

Spirit of Jefferson.

BENJAMIN F. BEALL, EDITOR AND PROPRIETOR.

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BALTIMORE CARDS.

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THESE instruments having been before the public for the past thirty years, have upon their excellence...

WORKMANSHIP. They cannot be excelled. The construction is constructed with a care and attention to every part...

PIANO PORTES. The subscriber respectfully solicits the attention of the public to his fine assortment of pianos...

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POETICAL.

MILTON'S BLINDNESS. BY MISS BLOUND.

I am old and blind! All points of vision's frown;

I am weak; yet strong; I murmur that I'm longer so;

Poor, old, and helpless, I the more belong, Father! Sustain me, to thee.

O merciful One! When men are feeblest, then Thou art near;

When friends are few, Thy presence is my cheer, Thy charity I hear.

Thy glorious face Is leaning toward me, and its lovely light

Shines in upon my groping, stumbling sight.

On my benighted eye, I recognize Thy purpose, clearly shown;

My vision Thou hast illumined, that I may see Thyself, Thyself alone.

I have sought to fear! This darkness is the shadow of Thy wing;

Beneath it I am almost sure—An eagle's nest, not here.

Oh! I seem to tread Trembling, where foot of mortal ne'er hath been;

Wrapped in radiance from Thy sinless land, Which eye hath never seen.

Visions come and go; Shapes of reptiles, and of things that throng;

From angel lips I seem to hear the law Of soft and holy song.

It's nothing now, When Heaven's opening on my sightless eyes—

When air from Paradise refreshing blows, The earth in darkness lies.

In a purer clime, Thy being fills with rapture waves of thought

Reel in upon my mind, Break over me unthought.

Give me now my lyre! Within my bosom glow unquenching fires,

Kindled by Thyself, O God, Thyself alone.

MISCELLANEOUS.

A Strange Story.

Ten years ago I was elected Sheriff of county, Illinois.

I had been returned several times since, and I had been elected several times since.

My first attempt to open court was made during an important trial.

The criminal was a depraved, desperate wretch, who had been indicted for an atrocious and brutal murder.

The fellow was greatly hardened and seemed to care but little for the trial; the evidence was strong against him, and when the case was submitted to the jury, they returned a verdict of guilty without leaving their seats.

The case was fixed for four days after the trial. Of course it was a disastrous day, I assure you; for though I knew full well the man deserved his fate, I did not relish the idea of hanging him. I got through with it, and set him to dancing in the air.

He struggled but little. I thought he had an easy death. After hanging the usual time he was cut down, and his body given to his friends for interment. I thought I had seen the body of the man, as the wagon containing the body drove out of the jail-yard—but I was greatly mistaken.

About four months after the execution, I happened to be passing my barn, when I saw a man sitting in the doorway with his head resting on his hands. I did not like his looks, so I approached him, and asked him what he wanted.

He raised his head and looked at me in silence. I am not given to superstition, and I do not think I am very timid; but I felt my blood grow cold as I recognized the man before me as the same man whose execution I had conducted. His face showed no trace of his violent end; and the only indication of it, now visible, was a slight disfigurement of the neck. I scarcely knew what to say or think, for I had seen him hang and pronounced dead, and had delivered his body to his friends for burial; and yet after a lapse of four months, there he sat looking at me with a face as white as a sheet.

The terror which was exhibited in his countenance convinced me that he was no ghost, so I asked him, with as much coolness as I could command:

"Jack Larkins, do you know me?"

"You're the man that hung me," he replied doggedly, at the same time moving away.

"Before you go, Larkins," said I, "I would like to know how you cheated the gallows."

"You won't peach on any of them folks that helped me, will you?" he asked.

"No," I replied, "I will not get any of them into any trouble; I simply wish to know how you were resuscitated."

He hesitated for some time, but upon a renewal of my assurances that none of his friends should be molested, he told me the following story:

"When I put the rope round my neck, and left him on the gallows, he felt a faintness about the heart, caused by realizing his fearful situation for the first time; but before he had time to think, the trap was sprung, and he fell through the opening. His thoughts were remarkably clear, and he seemed to have the power of seeing far above, below, and all around him. Everything assumed a bright vermilion hue, and a soft, dreamy languor stole over him, until he became insensible. There was no lingering pain, or unpleasant anything he had undergone. He seemed to be sinking into a delicious sleep, and all his thoughts were pleasant. The next he remembered was being wrung by the most agonizing torture. The pains were not confined to any particular place, but extended through the whole body. His first thought was that he was in perdition, and was suffering the penalty of his crimes. The pains increased each moment, and at last became so intense that he started to his feet with a scream of anguish, at the same time opening his eyes. Great was his surprise to find himself in his father's house; in the midst of his friends and relatives. He fainted at once, and when he recovered found himself in his own bed. As soon as it was thought safe to do so, his friends informed him that upon bringing his body home, they had determined to re-animate him; although they feared it would be useless. They worked faithfully and at last succeeded."

"But, sir," said the man in conclusion, "coming to life again was much worse than dying."

The man promised to leave the State and try to do better. I had but little confidence in him, yet I let him go. He kept his word, however, and a short time ago I heard he was a well-to-do farmer in one of the territories.

This is the manner in which I got my ideas about hanging, and I think you will find them true.

ENTLER HOTEL.

SHEPHERDSTOWN, WEST VIRGINIA.

J. P. A. ENTLER, Proprietor.

MACKRELL for sale by TRUSSELL & Co.

COFFEE—Rio and Java, of best quality, for sale by CHARLES JOHNSON.

The Supreme Court of the U. S.—The Contest Between the Old Dominion and West Virginia—Which has Jurisdiction over the Counties of Jefferson and Berkeley.

FRIDAY, Dec. 21, 1866.

The Commonwealth of Virginia complains, vs. The State of West Virginia. The Attorney General of the State of Virginia now filed the following bill against the State of West Virginia, which relates in detail all the facts in respect to the territory in dispute between the two sovereignties:

That on the 18th day of May, 1862, the General Assembly of Virginia passed an act giving the consent of the State to the formation and erection of a new State within the jurisdiction of the Commonwealth, to include the counties named in the act, according to the said schedule annexed to the said act, set forth in the Constitution for the State of West Virginia, and the schedule thereto annexed, proposed by the convention which assembled at Wheeling on the 20th of November, 1861.

And in and by the second section of the said act it was further provided that the consent of the Legislature of the State of Virginia was thereby given to the counties of Berkeley, Jefferson, and Frederick, which were named in the said schedule annexed to the proposed new State, and not of the counties enumerated and specified as constituting the territory of the proposed new State, should be included in and form a part of the State of West Virginia, whenever the voters of said county should ratify and assent to the said constitution, at an election held for that purpose at such time and under such regulations as the commission named in the said schedule annexed to the said proposed constitution might prescribe; all of which will more fully appear by reference to a copy of said act hereto annexed and marked "Exhibit I."

And the Commonwealth of Virginia states that no action whatever was had or taken under the said act, and that afterwards, when such proceedings were had, that on the 20th of April, 1862, it was proclaimed by the President of the United States, under the authority of an act of the Congress of the United States, that the State of West Virginia, in sixty days after the last mentioned act, would be admitted into the Union as one of the States thereof. Neither of the said counties of Berkeley, Jefferson, or Frederick was included in the territory of the proposed new State, nor were the said counties, or either of them, part of the territory of the said new State at the expiration of the said sixty days mentioned in the said proclamation.

The Commonwealth of Virginia further states that on the 21st of January, 1863, an act of the General Assembly of the said Commonwealth was passed, whereby, among other things, it was provided and enacted that polls should be opened and held on the fourth Thursday of May then next, at the several places for holding elections in the county of Berkeley, for the purpose of taking the sense of the qualified voters of the said county on the question of including said county in the State of West Virginia. And in and by the said act it was further provided and enacted that the voters of the said county should vote in and for the State of West Virginia, and that a majority of the votes given at the polls opened and held pursuant to that act should be in favor of the said county of Berkeley becoming a part of the State of West Virginia, and that the said county should be included in and form a part of the said new State when admitted into the same with the consent of the Legislature thereof; all of which will more fully appear by reference to a copy of the said act, which is hereto annexed and marked "Exhibit II."

And the Commonwealth of Virginia states further, that by an act of its General Assembly, passed on the 4th of February, 1863, the same provisions for ballot on the subject of becoming a part of the State of West Virginia were made in respect to the counties of Frederick and Jefferson, and the fourth Thursday of May then next fixed for the day of election, and the Governor of the Commonwealth authorized to set in the said county of Berkeley, "Exhibit III," (an act giving consent to the admission of certain counties into the State of West Virginia upon certain conditions,) passed February 4, 1863.)

And the Commonwealth further states its consent was not intended to be given to the annexation of the counties of Berkeley and Jefferson to the State of West Virginia, except upon the conditions named in the acts referred to among which were that there should in fact be a poll opened at each place of voting established by law in each of the said counties; and that the polling thereat should be safely, fairly, and lawfully conducted; and that on the day named in said acts for opening such polls the state of the counties should be such as to permit each and all the said polls to be safely and fairly held, so that a full and free expression of the opinion of the people could be had thereon.

And the Commonwealth further states that at the time fixed by the said acts for the opening of the said polls in the counties of Berkeley and Jefferson the state of the country therein rendered it impracticable to open the polls at the places, or any considerable part of the places of voting therein; nor in point of fact were the same, or any considerable part thereof, opened or held; nor was it practicable for the voters of said counties, or any considerable part thereof, to have notice of such polling, or to attend the same; and in point of fact, they did not have notice, and did not and could not attend the same, by reason of the civil war then and there being waged and actively carried on; and by reason thereof there could not be, and in point of fact was not, a full and free expression, or any opportunity for an expression of the opinion of the people of said counties, concerning the question of such annexation; and in point of fact, a very great majority of the voters of each of the said counties then were and now are opposed to such annexation; all of which

was well known to all persons concerned in procuring the certificate heretofore mentioned.

It is stated that upon representations and suggestions falsely and fraudulently made that the conditions of the said acts in respect to the annexation of said counties had been complied with in all respects, the Governor, being wholly ignorant of the truth in the premises, did certify the same; and that thereupon, without any consent of Congress had thereto, and before any lawful and binding compact with the consent of Congress had been made between the two States, the State of West Virginia did proceed to extend its jurisdiction over the said counties of Berkeley and Jefferson, and over its inhabitants, as if the same had fully and lawfully become a part of its territory, and still maintaining the same.

It is then set forth that on the 6th of December, 1865, the facts having come to the knowledge of the General Assembly of the Commonwealth, that body passed an act, which was approved by the Governor, recited as follows:

Whereas it sufficiently appears that the conditions prescribed in the several acts, &c., above mentioned have not been complied with, and the consent of Congress, as required by the Constitution of the United States, not having been obtained in order to give effect to the transfer, so that the proceedings heretofore had on this subject are simple inchoate, and said consent may properly be withdrawn; and this General Assembly regarding the contemplated disintegration of the Commonwealth, even if within its constitutional competency, as liable to many objections of the gravest character, not only in respect to the counties of Jefferson and Berkeley, over which the State of West Virginia has prematurely attempted to exercise jurisdiction, but as to the several other counties above referred to, (all the territory of West Virginia) therefore the second section of exhibit No. 1. and the whole of Exhibits Nos. II. and III. were repealed, and all consent heretofore given for the transfer of either of the said counties was withdrawn, (Exhibit IV.)—The act to repeal, the title of which recites that has been amended.

It is then represented that a controversy has arisen and now exists between the two States in regard to their respective boundaries, and especially whether the above counties have been lawfully annexed to and have become a part of the territory and within the jurisdiction of the State of West Virginia, or whether they still remain a part of the territory and within the jurisdiction of the old Commonwealth.

The prayer is that it may be ascertained, declared, and established by the decree of this court that the said counties of Berkeley and Jefferson now lawfully are, and ought lawfully to be decided, part of the territory of the Commonwealth of Virginia, and now lawfully should be within its jurisdiction and authority, and that the boundary line between the Commonwealth of Virginia and the State of West Virginia should be ascertained and established and made certain by the decree of this court as to include the said counties of Berkeley and Jefferson as a part of the Commonwealth of Virginia.

The bill is made returnable on the 20th of February next.

Thomas R. Bowden, Attorney General, and B. R. Curtis, late a judge of the Supreme Court of the United States, for the State of Virginia.—National Republican, Dec. 22d.

A Wonderful Land With Stone Trees Six Hundred Feet Long.

In the Eastern Slope newspaper we find a report of many of the curiosities and great riches of the Black Rock country, in the Northwestern portion of California. The reporter of the singular features of that section of many years standing, but are so marvellous that they have seldom obtained credence. Among the wonderful stories we have heard is one that there is a petrified tree seven hundred feet in length! The present report in part confirms previous statements, establishes the fact, that Black Rock is one of the wonders of the Pacific coast, like the Yosemite, the big trees, the Geysers, &c.

Besides the curiosities there appears to be an abundance of silver at Black Rock, but the report is said to be of an unusual variety and very difficult to work; but it has been worked with very good results at the mills at Washoe. The quantity of ore is so great that it is said it will justify the erection of a thousand mills. A gentleman who has visited the section has exhibited to the editor of the Eastern Slope very many curiosities peculiar to the country, strange petrifications from the various curious water-worn publicans from the mountain tops; knives, arrow heads and daggers manufactured by Indian skill from solid flint, a superior quality apparently of ore-block tin, said to contain six hundred dollars in silver to the ton, pebble tin, with its curious fracture, that admits no change in form, and a thousand strange and new things. The editor says:

He also tells us of many strange things that he saw but could not bring with him, and of many stranger things he heard but did not see. Among the latter list of wonders is a great basin that contains a petrified forest, apparently floated there, many trees of solid stone, ranging from six to fifteen feet in diameter. Doubtful as this tale may appear, yet, should we see it, we would dispute its correctness when we know this strange country has a boiling spring of fresh water fifteen feet in diameter, that cannot be boiled, from which no drop of water ever runs; that in the same vicinity there is a flowing stream of cold and apparently good water, the drinking of which induces venereal disease; and that any water found by digging is as salt as sea water, and that a half dollar deposited in the soil is eaten up by the salt, and after thirty days no vestige can be found!

Dr. Cumming, the "Great Tribulation" prophet in England, who assumed to be wise above what is written, has recently delivered himself of the following "solid chunk" of prophetic wisdom:—"I adhere to the solution I have given to the exhaustion of the great chronological epochs of prophecy, as alike most probable and most justifiable by induction from events. How soon after 1867 the Redeemer will return and take the kingdom and reign over all the earth I cannot say."

Of course he cannot, and yet congregations listen with open mouths, and ears and wonder to such stuff.

An Irishman warns the people not to trust his wife, because he never was married to her.

Daniel Bryan's Oath.

Daniel Bryan had been a lawyer of eminence, but had fallen through intemperance to beggary and a dying condition. Bryan had married in his better days the sister of Moses Felton.

At length all hopes were given up. Week after week would the father see his drunk son on the floor, and not a day of real sobriety marked his course. I doubt if such another case was known. He was too low for charity, for those whom he would have associated with would not drink with him.

All alone in his office and chamber, he still continued to drink, and even his very life seemed the offspring of his jug.

In early spring Moses Felton had called to go to Ohio. Before he set out he visited his sister. He offered to take her with him, but she would not go.

"But why stay here?" urged the brother. "You are fading away, and disease is upon you. Why should you live with such a brute?"

"Hush, Moses, speak not so," answered the wife, keeping back her tears. "I will not leave my husband, but he will soon leave me. He cannot live much longer."

At that moment Daniel entered the apartment. He looked like a wanderer from the tomb. He had his hat off and his jug in his hand. "Ah, Moses, how are ye?" he gasped, for he could not speak plainer.

The visitor looked at him a few moments in silence. Then, as his features assumed a cold, stern expression, he said in a strongly emphasized tone: "Daniel Bryan, I have been your best friend but one. My sister is an angel, though matched with a demon. I have loved you, Daniel, as I never loved a man before; you were generous, noble and kind; but I hate you now, for you are a perfect devil incarnate. Look at that woman. She is my sister—she now might live with me in comfort, only that she will not do it while you are alive; when you die she will come to me—

Thus do I pray that God will soon give her joys to my keeping. Now, Daniel, I do sincerely hope that the first intelligence that reaches me from my native place after I shall have reached my new home may be—THAT YOU—ARE DEAD!"

"Stop, Moses; I can reform yet."

"You cannot. It is beyond your power. You have had inducements enough to have reformed half the sinners of creation, and you are lower than even before. Go and die, as soon as you can, for the moment that sees you thus will not find me among the mourners."



Spirit of Jefferson.

DENJAHN F. BEALL, Editor. CHARLESTOWN, VA. Tuesday Morning, January 4, 1867.

Our paper this week may not be as entertaining to our readers as we could desire it, but a disposition, like others, to take our ease, during the recent holidays, must be our apology for any lack of interesting local or miscellaneous matter.

OUR COUNTY STATUS.

The Whoeing Register—which, by the way, is one of our most valuable contemporaries—has taken the occasion of the service of the writ, of the U. S. Supreme Court at the suit of Virginia vs. West Virginia, on Governor Boreman and Attorney General Maxwell, to indulge in some words of censure to the new State.

We assure our friends of the Register that there is not one single statement made in Judge Curtis's bill that is not absolutely true, and capable of being sustained by indisputable evidence—unless it be, that Gov. Pierpont was imposed upon by "false representations and suggestions."

To all our readers, we give the greetings of the season, and wish them a smooth and happy voyage over the rough and uneven tide of time.

CHRISTMAS.

We have passed another Christmas since our last issue. To some it has been a season of joy, and to others a time of sorrow.

THE OLD AND THE NEW.

This morning we make our appearance on the first day of the New Year, 1867. The tide of time, ever restless, has rolled another year into eternity, and as we look back upon its eventful and checked scenes, we recall much that is calculated to chasten and humble us as a people and as individuals.

In entering upon the New Year, may we not reasonably determine that it shall be spent, if we are spared through it, with more profit to ourselves and those around us, than the one which has just passed, never again to return.

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AFTER THE HOLIDAYS.

When the congressional holidays are over, we presume Stevens, Sumner & Co. will kindle fiercer fires under the Radical pot, and set it boiling harder than ever before.

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WHAT WILL JUDGE HALL DO?

It is conceded now, on all hands, that the Supreme Court has decided the test oath, created by Congress for the purpose of excluding Southern lawyers from practicing in the federal courts, to be unconstitutional, and that Judge Grier is engaged in writing out his opinion.

Several prominent Democrats, including Charles O'Connor, Amasa J. Parker, Richard O'Gorman, and others, called upon President Johnson on Wednesday.

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EDITORIAL BRIEVITIES.

There appears to be a great difference of opinion on the part of the Franco-Mexican journals in regard to the present position and future prospects of Maximilian in Mexico.

President Johnson has issued an order revoking the exequaturs issued by the United States to Consul representing the Governments of Hanover, the Electorate of Hesse, the Duchy of Nassau, and the free city of Frankfurt.

It is understood that Judge Wayne, and not Chief Justice Chase, as previously reported, will grant a writ of habeas corpus, under which Dr. Mudd, Spangler and Laughlin will be brought from the Dry Tortugas for trial by the civil courts.

The Philadelphia Age hits the nail upon the head when it says "the Presidential election is approaching, and the minority are determined to carry that election as they did the last, by excluding States from participating in the contest.

The New York Times' Washington correspondent says that on the 5th instant, the following, in substance, was received from Napoleon in reply to Seward's despatch to Mr. Bigelow of November 27th.

The report of the death of Escobedo is true. He was overtaken by Cortinas and Canales when in flight from Matamoros and carried back there.

Letters have been received in Washington from Richmond, written by gentlemen in high position, utterly denying the truth of Hon. John Segar's statements.

The Case of Lowenthal.

The case of Jacob Lowenthal, formerly a claim agent of Washington city, charged some months ago with swindling the Government to a very large amount by means of forged bounty claims, presented in New Orleans, and who, it was afterwards reported, died of cholera, has been again taken up in Washington, and is being again thoroughly investigated.

Mr. Taylor proposes to consolidate the debt of the State by calling in all its bonds, and issuing in lieu thereof consolidated bonds, which consolidation, he suggests, will effectually cure an evil long felt in the department from the issue of registered stock under ninety-four different acts of Assembly.

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The funeral was attended, among others, by his counsel, Messrs. Ford and Hine, who are positive that it was Lowenthal's body in the coffin.

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The State Debt—West Virginia.

The Legislature of Virginia has been somewhat slow in taking up the subject of the State debt with the view of examining the suggestions of the Government and Mr. Taylor, the Auditor of Public Accounts.

First, let us briefly present the account of losses to Virginia by the secession of West Virginia.

1.—The whole number of acres of land in the State of Virginia before her dismemberment was 50,550,080; the fifty counties in West Virginia, 23,190,315—very nearly half the territory of the State.

2.—The whole white population of Virginia was 1,847,547; of that part now West Virginia, 556,949—more than one-third the whole white population of Virginia.

3.—The value of real estate of Virginia was \$377,947,112 1/2; value of same in that part of the State now West Virginia, \$89,803,641 61.

4.—The value of slaves, according to these official estimates, this State lost with West Virginia nearly half its territory, more than one-third of its white population, and nearly one-fourth of the value of its real estate.

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The United States and France.

Reception of the new French Minister by President Johnson.

WASHINGTON, December 25.—At 4 o'clock this afternoon the Secretary of State, in company with the President, Mr. Berthemy, the new French Minister, who was accompanied by the President as follows:

Mr. President—I have the honor to place in your hands the letter which accredits me in the quality of Ambassador Extraordinary and Minister Plenipotentiary of His Majesty, the Emperor of the French.

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More as to the Congressional Excursionists.

A correspondent of the National Intelligencer writes:

On the Orange and Alexandria railroad they met with Hon. Jeremiah Morton, of Orange county, and Colonel Daniel F. Slaughter, of Culpepper, besides other Virginia gentlemen, who desired to show the Congressional party every respect and give them the right of way to the real and true feeling of Virginia people.

Senators Foster and Ramey made themselves specially agreeable, and appeared amazingly gratified and remarkably well pleased. They had hardly reached the historic fields of Bull Run and Manassas when these gentlemen expressed themselves greatly surprised at the endless scenes of desolation and destruction of lands and other properties, as until now they could not be made to realize, but are now compelled to believe and appreciate.

Senators Foster and Ramey, in company with General Howard, visited the house of Major General Gustavus W. Smith, of the late Confederate army, and who is now president of a New York iron works company in operation at Chattanooga, who entertained them most handsomely, and interchanged conciliatory sentiments.

General Smith, it will be remembered, was one of General Howard's instructors at West Point. I heard a citizen today, in speaking to two distinguished senators, say, "I am an original East Tennessee Union man," when one of them replied, "I don't care for you; you were here, but we have been so handsomely treated by all parties that I am well disposed towards all."

Let the South Alone.

The New York Herald seems to have given up the territorializing and the Constitution-amending policies in reference to the South, and to have become a convert to the policy of letting the South alone.

What then can we do with those people? They rebelled against the constitution, they appealed to the sword, they have been defeated and disarmed, and now they fall back upon their constitutional rights as they were before the war.

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Internal Taxation.

Referring to the demand of the manufacturers for more "protection," the New York Times says:

"There is but one remedy for a market glut, and that is reduced production until the stock on hand be consumed, the manufacturers falling back upon the prodigious profits of recent times.

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MARRIED.

On the 17th ult., by Rev. H. W. W. W., Mr. CHAS. A. ALLI and Miss SARAH J. WALTERS, all of Shepherdstown.

On the 19th ult., at the residence of the bride's father, by Rev. J. M. G. G., Mr. J. P. B. B. and Miss M. M. M., all of Shepherdstown.

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DIED.

On Saturday morning last, at Woodstock, in this county, after an illness of 23 days, of cholera, the most intense, Miss L. W. W. W., daughter of Mr. W. W. W. W., aged 36 years.

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