormant when those rights, as involved in the existence of the Government, are threatened with overthrow by the subversion of the Government, itself.

The provisions of the United States Constitution on this subject are as follows:

"Treason against the United States shall consist only in levying war against them; or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

"The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted."

To these provisions the following is applicable:

"The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed."

Pursuant to the power thus granted, Congress at an early day passed the following Act, which is still in force:

"If any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort, within the United States or elsewhere, and shall be thereof convicted, on confession in open Court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the United States, and shall suffer death." The term allegiance" as used in this statute, is not absolute, but qualified. It is not solely dependent upon or confined to citizenship. Every person resident in the United States living under and enjoying the protection of their laws, owes such a qualified allegiance to the Government as to be answerable thereto for any violation of that statute.

Every indictment must charge one or more overt acts committed within this State, and the testimony of two witnesses to the same overt act, or a confession in open Court, is essential to conviction. The very nature of an overt act renders it probable that more than one witness can be found whenever such act has been committed; and hence, justice to the Constitution and laws, to Government and society, as well as to the accused, is better subserved by causing no one to be put upon trial unless the Grand Jury are satisfied, from ample testimony before them, that conviction will follow. Two witnesses to the same overt act must always be produced, or no indictment can be found.

It would serve to confuse rather than assist you, if an elaborate analysis were given of the nice distinctions upon which the classification of the different treasons, under different circumstances, may depend. It will suffice to state that the crime is committed whenever war against the United States by those owing allegiance thereto, is raised, created, made or carried on; or when, during a war, they adhere to the enemy, giving him aid and comfort.

"The terms 'levying war' embrace not merely the act of formal or declared war, but any combination, in military array, forcibly to prevent or oppose, generally, the execution of a provision either of the United States Constitution, or of a United States statute; or forcibly to subvert the United States Government or any department thereof; or by force to procure the appeal of alteration of the Constitution or laws; if such combination be accompanied or followed by an act of forcible opposition in pursuance of the treasonable design." The offense is not to be judged alone by the number assembled, or even by the hostile appearance of the assemblage; there must be conspiracy to resist by force, and an actual resistance by force of arms, or intimidation by numbers. The conspiracy and the insurrection connected with it must be to effect something of a public nature concerning the United States—to overthrow the Government, or some department thereof, or "to nullify and totally hinder the execution of some United States law or the United States Constitution," or some part thereof, or to compel its abrogation, repeal, modification or change, by a resort to violence. Inasmuch as the Constitution provides a peaceable and regular mode whereby it or the United States laws may be amended, there can be no other rightful mode of effecting that end known either to the Constitution or law.

As it is both the right and duty of every citizen to become fully informed upon all Governmental affairs so as to discharge his many political obligations intelligently at the ballot box, and in other legitimate ways, and the freedom of the press and of speech are guaranteed to him for that as well as other essential purposes; and as the right of the people peaceably to assemble and petition for the redress of grievances, and to keep and bear arms, cannot be lawfully abridged or infringed, it is evident that an assemblage for the mere purpose of procuring peaceable redress of supposed grievances, cannot be treasonable; nor can a free and full discussion of the acts of public men or public measures, whether such discussion be in private conversations, public meetings or the press; nor can a military gathering, when assembled for no purpose or design of interfering, by force or intimidation, with the lawful functions of the Government, or its constituted authorities, or of preventing the execution of any law, or of extorting its alteration or repeal, or of overthrowing the lawful supremacy of the United States in any State or Territory. Hence, a conspiracy to be treasonable must be for a *public or general*, and not a mere private object; it must contemplate force in the pursuit of its ends; it must, in order to ripen into treason, be accompanied or followed by some warlike act, such as the assembling of men in military array, and in the posture of war, or in a forcible and threatening attitude, or the furtherance of the treasonable design.

"To constitute an actual levy of war there must be an assembly of persons met for a treasonable purpose, and some overt act done, or some attempt made by them, with force to execute, or towards executing that purpose. There must be a present intention to proceed in the execution of the treasonable purpose by force. The assembly must now be in a condition to use it, if necessary, or to aid, or to accomplish their treasonable design. If the assembly is arrayed in a military manner for the express purpose of overawing or intimidating the public, and to attempt to carry into effect the treasonable design, that will of itself amount to a levy of war, although no actual blow has been struck, or engagement has taken place."

"However flagitious may be the crime of conspiracy to subvert by force the Government of our country, such conspiracy is not treason. To conspire to levy war, and actually to levy war, are distinct offences."

"The traveling of individuals to the place of rendezvous would, perhaps not be sufficient. This would be an equivocal act, and has no warlike appearance. The meeting of particular bodies of men, and their marching from places of partial to a place of General rendezvous, would be an overt act."

A secret meeting, although that meeting be of conspirators, and although it met with a treasonable intent, is not an actual levying of war.

The distinctions thus drawn may be more briefly stated in these words: A treasonable design, unaccompanied or not followed by a treasonable act, is not treason. A conspiracy to levy war is not an actual levying of war. The assembling of men, or an assemblage not in military array or an attitude of war, will not be an overt act. The assemblage must be a warlike assemblage—must be in sufficient force to have the appearance or posture of war, or must have resorted to forcible opposition, or must have marched in bodies or detachments towards some place of rendezvous, or done some other open visible act of war, before the overt act has been committed.

On this point it is apprehended you will have very little difficulty, for when war actually exists, inquiries into the precise steps successively taken, from the inception of the treasonable design to the first overt act, may be of less importance than an investigation of the acts, done towards carrying it on, or in giving aid and comfort to the enemy, in adherance to his cause. When war exists, all who are leagued in the general conspiracy and perform any of the various and essential military parts of levying it are guilty of treason. Thus, a commissary who is at a distance from the scene of active military operations, and who may never have been present at any hostile assemblage, or even seen the rebels in camp or in military array, may, by furnishing supplies to the traitorous force, be as guilty as if taken in battle with arms in his hands. So may it be with an officer commissioned to recruit, who enlists and forwards men to fill the rebel ranks; or with any other person who voluntarily furnishes them with money, arms, ammunition, provisions or supplies, or who otherwise performs, if he be leagued in the general scheme, "any of the various or essential parts which in carrying on a war must be assigned to different individuals." It is necessary, however, that he should have been leagued in the general conspiracy and have also performed some part towards its prosecution; for both the *intent* and *act* must exist, or the crime has not been perpetrated—is not complete.

If the treasonable intent does exist, however, the overt act may consist not only in furnishing men, money, arms or provisions, but also in giving intelligence whereby the enemy may better conduct his hostile movements, be saved from reverses or aided in his plans. It is obviously of great moment to be accurately informed of the number and position of an opposing force and of their plan of campaign or intended movements. At times no more important aid can be given. Actual presence in the hostile ranks may be of far less assistance to the foe than a timely communication from a distance concerning the movements of the opposing force, whether actual or contemplated.

After war has been raised, then the plain duty of every one is to refrain from whatever acts can contribute to the enemy's advantage or assistance. In foreign wars, all private communications, intercourse and trade between the contending nations is interdicted; but in insurrectionary movements, those not leagued in the general conspiracy or aiding therein, are not necessarily forbidden all private intercourse and trade with peaceful and patriotic citizens, resident within the insurrectionary districts.

What the policy of war may demand in some of its stages, it is not for the Judicial Department to determine, for it can only recognize existing facts growing out of the action of the political departments, and apply the established rules of law to those facts as they are presented. Whether the Government shall assume a condition of peace or war, foreign or domestic, it is not within the province of the Judiciary to decide, for the war-making power is not vested in the Judicial Department. When a foreign war exists, there can be very little difficulty in ascertaining what acts amount to such an adherence to the enemy, giving him aid and comfort, as falls within that definition of treason; but in domestic conflicts, or rebellions and insurrections, the legal rule is not necessarily the same in all cases and at all stages of hostile movements.

If a citizen of the United States, during a foreign war, adheres to the enemy, giving him aid and comfort, he violates his allegiance and is a traitor; and every act done towards carrying on a domestic war, or an insurrection raised by American citizens against their own Government, if done by one owing allegiance to the United States and with intent to further the treasonable object, may fall within the definition of "levying war," and therefore the latter species of treason may be broad enough to cover every such act during a rebellion or insurrection. Whatever during a foreign war would amount to "adhering to a foreign enemy, giving him aid and comfort," would generally be treason during an insurrection, if done in aid of the insurrectionists. Hence it is a rule of law, that "the joining with rebels in act of rebellion, or with enemies in an act of hostility, will make a man a traitor."

"Furnishing rebels or enemies with money, arms, ammunition or other necessaries, will *prima facie* make a man a traitor."

"Surrendering a castle to rebels, being in confederacy with them, is treason under the clause of 'levying war,' and so would be the holding against the Government of any of its forts, arsenals or ships of war, or attacking the same, or treacherously delivering them up to the rebels. In the exercise of constitutional authority and supremacy, the United States Government has a legal right to send its troops into any State or Territory of the United States, and to keep them there; and any attempt by a hostile force, through violence, or by assembling in military array, or in the posture of war, to keep such troops out of such State or Territory, or to drive out those thus already there, or to oppose their marching, sojourning or remaining in such State or Territory; or any assembling of armed men in military array, or with a warlike appearance, or in force, for such a treasonable purpose; or aid or assistance given to those engaged in such a treasonable attempt, knowingly and with the intent to further their treasonable design, would be treason against the United States.

It is unnecessary to specify in detail each and every act or combination of acts, which may fall within the general rules already stated, because acts which at one time and under some circumstances do not amount to treason, may, at other times and under other circumstances, be the most flagrant treasons. Indeed, the many improvements in the ordinary arts of peace, as well as the improvements in the art of war, may cause many things to be now considered military supplies and necessaries which were wholly unknown as such fifty years ago. The language of Chief Justice Marshall on this branch of the subject lays down clear legal rules: "If war be actually levied, * * all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors." "This opinion does not touch the case of a person who advises or procures an assemblage, and does nothing further. The advising certainly, and perhaps the procuring, is more in the nature of a conspiracy to levy war than of the actual levying of war. It is not enough to be leagued in the conspiracy and that war be levied, but it also necessary to perform a part; that *part* is the act of levying war."

That part, it is true, may be minute; it may not be the actual appearance in arms, and it may not be remote from the scene of action—that is, from the place where the army is assembled; but it must be a part, and that part must be performed by a person who is leagued in the conspiracy. This part, however minute or remote, constitutes the overt act, of which alone the person who performs it can be convicted. The opinion does not declare that the person who has performed this remote and minute part may be indicted for a part which was in truth performed by others, and convicted on their overt act. It amounts to this, and nothing more, that when war is actually levied, not only those who bear arms, but those also who are leagued in the conspiracy, and who perform the various distinct parts which are necessary for the prosecution of the war.

"To advise or procure a treason is in the nature of conspiring or plotting treason, which is not treason in itself."

These suggestions will enable you to reach a sound conclusion concerning every case brought before you involving the crime of treason, if you keep constantly in mind that there are two essential elements of the offense—the treasonable intention and the overt act. You should also remember that mere expressions of opinion, or criticisms upon public men and measures, however severe or unjust, or free discussions concerning public measures and policy, or the peaceful advocacy of erroneous doctrines, or the exercise of any other lawful right pertaining to the privileges of citizenship, does not constitute treason in any *legal* sense of the term; and it is with treason in a legal sense only that Courts can deal.

In this connection, your attention is called to the second section of the same act of Congress, the terms of which are sufficiently explicit to need no comment:

"If any person or persons, having knowledge of the commission of any of the treasons aforesaid, shall conceal, and not as soon as may be disclose and make known the same to the President of the United States, or some one of the Judges thereof, or to the President or Governor of a particular State, or some one of the Judges or Justices thereof, such person or persons shall be adjudged guilty of misprision of treason."

Among the other offences within your jurisdiction, the following may be named without especial comment:

Any obstruction or impediment to the due administration of justice in any of United States Courts, if made corruptly or by threats or force, or if attempted by such means, or any such endeavor to influence, intimidate or impede any juror, witness or officer, in the discharge of his duty, or any willful resistance, obstruction or opposition to a United States officer in serving or attempting to serve any judicial writ, process, rule or order. All perjuries and subornations of perjury committed in any suit, controversy, matter or cause, depending in any United States Court, or in any matter or proceeding where the United States have power an oath or affirmation.

The embezzlement by persons in charge thereof, or the purloining or conveying away by them for gain, or wittingly, advisedly, and of purpose to hinder or impede the United States service, of any arms, ordnance, shot or powder, habiliments of war or victuals belonging to the United States and provided for the soldiers. The buying or receiving of any such articles, knowing them to be feloniously taken or stolen.

The unlawful detention, delay or opening of any letter in the mail, conveyed or intended to be conveyed by post; or the secreting, embezzling or destroying any such letter or its contents, or any newspaper or package of newspapers, or the opening of any letter or packet which shall have been in a Post Office before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence or pry into another's business or secrets, or the destruction of the mail by a mail carrier, or any robbery of the mail, or willful obstruction of the passage of the mail, or the giving of preference to the letters or pamphlets, or packages or newspapers, of one person over those of another, or detaining those of any person, unlawfully, with the view of delaying the same, or counterfeiting Post Office stamps, or passing or using such counterfeit stamps, knowing them to be counterfeit, or stealing or forging mail locks or keys.

Counterfeiting the coin of the United States, or passing or attempting to pass the same knowing it to be counterfeit.

Those or any other criminal violations of United States laws, if committed within this State, are proper subjects for your investigation.

Grand Juries constitute an important part of the Judicial system; and the nature of the duties devolved upon them makes their office at all times delicate and responsible. But during periods of general commotion and excitement, the manner in which they fulfill their solemn trust is of especial moment to every person and interest in society.

Unaffected by prejudice or passion, and proceeding in their investigations with independence and impartiality, they become the shield of the innocent and the terror of the guilty. While the magnitude of some crimes demands, for the public good, that the offenders should not be permitted to escape punishment, like considerations require that indictments therefor should not be found on insufficient grounds.

When a sufficient cause is made out, there is only one course which duty permits. The Grand Jury should find the indictment a true bill, so that the accused may be brought to trial. If the testimony falls short of such a case, the indictment should be just as promptly ignored.

With full confidence in your determination to discharge, faithfully and diligently, all the duties resting upon you, it only remains for the Court to add, that you should so apportion your hours of meeting and adjournment that, whilst consulting your own convenience, you may proceed without unnecessary delay in the dispatch of the business to come before you.

ON Tuesday preceding the battle of Bull Run, General Scott, at his own table, in presence of his aids and a single guest, discussed the whole subject of this war, in all its parts, and with the utmost clearness and accuracy. He had a distinct and well defined opinion upon every point connected with it; and stated what his plan would be for bringing it to a close if the management of it had been left in his hands. The main object of the war, he said, was to bring the people of the rebellious States to feel the pressure of the Government; to compel them to return to their obedience and loyalty. And this must be done with the least possible expenditure of life compatible with the attainment of the object. No Christian nation can be justified, he said, in waging war in such a way as shall destroy 501 lives when the object of the war can be attained at a cost of 500. Every man killed beyond the number required, is murdered. Hence, he looked upon all shooting of pickets, all scouting forays not required in order to advance the general object of the war, all destruction of life, on either side, which did not contribute to the general result, as so many acts of unjustifiable homicide.

THE ARMY IN VIRGINIA.—This is the reported strength of the four grand divisions of the Union army in Virginia: Gen. Patterson, central, 25,000; Gen. McDowell, northeast, 45,000; Gen. McClellan, northwest, 45,000; Gen. Butler, southeast, 20,000. Total, 135,000. Besides these are the forces under Col. Stone, who is acting auxilliary to Gen. Patterson, and the fleet in the Chespeake Bay, ready to render aid to Gen. Butler. Not included in the above are forty thousand men in Washington City under Gen. Mansfield, and nine thousand in Baltimore under Gen. Banks—making a grand total of over one hundred and eighty-four thousand well armed and disciplined troops in and near the line of Virginia.

REMORSE. The feeling of a pickpocket caught in the act.

The War Fever In Baldinsville.

BY ARTEMUS WARD.

As soon as I'd recooperated my physikil system, I went over into the village. The peasantry was glad to see me. The schoolmaster sed it was cheerin to see that gigantic intelleck among 'em once more. That's what they called me. I like the schoolmaster, and allers send him tobacker when I'm off on a travelin campaine. Besides, he is a very sensible man. Such men must be encouraged.

They don't get news very fast in Baldinsville, as nothing but a plank road runs in there twice a week, and that's very much out of repair. So my nabers wasn't much posted up in regard to the wars. 'Squire Baxter sed he'd voted the dimocratic ticket for going on forty years, and the war was a dam black republican lie. Jo Stackpole, who kills hogs for the 'Squire, and has got a powerful muscle into his arm, sed he'd bet $5 he could lick the Crisis in a fair stand-up fight, if he wouldn't draw a knife on him. So it went—some was for war and some was for peace.—The Schoolmaster, however, sed the Slave Oligarky must cower at the feet of the North ere a year had flowed by, or pass over his dead corpse. "Esta perpetua!" he added, "And sine qua non also!" sed I, eternly, wishing to make a impression on the villagers. "Read out in peace!" sed the schoolmaster. "Yes, too, too, too," I answered, "it's a scandalous fact!"

The newspapers got along at last, check full of war, and the patriotic fever fairly burst out in Baldinsville. 'Squire Baxter sed he didn't believe in Coercion, not one of 'em, and could prove by a file of *Eagles of Liberty* in his garrit, that it was all a whig lie, got up to raise the price of whisky and destroy our other liberties. But the old 'Squire got patty tired when he heard how the rebels were a cattin up, and he sed he reckoned he should shoue up his old muskit and do a little fitin for the Old Flag, which had allers been on the ticket and voted, and he war too old to Bolt now. The 'Squire is all right at heart, but it takes longer to fill his venerable Biler with steam than it used to when he was young and frisky. As I previously informed you, I am Captain of the Baldinsville Company. I riz gradually but majestickly from drummers Secretary to my present position. But I found the ranks wasn't full by no means, and remained for a recruit. Havin noticed a general desire on the part of young min who are into the Crisis to wear eppylits, I determined to have my company composed exclusively of officers, everybody to rank as Brigadier Genral. The bulletin was among the varis questions which I put to recruits.

Do you know a masked battry from a bank of gingerbred.

Do you know an eppylit from a piece of chalk?

If I trust you with a gun, how many men of your own company do you speak you can manage to kill durin the war?

Have you ever heard of Genral Price of Missouri, and can you avoid similar accidents in case of a battle?

Hav you ever had the measles, and if so how many?

How are your teeth? &c., &c. Sum of the questions was sarcastickly.

The company filled up rapid, and last sunday we went to the metin house in full uniform. I had a sorta time gettin into my military harness, as it was bilt for me many years ago; but I finally got inside of it, tho' it fitted me pretty close. However, onct into it, I look fine—in fact, awe-inspirin. "Do you know me, Mrs. Ward?" sed I, wolkin into the kitchen.

"Know you, you old fool! Of course I do."

I saw at once that she did.

I startled to the meetin house, and I'm afraid I tried to walk too strate, for I cum very near falin over backgards; and in attemptin to recover myself, my sword got mixed up with my legs, and I fell in among a choice collection of young ladies, who was standin near the church door a sein the sojer boys come up. My cocked hat fell off, and some how my coat tail got twisted round my neck. The young ladies put their hankerchers to their mouths and remarked: "Te he," while my ancient female single friend, Sary Peasley, bust out in a loud larf. She exercised her mouth so vilently that her new false teeth fell out onto the ground.

"Miss Peasley," sed I, gettin up and dusting myself, "you must be more carful with them false teeth of your'n or you'll have to gum it agin?"

Methinks I had her.

I'd been to work hard all week, and I felt rather sassy. I'm faid I did get partly asleep for on hearin the minister ask why was man made to mourn?" I said, "I give it up," having a vague idea that it was a conundrum. It was a conformunt remark, for the whole metin house looked at me with mingled surprise and indignation. I was about rise to a point of order, when it suddenly occured to me where I was, and I kept my seat, blushing like the red, red rose—so to speak.

The next mornin I riz with the lark (N. B.—I don't sleep with the lark tho'. (A geak)

My little dawter, was exceedin fadde, accompanyin her self with the hand orgin, and she wishit me to linger and hear her sing:

"Hark I hear an angel singin, a angel is now onto the wing."

"Let him fly my child!" sed I, buckkin on my armer, "I must forth to my Regt."

We are progressin purty well with our drill. As all are commandin officers, there ain't no jelosy; and as we are all exceedin smart, it ain't worth while to try to cut strip each other. The idee of a company composed exclusively of Commanders-in-chiefs is niggerrated. I spose I skurcely need say, in these Brane. Considered as a idee I flatter myself it is putty hefty. We've got all the tactics at our tongue's ends, but what we partiely excel in is restin muskits. We can rest muskits with any body.

Our corpse will do its dooty. We go to the aid of Columby—we fight for the stars!

We'll be chopt into sassage meat before we'll exhibit our coat-tails to the foe.

We'll fight till there's nothin left of us but our little toes, and even they shall defiantly wiggle!

"Ever of thee."

A. WARD.

FIGHTING IN THE DARK.—The subjoined extract will show that blunders in the dark are not confined to Yankee soldiers:

"In a night battle, fought during Bonaparte's Russian campaign, one of Davoust's regiments sought to take rank in the first line; owing to the darkness, it passed beyond it, and got into the midst of the Russian cuirassiers, who attacked it, threw it into disorder, took from it three pieces of cannon, and killed or took 300 men. The rest immediately fell into platoons, forming a shapeless mass, but making so formidable a resistance, that the enemy could not break it, and the regiment finally with diminished numbers regained its place in the line of battle.

The Sixty-Ninth Regiment.

One more splendid evidence of the heroism, military spirit and indomitable bravery of their race, has been given to the world by the 69th Irish Regiment in the disastrous battle before Manassas. In one brief year this noble corps has earned an imperishable fame, and established its claim to rank in history beside that Irish Brigade that lent additional glory in bygone days to the conquering arms of France.

Two brief telegraphic paragraphs, received during the past week, epitomize the spirit and position, in this unhappy war, of the brave Sixty-Ninth. The first, speaking of the order of advance of the Federal army on the day that the first conflict took place at Bull's Run, says: "No charge took place in the order of the main column today, except that the 69th New York Regiment *took the run.*" The second announced the general battle, and its disastrous results. In the brief details we find the following mention: "The 69th Regiment were cut to pieces; they covered the retreat, and fought like tigers." They were the first in the field, and the last out of it.

It is but a short year since the city of New York ran mad over the advent of an English prince and his suite. On this occasion the 69th Regiment sternly refused to associate themselves with the popular flunkeyism, or to take part in the demonstrations made in his honor by the citizen military of New York. For this manly and becoming act of common sense and self-respect, one of those popinjay military Generals, (that in times of action like the present are a curse to the public service,) court-martialled the Colonel, and endeavored to break up the regiment. Major General Sandford's proceedings were however, quashed by the Governor on the breaking out of the war, as a matter of expediency. Immediately after, the 69, overlooking the injustice and slur attempted to be cast on them, were the first to volunteer from the State of New York for the defence of the American flag. How well and faithfully they have done so, is written with their blood on the plains of Virginia.

Mustered into the service, they gave an example to the whole army of discipline, good conduct, and energy. Field works on an extensive scale were erected by them with marvelous rapidity; and in this respect, an amount of labor endured cheerfully far beyond that exerted by any other portion of the army. But no part of their action is more deserving of record and imitation than the consistent and constant observance, amid the labors and excitements of the camp, of those religious duties that fitted them alike to live or die well.

At last the time for attacking the entrenched positions of the Confederate army had arrived, and in the van of the main column of the Federal forces we find the 69th marching cheerfully into action, singing a battle song of their native land. The remainder of the tale is brief, disastrous, but so far as that Irish regiment was concerned, most glorious.

An Englishman was present at the battle who had served through the Crimean war. He avers that he never witnessed such brilliant charges as the devoted corps made during the action; they dashed forward in unwavering line in the face of a withering fire from the enemy, and their wild cheer rose defiantly in the thickest of the fight over the din of the surrounding battle. Then came the wild and unaccountable panic in the army they were attached to, the indiscriminate flight, the miserable *sauve qui peut* of a disorganized retreat; and then the heroic Sixty-Ninth stripped off everything but their nether garments, closed their twice-decimated ranks, disputed with desperate valor the advance of the victorious Confederates, repeatedly turning like lions on the pursuing foe, and covering the retreat of the panic-stricken battalions for the whole of that dismal twenty-two miles of road, which was strewn with the arms that the fugitives had cast away to disencumber their flight. When the army, demoralized to a mob, at last reached their lines on the Potomac, the remnant of the 69th came in with their colors, their weapons, and—their honor. It is true, a large number of the arms of that regiment are lying on the road between Manassas and the Federal lines; but the men who carried are lying dead beside them—

"Looking proudly to Heaven from a death-bed of fame!" [*S. F. Monitor*, Aug. 10.

NOW AND THEN.—In 1857, Jeff Davis was the guest of the city of Portland, Me. Declining health and the advice of physicians made him seek a Northern atmosphere. The chief city of the "*Bangor* State was the place whither his way was wended. The bracing atmosphere of New England restored him to health. Portland welcomed him cordially, enthusiastically. All the honors it was possible for the gallant sons of Maine to heap on the head of an honored member of the then existing Cabinet were his. The extended palm only indicated the open heart of every citizen with whom he came in contact. Addresses of welcome, in day-time, assured him, as he traveled over Yankeedom, that he was in the midst of friends and fellow citizens; while sweet music from regular and extemporized "bands" soothed him to sleep at nightfall. Jeff avowed he was thankful for these kind remembrances. He was believed. He even wished to impress it on the minds of the citizens of Maine, that his only son would cherish their kindness in his heart as a legacy—a precious heirloom of the house of Davis, and such impress he endeavored to make as follows, when addressing the citizens of Portland, as representing the citizens of Maine:

"If, at some future time, when I am mingled with the dust, and the arm of my infant son has been nerved for deeds of manhood, the storm of war should burst upon your city, I feel that, relying upon his inheriting the instincts of his ancestors and mine, I may pledge him in that perilous hour to stand by your side in defence of your hearthstones, and in maintaining the honor of a flag whose constellation, though torn and smoked in many a battle by sea and land, has never been stained with dishonor, and will, I trust, forever fly as free as the breeze which unfolds it."

Where we may ask, is Jeff Davis now? Directing the movements of a horde of rebels against the Capital, and the citizens of the very state which showed him so much honor, in common with the other loyal States of the Union! And for what? Merely to satisfy his own insatiate lust for position and power, and if fortune should smile upon his efforts, place upon his brow the emblem of royalty. Alas! what a change! The contrast between Davis in 1850 and Davis in 1861 is great, very great. May we not hope, however that his better reason will return to him, before he finds himself an outcast from the land of his birth, and remarked througout christendom as being,

"From the extremest upward of his head,
To the diremest dust beneath his feet,
A most foul spotted traitor!"

LIKE a bell that is rung for fire—like a ceaseless auctioneer cider—like, oftimes, a graceless liar—mischief making tattlers go. Stopping you with quaking ear—whispering as you hold an ear—Mercy sakes! Betsy Bean has got a Bean.