

Spirit of Jefferson.

BENJAMIN F. BEALL, EDITOR AND PROPRIETOR.

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PURE Old Virginia Whisky.

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VOL. 19. CHARLESTOWN, VIRGINIA, TUESDAY, MAY 21, 1867. NO. 38.

BENJAMIN F. BEALL, Editor. CHARLESTOWN, VA. Tuesday Morning, May 21, 1867.

U. S. Circuit Court, at Richmond.

One of the civil cases taken up, in the U. S. Circuit Court at Richmond, Judge Underwood presiding, was that of Morris vs. the United States; and is thus reported in the Richmond Whip.

This case grew out of the petition of Governor Morris, of New York, next State, to set aside the sale of property in Alexandria valued at between fifteen and twenty thousand dollars, secured under the confiscation act of 1862, as the property of Orlando Fairfax, who was alleged to be disloyal to the Government.

Gen. Wells of Alexandria, the counsel for the petitioner, argued that under the general practice in seizures and like cases, no valid seizure could be made until the libel was filed, and that while the act of Congress, from the peculiar necessities of the case, authorized the seizure before filing libel, it was still necessary that actual possession should be taken by the Government, or other actual or constructive notice given in order to make a seizure without notice.

Also, that no record or other notice was given of the seizure, nor was there any actual possession of the property by the Government; that the petitioner, having notice of the confiscation proceedings in said case, attached the property in question in due form of law to satisfy a debt of \$25,000 due from Orlando Fairfax to the petitioner; that afterwards, in October, 1863, a libel was filed in the District Court of the United States, and the property confiscated and sold thereunder.

He stated, fourthly, in conclusion, that the intention of the confiscation act being among other things designed to punish disloyal persons by depriving them of their property, the object of the act will not be secured, but only an innocent person will suffer and be deprived of her property if the petition be refused, when, as is proven, she is at the time, continued to be, and still is, loyal to the Government of the United States.

He further contended that, under the rules which govern the admiralty side of the court, it is competent for the court to make such order or modification of a judgment already rendered as would do substantial justice.

Mr. Chandler, the United States District Attorney, replied in behalf of the claim of the Government to the property. He reviewed the argument of Gen. Wells, and took the ground that no notice of the seizure was necessary; that the notice subsequently given by the filing of the libel was sufficient to the Government of the U. S. is entitled to priority and preference over citizen creditors, and that it did not comport with the dignity of the Government to place a record of Alexandria in the hands of a private citizen.

The proceedings in the Circuit Court of Alexandria, the counsel for the petitioner, never been in this, as in other Federal courts, decrees by default under the confiscation act of 1862; also, that there are few titles superior to that arising from a Marshal's sale under a due process of law.

The interest of the case is somewhat enhanced, from the fact that the parties to it on both sides are representatives of the oldest and among the most distinguished families of Virginia and New York. Governor Morris is the grandson of his ancestor of the same name, who was a man of mark even before the revolution. He was a member of the Continental Congress and minister to France during Washington's administration, and also held other high and important official positions.

Dr. Fairfax belongs to one of the oldest of the families of Virginia, and is a worthy scion of a distinguished parent stock. His kinsman, Baron Fairfax, who died at Greenway Court, near Winchester, in 1782, was the earliest patron and friend of Gen. Washington.

The judge decided that the case came properly before the District and not the Circuit Court. Mr. Chandler, however, thought that if the petitioner having been heard before the judge expressed this opinion.

GEN. SEDGWICK.—The following is from the Galveston Bulletin of April 23d: Brevel Brigadier General Sedgwick passed through this city a few days ago, going north to receive his final discharge from the Federal army. It is said that on his passage he stated that he had other orders, not yet made public, in reference to his invasion of Mexico, and that they would go far to show that he had official warrant for all he did. He has also a copy of a letter addressed to the General Government by President James, thanking him for the invasion. These documents at Gen. Sedgwick's, it is said, will be published as soon as he is perfectly and entirely relieved from army obligations. It is contended that the language of his orders was explicit, direct, and repeated, "do not permit" certain things to be done. He could not obey this order without the invasion, which it was afterwards found convenient to ignore.

MURDERERS HUNG.—At Summerville, Mississippi, recently, two brothers, named Fitzgerald, murdered a young merchant in his store, and then robbed him of fifteen hundred dollars. They were pursued by the citizens, captured, and hung without ceremony. The younger brother, confessed to having murdered several other men for their money. It is believed that the Fitzgeralds belong to a regular organized band of murderers and robbers in that part of Mississippi.

Wonderful Escape from the Grave.

A Washington correspondent of the Boston Transcript tells the following story, which makes huge drafts upon the reader's credulity:

"A gentleman of New Albany, Floyd county, Indiana, a respectable and perfectly credible man, now a clerk in the Pension Bureau, Washington, was formerly a soldier in company E, 60th Indiana volunteers. In 1862 he was stationed at St. Louis. While stationed there he was taken down with small pox, and apparently died, placed in a coffin and immediately entombed. As the soldier's tomb was rather rapidly filled, five other coffins were soon piled on his. He lay there two and a half days, when he became somewhat conscious, and his first feeling was a suffocating sensation. His screams alarmed the German sentry guarding his tomb, who, frightened, ran, dropping his gun, which was discharged. The report aroused Mr. M. still more to a sense of his condition and awful location. He redoubled his screams, bringing a number of soldiers to the tomb, who soon got him out and relieved him from his terrible confinement. He is confident he should have suffocated in fifteen minutes. He says that though never conscious of his dreadful situation, his mind was always active and his sensations unexpressed—delightful—seeming to float through scenes of surpassing beauty, amid strains of delicious music, such, to use his own words, as he has never heard since. For obvious reasons, he does not wish his name to be published, but your correspondent will vouch for character."

Another Beast Butler.

Springfield, Illinois, has a rival Butler to the "Beast" of Massachusetts. A subscription to relieve the distress of the South has been set on foot in the former place by some charitable citizens, through which Best No. 2 has been developed. The Illinois State Register says:

"In their organized exertions to aid this pressing charity, our kind-hearted citizens laid out this city into districts, and named three or four prominent persons to collect subscriptions and donations. Three of these persons, with a subscription paper, desiring aid. Feeling that the object was most holy, we took the paper, and casually glanced along the list of subscribers. Among these we saw the name of a wealthy and charitable citizen for the sum of one hundred dollars; numerous others of smaller amounts. Blessings on those benevolent hearts! Near this larger subscription was the following:

"I will give the amount set opposite my name to purchase powder and lead to be used in the South, provided the same is dispensed by a loyal agent. WM. BUTLER, \$50."

"A glance at this was not sufficient; one could scarcely realize the fact. We read again; the words were there; comment is needless."

The eight-hour disturbances at Chicago and elsewhere in Illinois, seems to be approaching a close, so far as lawless violence is concerned. The demand for ten hours' pay for eight hours' work is universally refused by employers, and the majority of the laborer insist that the former schedule of labor remain undisturbed. An immense amount of proposed building in Chicago, is reported abandoned in consequence of the existing derangement of labor and prices.

A taking young lady in Cincinnati was caught with about \$500 worth of silk dress patterns, bonnets, etc., which she had purloined and secreted under her skirts. On account of her "respectable" connections the store-keeper allowed her to go on her way rejoicing.

The Alexandria Gazette says: The press and politicians of the North seem to be deeply exercised about the progress of parties in this section. The Southern States, by the admission of a new element extending the basis of representation, will have a larger vote in the popular branch of Congress than they ever had. They may, therefore, hold the balance of power upon all questions concerning which there may be a division between the North and the West.

The dedication of the new granite Masonic Temple at Boston, on the 24th of June, will be performed on the most extensive scale, and with the most imposing ceremonies. The day will be a public holiday in the city, and preparations will be made by the masons to entertain 200,000 visiting brethren. President Johnson and General Grant have accepted invitations, and are expected.

Eloquent.—There was a large meeting of the citizens of Salem last week, to denounce an unwarranted attack by parties unknown, on a colored man. Several kind speeches were made. Claiborne Scott, colored, said, "I have no people but the Southern people, no State but Virginia!"

By an arrangement recently made, whereby a connection is effected at Upperville, passengers can travel on alternative days between Winchester and Alexandria in stages.

The Old Commonwealth learns, that the new mail Contractors on the Valley road have sold out contract, good will, 50 horses and 6 coaches to A. D. Trotter & Bro., who will continue to run two daily lines on the route.

POETICAL.

IMPLORATION.

Up to the silent Heaven the cry ascendeth, Bid war and tumult cease, and bleedeth, Solemnly with midnight winds it bleedeth, On earth let there be peace.

Too long have yonder holy moons am glistened, O'er fields of strife below; Too long have yonder starry watches listened To sounds of war and woe.

Too long in waiting at Bethesda's portals The spirits tremble in wing; To heal earth's torments waters, hapless mortals, Have languished yearning.

Behold that thousand years of bloody story Suffice thy mighty book; Unfold those pitying pages of peaceful glory, Where seraph eyes may look.

One snowy host, thy sacred Recording Angel With thy own ray may write Deeds sympathetic with the great Evangel, All pure and kind and bright.

Oh, dove of peace, as one in records old, Brood o'er the sacred breast, Spread wide thy silver wings and feathers golden, O'er the world's woe and rest.

Oh, princely footsteps, once at midnight stealing O'er the thorny path of pain; Walk on the billowy waves of human feeling And bid them, "Peace be still!"

MISCELLANEOUS.

Spurgeon.

The London correspondent of the Boston Journal speaks of this remarkable clergyman and his place of worship as follows:

Without question Mr. Spurgeon is the most popular preacher in London to-day. His church will seat comfortably six thousand. It is always full. All the seats in the next edifice are rented. The chapel is rented by seats. The party who takes a pew receives as many tickets as their seats in it. These hold good for six months. Each person to occupy a seat in that pew presents a ticket at the gate and is admitted. Without such ticket no one enters the church until ten minutes before services commence. Then the gates are opened and the crowd rush in and take all unoccupied seats. Mr. Spurgeon's church is an old one. It was formed in 1650. It was ministered to by Dr. Fill, Rippon and other distinguished men. It now numbers three thousand and eight hundred members, every one of which he reports himself the regular monthly communion or he is subject to discipline. Mr. Spurgeon is an open communion Baptist, but, allows no members but those who have been immersed in other Baptist churches are more liberal than the Baptist of the most important and prominent persons not immersed to become members of the church, and also deacons. Indeed, some of the churches, should they become vacant, without any change of articles of covenant, as well settle a Congregationalist as a Baptist pastor. The communion is celebrated in the South, provided the same is dispensed by a loyal agent. WM. BUTLER, \$50."

Every thing about this concern is gigantic. The chapel as they call dissenting churches here, is a huge stone edifice, with a massive stone portico, supported by six columns, and guarded by an iron fence which would be regarded for a penitentiary. The interior is in a cathedral style. The two deep galleries sweep clear round the main entrance, is a large platform filled with chairs, and beneath the tables, standing on the platform, is the baptistry. Above this platform is a second one. It is reached by circular stairs on either side from the first platform. On this upper platform is a sofa, with a table by its side. This is the pulpit of the famous London preacher. This platform is surrounded by a railing, and this is all that keeps him from the people. During his preaching he walks the circuit of the rails, grasping at times with every arm, smiting it with the palms of his hands, leaning over it, while he holds a familiar colloquy with his people. Sitting on this upper platform, the sight is exhilarating. Every seat is full. Every standing place is crowded. The aisles can only be known by the height of the men standing in them. At precisely the time of speaking here, Mr. Spurgeon walks to the platform from the left, by his elders and deacons, who have seats provided for them in stalls. He is a short, chunky man, with a genuine English look; dark hair, expressive eyes and cheerful face. He has a merry spirit, and cheerfulness and humor predominate in his system. He is very reverend in his manner. His voice is full and clear, and rings through all the chapel.

There is a marvellous snuffing, whining, indignant mode of speaking here, to which Spurgeon is a splendid exponent. The singing is very grand. Each hymn is read twice—once through before the singing, and then verse by verse as it is sung. A chorister steps out on the upper platform and sets the tone, in which the whole congregation join. No organ or musical instrument is allowed in the chapel. While he preaches, every inch of Mr. Spurgeon is to be seen, from his boots to his hair. A small piece of paper laid on the table by the side of the pulpit, to which he seldom refers, contains his notes. A sermon of about forty-five minutes is a simple presentation of Evangelical truth, earnestly, vividly, and sometimes graphically set forth. Spurgeon has the power of putting himself in sympathy with his audience and aways them at his will.

VIROGINIA.—Rev. Mr. Slaughter says in the "Southern Churchman": "As the twelve tribes of Israel were scattered abroad in almost all lands, so are the churches of Virginia. Outside of New England, its ministers or members are to be found in nearly every State, from the Lakes to the Gulf, from Virginia to California. The first Bishop of Tennessee was a Virginian; the Bishop of Arkansas is a Virginian; the late and living Bishops of Alabama were Virginians; a Virginian Bishop presides over the Church in North Carolina, and the newly consecrated Bishop of Louisiana is a Virginian. The old church of Virginia has its representatives in Canada on our Northern and Mexican or our Southern frontier, as also in the adjacent isles of the ocean. She has sons and daughters in Old England, and she on the continent of Europe. The Bishop of Cape Palmas, in Africa, is a Virginian; as is the Missionary Bishop of China and Japan."

—If you see a man go into a bar-room, it is a sign that he is out of spirits and likely to be ailing.

The Holy Places.

We have been exceedingly interested in the following sketches of two places near Jerusalem; of which the Bible contains few particulars, although the events that transpired there are well-known. The traveller who describes them is the Rev. John Holland, a correspondent of the Louisville Courier, and his letter is written from Constantinople, under date of March 23.

There are two spots, however, in the vicinity of Jerusalem of which I must say something more, to gratify my own love to talk about them than to instruct or entertain you. I do not mention in the list, it is because they are a separate chamber of the heart, hanging just over the altar of its most sacred sanctuaries. Before their affliction, like a priest, keeps his golden lamps continually burning.

Connected in situation, in history, in theology. They are on opposite sides of Olivet. It was in Bethany that Jesus was anointed for his burial, and in Gethsemane that he was seized for his execution. It was in Bethany that Jesus gave the sweetest token of his friendship for man by sharing man's home, its joys and sorrows, and in Gethsemane that he gave the strongest evidence of his infinite love for man by drinking to the dregs the wormwood and the gall of man's iniquity and its penalty. I remember well the day, as who would not, I remember well the footprints of Divinity. Clattering out of Stephen's Gate we passed through the Turk's cemetery, where, vaulted and draped in white, the women, whose business it is to go mourning and evening to the tombs and mourn, were leaning against the sculptured turbans, and denouncing a steep hill by the spot pointed out as that where the proto-martyr "fell asleep" under the stones of the tomb, and with the heavens open to receive him. Crossing the bridge over the Kedron, and leaving the tomb of the virgin on our left, we turned the corner of the wall of Gethsemane and halted before the gate of its upper or eastern side, until Antika our guide, could notify the porter of our presence. Antika dismounted and responded to our inquiries, and he either "dead to the world" in slumber, or absent on an errand of charity, and to continue our route was that taken by David in his flight from Absalom. As we toiled up the rough, century-worn road, every particular of that sad event so minutely and vividly narrated in II Samuel, xvi and xvii, came to mind. The incident, first, and the King, facing from his son and the exile, went over the brook Kedron toward the way of the wilderness. And went up the ascent of Olivet, and wept as he went up, and had his head covered; and he went barefoot; and all the people that were with him covered every man his head, and they went up weeping as they went up. On the summit we rested as did that procession while "David worshipped God and Hushai, the Gibeonite, came to meet him with his coat rent and earth upon his head." Inclining to the left, we crossed the northern shoulder of the mount and arrived at the place, easily fixed a little below a white-domed way or Sheikh's tomb, at which David was met when a little past the top of the hill by Ziba, the servant of Mephibosheth, who brought with him a couple of asses saddled upon the mount, two hundred loaves of bread, and a hundred bottles of raisins, and a hundred summer fruits, and a bottle of wine. Still further down the declivity there was another interruption of the flight. Simeon, the son of Gera, came forth cursing as he came, and cast stones at David, his servants, his household, his people, and the mighty men on his right hand and his left. I could but think while riding along that even had the monarch been able to hold his kingdom and quelled the insurrection, the pain caused by the ingratitude and rebellion of his idolized son was enough for the stoutest spirit to support, but when to that pain was added the treachery of officers and subjects, the necessity of sudden departure, the sweeping away, as by a whirlwind of his prosperity, the danger of starvation, of capture, of death at the hands of his own offspring, I wondered that he did not sink down there upon this road and die with broken heart.

How I rejoice that it was otherwise—Death would have snatched the lyricist, which the measure of the calamity served only to strike as with a bold hand upon psalms that have never been silenced since—that, floating through ages of sorrow, have been unceasingly swelled by the praises they comforted from the sighing ones they comforted into singing; and their end is not yet, nor can be until God shall have wiped all tears from his children's eyes.

But we are in sight of Bethany. There it sits in its sequestered nook, a hamlet of about twenty half-raised houses. It has a beggar's look. It was never the home of the rich, the proud, the great. But He who, though rich, for our sake became poor, abided with the humble inhabitants. And now what name that conquered a world and that made senators tremble and nations applaud, is so familiar to Christians' ears and tongues and hearts as the names of "Maria and her sister and Lazarus," the family that Jesus loved?

When Paris and London shall be as Niniveh and Babylon to-day are, when the names of them all have entirely faded from memory, this insignificant village shall still be young in its immortality of renown. For Bethany is celebrated in the annals of heaven, and on resurrection day, whose morning-star was lighted here in the resurrection of Lazarus to his agonized sisters, Bethany shall be distinctly heard and form a thrilling note in the hosanna chorus of the redeemed.

THE TOMB OF LAZARUS. But I digress. The path is precipitous. We dismount and lead our horses down. We have reached the tomb of Lazarus. We enter by a low opening, and feel our way down a long, winding, dilapidated staircase to a small chamber, the walls of which are partly plastered, partly the naked rock of the cavern. From this chamber a few steps lead into a low vault, I imagine not more than nine feet square. Therein lay the body of Lazarus. The closeness of the atmosphere invites our inspection to a mere glance. We retire to the larger room, and sitting upon the floor, Bible in hand, one of us reads aloud, by candle-light, St. John's account of the miracle and of the Savior's intercourse with those whom it most affected. How touchingly simple, how surpassingly beautiful!

RATES OF ADVERTISING.

One Square, Three Insertions, \$1.50; Each Continuation, 50; One Square, One Month, 2.00; One Square, Three Months, 5.00; One Square, Six Months, 8.00; One Square, One Year, 15.00; Ten Lines or less, constitute a Square. Yearly Advertisements by Special Contract.

[From the St. Louis Republican, May 5.] A Bogus English Nobleman Abandons a Young Bride.

In the proper column of this paper will be found a notice of the marriage of Miss Emma P. Jones to Mr. William S. Anderson, which occurrence took place last Sunday morning at St. George's church.

This announcement will doubtless astonish many of the friends and acquaintances of the bride and groom, and they will doubtless make use of the true expression, "Truth is stranger than fiction." So it would appear in this case; but a short and romantic engagement between two persons of the most remote idea of changing her name. She knew of no other name that would become her half well.

Her heart was free and untrammelled as the winds that coursed over the prairie around her country home. A look, a touch, or a word, may sound the steps of the soul like a plummet. The sensations of a moment may expand into an eternity bright with blissful visions and rich with the fruition of fondest hopes. In such a moment the country girl who figures in this romance experienced a life change which cast a golden glow over the horizon of a faded future. The gentleman who was so happy as to meet his ideal of beauty at such a time urged his cause with fervid eloquence, and he could not in vain.

This happened on Saturday evening. On the following Sunday morning, a most wedding party entered St. George's church, and two hearts were made one by the sacred bonds of matrimony. After the marriage knot was tied, the happy bridegroom told the bride that he was the son of an English nobleman, and possessed his proportion of this world's goods in his own right, without reference to "great expectations" or a paternal inheritance. This fact he had hidden studiously withheld, and the disclosure proved a most deplorable chapter of this romance of reality.

Another, and concluding chapter was to follow, which was not so pleasant to the contemplation of either of the twin made one, and contained a most unusual incident to such occasions. Indeed, it was the most romantic circumstance of this most romantic story. After the usual congratulations were over, the wedding party retired from the church. While on the steps of the sacred edifice the bridegroom informed the bride and the astonished company that business of importance called him to our western frontier, and that he would be compelled to leave immediately for Fort Reilly. A carriage was in waiting into which he stepped, and bidding his bride adieu, soon vanished from sight. She did not faint, fall, and contribute to an exciting scene, but she had taken the precaution to whisper in her ear that he would be absent only five weeks, and he advised her, in the mean time, to be as happy as she could, and make preparations for a voyage to England on his return.

Origin of "Old Dominion." Few things are so well calculated to awaken in the mind of the proud Virginian wandering in foreign lands, touching reminiscences of home and kindred, as the simple mention of the "Old Dominion." And yet there are comparatively few who are aware of the term which has so long and so generally been applied to Virginia. It originated thus: During the Protectorate of Cromwell, the colony of Virginia refused to acknowledge his authority, and declared itself independent. Shortly after, when Cromwell threatened to send a fleet and army to reduce Virginia to subjection, the alarmed Virginians sent a messenger to Charles II, who was then in exile in Flanders, inviting him to return in the ship with the messenger and be a king of Virginia. Charles accepted the invitation, and was on the eve of embarkation, when he was called to the throne of England. As soon as he was fairly seated on his throne, in gratitude for the loyalty of Virginia, he caused her coat of arms to be quartered with those of England, Ireland and Scotland, and as an independent member of the Empire—a distinct portion of the "Old Dominion." Hence arose the origin of the term. Copper coins of Virginia were issued even as late as the reign of George III, which bore on one side the coat of arms of England, Scotland and Virginia.

Resting Place of Light Horse Harry Lee. A letter from Fernandina to a Tallahassee paper says: "A baronial mansion erected on Numberland Island is known as 'Dungeness.' It was once the estate of Major General Nathaniel Green, of revolutionary fame. Here in the rustic rural place of the estate repose the ashes of his wife and daughter, and that distinguished Virginian, Light Horse Harry Lee, father of General Robert E. Lee. At the breaking out of the war 'Dungeness' was a charming place; its dependent grounds were adorned with olive and orange groves, and shrubbery in endless variety from every quarter of the globe. Here the date palm of Arabia might be seen growing in oriental stalactites by the side of a gentleman's golden accacias. Its proprietor, a gentleman of fortune and culture, whose hospitality was princely, left the estate in the charge of servants when the Federal forces took Fernandina. Servants, library, paintings, furniture, soon disappeared. Then the house remained a wilderness. As length many families of freedmen took up their abode in its deserted halls, subsisting on the produce of the manufacture of olive oil and indigo, and gardening. Not long ago it was reported, upon what authority I know not, that 'Dungeness' was to be repaired and refurbished. The negroes, however, still continued to occupy it up to last week, when a fire, accidental or designed, left nothing to mark the scene of so many pleasant memories but blackened walls and smouldering ruins."

A RECIPE FOR HAPPINESS.—It is simple, when you rise in the morning, form a resolution to make the day a happy one to a fellow creature. It is easily done. A left off garment to the man who needs it; a kind word to the sorrowful; an encouraging expression to the starving—trifles in themselves as light as air—will do it, at least for twenty-four hours; and if you are young, depend upon it, it will tell when you are old; and if you are old, rest assured it will tell when you are young. You send one person—only one, happily through the day; that is three hundred and sixty-five in the course of the year—and supposing you live forty years only, after you commence this course, you have made four hundred and six hundred human beings happy, at all events for a time. Now, worthy reader, is this not simple? We do not often indulge in a moral dose, but it is so small a pill that one needs no red currant jelly to disguise its flavor, and it requires no more than once a day so that we feel warranted in prescribing it. It is most excellent for digestion and producer of pleasant slumber.

It is related of two old Scotch ministers that the one asked the other if he were not sorely tempted at times to go fishing on the Sunday afternoons. "O, mon," replied the fellow laborer, "I am never tempted lang, I just jang."

It is the perfection of happiness neither to wish for death nor fear it.

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BENJAMIN F. BEALL, Editor. CHARLESTOWN, VA. Tuesday Morning, May 21, 1867.

U. S. Circuit Court, at Richmond.

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This case grew out of the petition of Governor Morris, of New York, next State, to set aside the sale of property in Alexandria valued at between fifteen and twenty thousand dollars, secured under the confiscation act of 1862, as the property of Orlando Fairfax, who was alleged to be disloyal to the Government.

Gen. Wells of Alexandria, the counsel for the petitioner, argued that under the general practice in seizures and like cases, no valid seizure could be made until the libel was filed, and that while the act of Congress, from the peculiar necessities of the case, authorized the seizure before filing libel, it was still necessary that actual possession should be taken by the Government, or other actual or constructive notice given in order to make a seizure without notice.

Also, that no record or other notice was given of the seizure, nor was there any actual possession of the property by the Government; that the petitioner, having notice of the confiscation proceedings in said case, attached the property in question in due form of law to satisfy a debt of \$25,000 due from Orlando Fairfax to the petitioner; that afterwards, in October, 1863, a libel was filed in the District Court of the United States, and the property confiscated and sold thereunder.

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The interest of the case is somewhat enhanced, from the fact that the parties to it on both sides are representatives of the oldest and among the most distinguished families of Virginia and New York. Governor Morris is the grandson of his ancestor of the same name, who was a man of mark even before the revolution. He was a member of the Continental Congress and minister to France during Washington's administration, and also held other high and important official positions.

Dr. Fairfax belongs to one of the oldest of the families of Virginia, and is a worthy scion of a distinguished parent stock. His kinsman, Baron Fairfax, who died at Greenway Court, near Winchester, in 1782, was the earliest patron and friend of Gen. Washington.

The judge decided that the case came properly before the District and not the Circuit Court. Mr. Chandler, however, thought that if the petitioner having been heard before the judge expressed this opinion.

GEN. SEDGWICK.—The following is from the Galveston Bulletin of April 23d: Brevel Brigadier General Sedgwick passed through this city a few days ago, going north to receive his final discharge from the Federal army. It is said that on his passage he stated that he had other orders, not yet made public, in reference to his invasion of Mexico, and that they would go far to show that he had official warrant for all he did. He has also a copy of a letter addressed to the General Government by President James, thanking him for the invasion. These documents at Gen. Sedgwick's, it is said, will be published as soon as he is perfectly and entirely relieved from army obligations. It is contended that the language of his orders was explicit, direct, and repeated, "do not permit" certain things to be done. He could not obey this order without the invasion, which it was afterwards found convenient to ignore.

MURDERERS HUNG.—At Summerville, Mississippi, recently, two brothers, named Fitzgerald, murdered a young merchant in his store, and then robbed him of fifteen hundred dollars. They were pursued by the citizens, captured, and hung without ceremony. The younger brother, confessed to having murdered several other men for their money. It is believed that the Fitzgeralds belong to a regular organized band of murderers and robbers in that part of Mississippi.

—If you see a man go into a bar-room, it is a sign that he is out of spirits and likely to be ailing.

Spirit of Jefferson.

BENJAMIN F. BEALL, Editor. CHARLESTOWN, VA.

Tuesday Morning, May 21, 1867.

BERKELEY COUNTY.

Our friends in Berkeley, at Mill Creek and Darksville, are notified that we have established agencies for our paper at these points, and persons wishing to subscribe can do so by leaving their names with the following gentlemen:

Mr. Cress—GROVER W. NORTH, Darksville—M. L. BARR.

These gentlemen are fully authorized to receipt for any money paid to them on account of Spirit of Jefferson and their receipts will be recognized by us. We hope some conservative friend at Martinsburg will do what he can to extend our circulation at that Post Office.

Mr. JOEL W. ROBERTS, is our agent at Middletown, and his receipt for the Spirit of Jefferson will be recognized.

GENTLE READER, observe the red mark on the margin of your paper.

It means that you have not paid for the present year, and are earnestly requested to do so. With some of you the year of subscription is nearly out, and if you have read the paper, we hope you will manifest your appreciation for it. We don't want money ourselves, but our creditors do, and we are anxious to gratify them. Come and pay us, and we pledge you we will keep the money in circulation. Don't be backward.

THE RELEASE OF MR. DAVIS.

The release of Mr. Davis has everywhere been received with indications of favor, save with a few merciless radicals who thirst for the blood of every one not in entire accord with them in their unscrupulous purposes of destroying the Union, and who will not cease their clamor until, Haman like, they have ascended the scaffold which their malignity has prepared for others.

The opinion seems to be universal that this release on bail is to terminate the troubles to which Mr. Davis has been subjected, and that he will never be required to stand a trial upon the charges which produced his too eager indictment. There will probably be no interruption to the enjoyment of his freedom, of which he has been for two years deprived. Immediately after his release, Mr. D. left Richmond, and proceeded to N. York, where he was sojourning at last accounts. From thence it is expected he will journey to Canada, where his children are at school. Report says he will return from Canada with his children to his former home in Mississippi, where he will hereafter reside, and where doubtless the good wishes and fervent prayers of the people of the South will accompany him. The New York News in referring to the conduct of the citizens of Richmond on the release of Mr. Davis says:

In the general hum of gratulation which has been excited by the liberation on bail of Jefferson Davis, the becoming conduct of the people of Richmond on the occasion of his discharge, deserves to be noted and publicly approved. From the hour of his arrival in the city till he took his departure in the steamer for New York, there was no unbecomingly demonstrative outburst of a feeling long pent up, and at last finding vent in joy. The consecutive lashing of the hat among the crowd as he passed out of the room, was an act of homage as unforced as it was graceful, and the shouts of the fifty or more negroes who waited outside to greet his appearance, were doubtless as gratifying to Mr. Davis as any other mark of respect that was bestowed upon him. Notwithstanding all this, the demeanor of the citizens was unexceptionable. No word of insult was uttered concerning Underwood, nothing like a public ovation was attempted in honor of the man who they once so much beloved as "Our President." The warm grasp of the hand, the tear on the cheek of women, the abundant bouquets laid upon the table of the prisoner's drawing-room—these spoke the emotion that was felt in the little community which once knew him for its own, and which will watch his after life with peculiar interest.

VIRGINIA VS. WEST VIRGINIA.

It is no matter of gratification to us to inform our readers, that the Supreme Court, in its wisdom, has postponed its decision in reference to the matters at issue involving the jurisdiction over the two counties, Berkeley and Jefferson. We regret this, because it leaves us for the time to the tender mercies of the unshowered crew of West Virginia officials, who will gladly exercise their ill-gotten authority over us; and will doubtless be a matter of rejoicing with them that the day of their power has thus been prolonged.

But it is not our purpose to question either the wisdom or the honesty of the Court. Having submitted our cause to its arbitration, we shall make ourselves content with its final decision, whatever it be.

THE POLITICAL REACTION.

In the last, or Thirty-ninth Congress, the Congressional representation in the two States of Connecticut and Kentucky, was elected as follows:

Table with 2 columns: State, Party. Connecticut: Democrats 5, Radicals 4. Kentucky: Democrats 5, Radicals 8.

In the Fortieth, or present Congress, this is the result:

Table with 2 columns: State, Party. Connecticut: Democrats 5, Radicals 4. Kentucky: Democrats 9, Radicals 1.

It thus appears that in these States the Democrats have gained seven members, making a change of fourteen against the Radicals. At this rate a few more States to elect to the present Congress, the state of public feeling is such that we would soon overcome the Radical majority, great as it now is.

OUR BIG SHOW.

We have heard it stated—with what degree of truth we are not prepared to say, though it comes to us with more than the weight of mere circumstantial evidence—that the menagerie which we have been training for the past month, gave one of the most superb exhibitions at Shepherdstown on Thursday last, that has ever yet characterized its notable performances; and one which completely attested its capacities as a thoroughly trained and well equipped organization. Our chief regret is that we were not there to see the show, for besides the enjoyment it would have afforded us individually, it would have enabled us, from actual observation, to have furnished our readers with a correct and elaborate account of each piece so handsomely executed by our chief actor and his able coopers.

The immediate cause of this admirable display we have heard attributed to a worthy disciple of Barry, who was anxious to exhibit his skill in taming the vicious propensities of the horse—unmindful of the fact that he was in the midst of other animals, who though partially trained, are not entirely submissive to man's control, and who need a few more such lessons as that of Thursday with the ordinary rules of decency. As stated, the horse-tamer was about to enter the ring, and had been issued for the streets to be cleared, that no impediment might be presented to the grand feats of equestrianism which had been promised in the bills.

Mr. Charles Warner—an amiable specimen of New Englandism—a descendant of that stock which was unfortunately vomited from the cargo of the Mayflower several hundred years ago—and whose pestilential seed, like that of the stink weed, has spread itself over the face of all creation—Mr. Charles Warner, well, if not favorably known to many of our citizens, was on hand, to take part in the interesting exercises and to show his authority as an officer of West Virginia—not in any gentlemanly manner, but in the matter-of-fact, business-like style of doing things in Massachusetts, the sporting-point of puritanism. On this occasion, Mr. Charles Warner became belligerent, and in play, the part of the bear, undertook the hugging process. Report says he got hugged quite—even till the affectionate embrace caused his unruly member to protrude, giving it very much the appearance of the tongue of a half-exhausted pointer dog in the heated term of August. (We owe said dog an apology for this comparison.) This slight choking of the West Virginia official, the uncharitable will say, was but emblematic of the grand strangulation which will occur when he gets the full measure of justice for his deserts, and Missouri's great staple is applied to its most appropriate use.

From the street the further performances were transferred to the office of the mayor of the county seat. Readers, you all know who the mayor is, without an introduction from us. It is he upon whom radicalism has especially delighted to bestow its honors and who has worn them with a grace worthy of their rascally intent. Now do not understand that we are undertaking to present in consecutive order the incidents of Thursday. Not having been present, and writing from information acquired from conflicting statements, we shall aim to produce only what occurred, without attempting to systematize the performances.

In the presence of the grand gesticulations investigation of the street difficulties was attempted, not with a view to justice, for that they themselves dread—but that some unrepentant "rob" might possibly be brought to grief, and that the majesty of West Virginia rascality—vulgarily called law—might assert its supremacy. Warner was, of course, sans peur, sans reproche, and the full measure of vindictiveness had to fall upon others.

The decision was unsatisfactory, and a drawn pistol flashed in the sun-light. Then and there began the richest scene that has yet transpired in the grand exhibitions with which our menagerie has favored the public. The gesticulations himself lifted—not his cheek—but his carcass, and as the door was not easy of access, he bolted through the window, carrying out glass and sash in his exit, to the amusement and entertainment of the spectators. Who knows but this feat is also emblematic of the style in which he will some day cheat justice by bursting the cross-bars of some State institution. These performances are significant, and time alone will solve their import.

Here we must stop, not that our theme is exhausted, but because we must turn to other objects requiring our attention. In the coming future, we shall again entertain our readers with the "doings and sayings" of our big show.

THE WINCHESTER TIMES.

The local of the above journal seems ambitious of rivalizing his spiritless sheet by controversy with the Spirit of Jefferson. We cannot gratify him. A controversy conducted upon the strict rules of common sense, we should not object to, if there was any issue joined; but if he chooses to overtax his scrupulous imagination, he must excuse us from following him into the sickly chambers of the demented; to unfold the swaddling clothes of his consumptive offspring. We are glad to see that he has turned his attention to scripture. His precepts ought to have a mellowing tendency, and if received in the proper spirit, are well calculated to disperse us of self conceit. "It is possible, as much as flesh in you, live peaceably with all men," is Paul's injunction, which we commend to this young brother, and let him be assured that however grievous may be the chastening, they are our best friends who point out our faults, and tell us plainly of them.

VALLEY RAILROAD.—The Staunton Virginia, says the prospects of the road are brightening, and all that is needed is proper attention. The road will be built to Strasburg by fall and to Harrisonburg by Christmas and the rest is "clear sailing" to Staunton in one year—"every man does his duty." "The skies are bright and brightening."

LOCAL MISCELLANY.

TRIBUTE TO JAMES W. CAMPBELL, ESQ.—On Monday last, after the remains of Mr. C. had been deposited in the grave with appropriate ceremonies by the Masonic order, the procession moved to the lodge room, where the following remarks were made, and resolutions submitted by Wm. H. TRAYERS, Esq.:

Worshipful Master.—Justly Death has taken as his victim a devoted and beloved member of our Ancient Fraternity; and now that we have returned from the pious task of committing his remains to the repose of their last resting place on earth, it becomes us to give expression to that sense of bereavement which we all must feel under this most sad affliction. To those who knew our deceased brother nothing is required of us to deepen the impression which his conspicuous and many virtues have made on their minds. These, no lapse of time can ever erase. But, to recall him to the contemplation of those who know him not, and present him as he appeared before men in his daily walks, would be to place before them one who was most scrupulously respectful of the rights of others by a faithful and conscientious discharge of all the duties devolved upon him in the various relations of life. As son, brother, husband, father and citizen—capacities in which the highest obligations of man are contracted—he has left behind him the inheritance of a character worthy of the exactest imitation of us all.

Brother Campbell was singularly fortunate in being endowed by nature with a disposition framed to conciliate his fellow-men. He won the esteem and often the affection of all with whom he came in contact by his unflinching kindness and courtesy towards them. The sterling qualities of our deceased brother pointed him out to his fellow citizens as a proper recipient of public trust and confidence. He thus was chosen the highest executive officer of his County; and, at a time of great anxiety and distrust, he bore himself, in the trying ordeal to which he was subjected, with honor, clear and unflinching, and with a dignity and courageous firmness that secured the approbation of all who witnessed and scrutinized his conduct. All felt that the grave responsibilities which extraordinary circumstances had imposed upon him would be met with the utmost fidelity to duty.

But, sir, these earthly distinctions, although they were manifestations of the esteem of his fellow men, paled before the lustre of that highest honor possible for man to wear—that which in the grade of infinite merit, it pleased the Grand Master of the Universe to confer upon him as an upright, exemplary and truthful Christian.

"And to add greater honors to his name, Than man could give, he left his God."

I beg leave to submit the following preamble and resolutions:

WHEREAS it has pleased Almighty God to remove from us, whilst yet in the ripe years of his manhood, our esteemed brother JAMES W. CAMPBELL, and thus to his own wise and laudable purpose, to deprive our community of a valuable citizen, the bereaved family of the deceased a cherished member of its household and the Lodge of A. F. & M. Masons of an active, earnest and worthy associate, Therefore,

Resolved, That we sympathize with the people of the County in the loss they have sustained in the demise of an honest, diligent and public spirited fellow-citizen; and that we extend to the family of the deceased our sincere condolences in the severe affliction they have been required to endure.

Resolved, That, in testimony of our respect for our departed brother, our Hall be decorated in mourning for the space of six months, and that the usual badge, in token of our loss, be worn for three months by the members of the Lodge represented on this occasion.

Resolved, That the foregoing preamble and resolutions be placed upon the records of this Lodge, for which Lodge the members are requested to send a copy, signed by the proper officers, be transmitted to the family of the deceased.

After the adoption of the above preamble and resolutions it was on motion resolved that they, together with the accompanying remarks of Mr. TRAYERS, be published in the newspapers of the County.

CONFEDERATE DEAD.—The present season is being observed throughout our Southern towns and cities generally, as the most fitting period for a formal memorial to our honored Confederate dead. The ladies of Winchester are making peaceful preparations for the recurring anniversary on the 6th of June, and invoke the attendance of their sisters in this work of love on the occasion. The anniversary of the Memorial Association for this town, will not recur until the 27th proximo, and if an earlier day should not be deemed more advisable, we hope will then be appropriately remembered. Let the Ladies of our efficiently arranged the preliminaries of the last season take the matter in hand, and its creditable success will result as a consequence.

These memorial services—as is well said by another—are not only beautiful and impressive, but appropriate and becoming. It is meet that at least once in a year the friends of these dead warriors should come together and do honor to their memory, and that the fair flowers of our land shall also come to scatter floral emblems of peace.

"Where glory guards with solemn round, The bivouac of the dead." "Although it was not their lot to live and wear the victor's wreath, still are they none the less heroes to those now living, for whom they nobly, unflinchingly, uselessly fought and died. Their patriotism, at least, was none the less genuine that they fell in a lost cause, and their heroism will never be questioned, though the banner they espoused be trailed in the dust, or fabled about its own shattered staff forever. O'er many of these lowly mounds no monument rears its towering shaft, yet will the fresh spring flowers, dropped upon their biars, prove a nobler tribute to their worth and valiant service."

By a change their knell is rung, By a breeze once their dirge is sung, There honor comes, a pilgrim gray, To bless the turf that wraps their clay.

BARN BURN.—The barrow of Maj. JAMES L. HOOPER, of this county, was accidentally destroyed by fire on Wednesday morning last. The building itself was of but little value, but being used as a depository for the valuable implements of the farm, the loss is for \$1,000 to \$1,200, as all save those in immediate use were consumed. The Major has the sympathy of the community for so heavy a loss, in these times of such general derangement with the farming class.

IMPROVEMENTS.—Many portions of our town evidence the work of improvement, and the nightly appearance of many of our most eligible lots are being greatly improved by handsome fencing. The painter's skill and free use of the white wash brush, is also doing much to brighten the general appearance, and we shall rejoice to see the work go on.

ELECTION.—On Thursday next, 23d inst., again recurs one of these semi-annual farces, common to the great State of West Virginia, the results of which generally are as disagreeable as the means for its accomplishment are necessary had been. So far as we know of our Township officers, each being entitled to a Supervisor, Justice, Constable, Inspectors of Elections, Township Clerk, Treasurer, Overseer of the Poor, Road Surveyors, School Commissioners, &c. Where all the loyal are to come from to fill these offices in our township, it is difficult to conceive, as only about thirty in all have been registered, and of these we learn the most intelligent and respectable have been stricken off. The same has been the case so far to the townships of the county, and we doubt greatly whether one name will be recorded among the motley crew, unless he is an acknowledged or suspected radical. It is not enough to evoke the scorn and derision of all good men and patriots, against the actors, aiders and abettors in such unwholesome work!

APPOINTED.—Geo. W. CHASE, of this town, has been appointed assistant Recorder for this county, by Mr. Strider, who entered upon the duties of the office in January last. Mr. C. save and except his political opinions, is an amiable and clever gentleman and will no doubt discharge the duties of his office as well as is to be expected under the present order of things, for but little is expected and few are disappointed.

THE W. & P. RAILROAD is now one of the best in the State, and its present and daily increasing business, augurs most favorably. The receipts for April 1867 were \$8,629, against \$9,199 in the same month last year, an increase largely over one hundred per cent. With the extension of the line to Strasburg, and the completion of the Valley road to Staunton, its business will no doubt be quadrupled. Then, at least, shall we look for the "through line to Baltimore," which has been eagerly anticipated.

TELEGRAPH OFFICE.—If our dilapidated Court House has not been reconstructed, a portion of its battered front has been at least hidden from view, through the skill and hardy-work of Mr. J. C. HOLMES. He has erected a temporary, though quite a neat little office, to be used for telegraphic purposes at this station, and the location is most eligible for the object designed. Mr. LESSEN will have the office in charge, and its advantages to the community generally will no doubt be fully appreciated.

NEW STORE.—By reference to advertisement, it will be seen that Mr. JACOB B. BROWN has opened a new store in the old established house opposite the Bank. His stock is varied, and but few will fail to find in his assortment many articles of present want or future necessity. He solicits a call from his friends and the public generally, as he promises the best articles at the lowest rates.

LAND SALE.—Col. JOHN M. COYLE has sold at \$60 per acre, one hundred and fifty acres of the farm upon which he at present resides, including all its improvements. Purchaser, a gentleman from Chambersburg, Pa., the name of whom we have not learned.

COURT.—The Circuit Court of Berkeley commenced its Spring term on yesterday, and a large amount of business will come before it for adjudication.

FREE SCHOOL.—After two years or more of taxation, in which time our people have been called upon to pay hundreds of dollars to the "common fund," a school was organized in this town for the first time, during the last week.

SOMETHING SUBSTANTIAL.—In our wanderings around town we last week dropped into the establishment of Miller & Smith, where we found the most varied stock of Stoves and Tinware upon which our eyes have rested for a long time, embracing articles of the most substantial and useful character. We felt a real pride that our community could boast of such a house, and can but indulge the hope that it is receiving the liberal encouragement which the enterprise of its proprietors merit.

DISPATCH TO JUDGE UNDERWOOD.—The following telegram was received by Judge Underwood in the Court room, a short time before he admitted Mr. Davis to bail:

"WASHINGTON, May 18, 1867. "Judge Underwood—Beware of Greely! Remember Libby Prison, Andersonville and Belle Isle! Fifty millions are looking on and expect you to do your duty, while three hundred thousand patriots' graves cry aloud for revenge. YOUR FRIEND."

AN AFFRONTING INCIDENT.—As the eventful day of Mr. Davis's release drew to a close, and the shadows of evening deepened into twilight, this gentleman and his wife went quietly away from their hotel without any attendants, to visit the grave of their little boy at the Hollywood Cemetery at night. They had never seen the tombstone placed at the spot by their young friends in this city during Mr. Davis's imprisonment, and on their arrival there, had to meet another evidence of the same feeling of tender affection which created this monument. The children of the "Orphan Home" of St. Paul's Churchyard, at their own instance, and with the permission of their matron, got forth in the morning and decked the little grave with the fairest and sweetest flowers of spring.—Rich. Di.

A FAMILY CIRCLE BROKEN.—A well known citizen and merchant of Richmond was summoned about a week ago to attend the funeral of a beloved and lovely daughter, who died after only a few days illness at a boarding-school in a northern city. Listening North with his two remaining children, in order that they might witness the interment of their sister, these two were attacked with scarlet fever immediately after their arrival. Yesterday the telegram announced that both the little girls were dead. Thus, within two days, has an interesting family been robbed of its fairest blossoms, and sorrowing parents mourn the loss of three bright children suddenly hurried into eternity. [Richmond Dispatch.]

A Great Meeting in Moorefield.

From all accounts, the late sessions of the Winchester Presbytery at Moorefield, Hardy county, have awakened an extraordinary religious interest in that grand basin, the South Branch of the Potomac. The delegates from Clarke, Warren, Jefferson and Berkeley, on Tuesday night, May 7th, took the lately established fast line at Harper's Ferry and Martinsburg, and arriving at Moorefield, in twenty-four hours, via Cumberland, New Creek and Patterson's Creek, were present at the organization Wednesday night. The business was all transacted, and an adjournment of the body took place early on Saturday afternoon—the purely ecclesiastical matters being all harmoniously "handled" and definitively disposed of. The religious meetings, however, for prayer and exposition of scripture, and for preaching the Gospel of "glad tidings" to penitent believers, had just fairly begun, as the day of rest approached.

When our informant left the glorious South Branch Valley, on Monday morning, May 13th, Dr. James G. Hamner, (a member of the W. Presbytery, though residing in Baltimore) remained, continuing preaching, helping the newly installed pastor. On Saturday night and next morning before communion, Dr. H. preached to an overflowing house.

The Saturday night meeting was for the service of installation. The new pastor there settled, in the Rev. G. W. White, son of the eminent but sorely afflicted pastor in Lexington, Va. The Moderator, Rev. Mr. Lupton, presided—his last act—for he had already been dismissed at his own request, to join the Presbytery of Rappahannock, having received, it is understood, a call to the church at Leesburg. The sermon and charge to the pastor were delivered by Dr. Hamner, and the charge to the flock by Rev. L. P. Wilson. The Rev. G. W. White, who had been at his own request, dismissed last October, by his Presbytery of New Orleans, presented his certificate, and the Rev. G. W. White, presenting his certificate from East Hanover, were both admitted and enrolled after an examination on Theology, according to Presbyterian usage.

A call from the Shepherdstown Church for the pastoral services of the Rev. R. W. Bedinger was presented, and an adjourned meeting was ordered for Shepherdstown, on the first Wednesday in June, at 4 o'clock, P. M., to put said call into proper and due form.

Ruling Elder, J. N. Bell, of Winchester, was recommended to the Committee of Publication at Richmond, as a Depository of the books of said Committee; and the Rev. G. W. North was recommended as a General Agent, within the bounds of Presbytery, for distribution, sales, donations to the destitute, and for collections, in behalf of said Committee. He was also recommended to the Virginia Bible Society, for a like agency, in the circulation of the Holy Scriptures, for that Society. The bounds of Presbytery are from the Blue Ridge to the crest of the Alleghany Mountain, and from the Potomac Southwards, to the bounds of Rappahannock, Lexington and Greenbrier Presbyteries.

Martinsburg was fixed upon as the next place of regular meeting—time, Oct 31st, at 7 1/2 P. M.

The Rev. Cyrus Billings and Rev. N. G. North were appointed a committee to prepare a memorial of the lamented brother, Rev. J. L. Frary, deceased, of Jefferson county.

Election of Assistant Bishop.

STANFORD, May 17.—In accordance with a resolution adopted on yesterday by the Council of the Protestant Episcopal Church of Virginia, now in session here, that body this morning proceeded to the election of an Assistant Bishop of this Diocese, when Rev. Francis M. Whittle, of Louisville, Ky., was chosen.

The vote of the clergy was as follows: For Rev. Francis M. Whittle 40 For Rev. C. J. Gibson 15 For Rev. Joshua Peterkin 9 For Rev. J. A. Latane 7 For Rev. C. W. Andrews 6

The lay delegates ratified the choice of the clergy. Rev. Mr. Whittle is a native of Virginia, and a gentleman of fine culture and abilities.

Disturbance in Mobile—Three Men Killed and Several Wounded.

MOBILE, May 14.—A large number of negroes met to night to hear a speech from Judge Kelley, of Pennsylvania. A number of whites were also present. Everything was remarkably quiet until Mr. Kelley began speaking. He began by saying that he had come to discuss the rights of the negro, the rights they were entitled to, and bid defiance to all interruptions and to the world. He had the 15th regiment at his back, and if they proved inadequate the whole U. S. Army would back him.

Judge Kelley continued in this strain for some minutes, using strong language, and expressing incendiary sentiments which were calculated to lead to riotous demonstrations. He was here interrupted by a white man on the outskirts of the crowd, whom the police promptly arrested. At this point the first of a series of shots was fired. It is impossible to say who fired. Instantly shots followed from the negroes, who were all well armed. The police succeeded in quelling the riot before the arrival of the companies of the 15th regiment, who were ordered out by Col. Shepherd and appeared on the ground as soon as possible, but not until the meeting had been dispersed. They now guard the streets, and there is a heavy force of troops on duty. It is impossible to state positively the number killed and wounded. Three men were killed, one white and two negroes. A number were wounded, among them one policeman.

Judge Kelley is at the Battle House. He leaves to-morrow for Montgomery.

The Washington Chronicle comes out for confession. After a ferocious abuse of the Southern people, it says: "They are inimical to the Union. They will renew the struggle to separate it unless they are rendered powerless. One way to do that is pointed out by the great argument of Thaddeus Stevens on confiscation. As throughout the rebellion this far-sighted statesman has been the great champion of public sentiment upon the great issues of the day, it may be found that in this case he has only anticipated results as in previous announcements of opinion."

In the impudently case of Judge Fisher, in Tennessee, one of the Congress, a few senators had been excluded from sitting on the trial, he is the brother of the accused. This gives the Radicals a two-thirds majority in the State Senate.

The Judicial Proceedings in the Case of Mr. Davis.

At a quarter past 11 o'clock, Underwood entered the court, and fifteen minutes later Gen. Burton, accompanied by Surgeon Cooper and Ex-President Davis, appeared, entering by a back door. This session was quite manifest in the court room when the dignified defendant was first seen. He occupied a seat in the north-western corner of the room, close by and facing a large window. The air blew through the room quite briskly, and Mr. Davis complained to the Marshal that it was too cool for his delicate health. The Marshal promptly closed the window.

The court was next formally opened, after which the Judge stated that in view of the number of distinguished visitors present from a distance, the usual routine would be dispensed with, and added that the court was then ready for any communication from Gen. Burton.

GEN. BURTON'S REPORT. Gen. B., through his friend, Counselor Evans, representing the government, made a report acknowledging the serving of the writ by U. S. Marshal Duncan, and then produced the body of Mr. Jefferson Davis.

Here the Marshal proclaimed that the utmost order must be preserved, and that the crowd, dense as it was, must be seated.

READING OF THE WRIT. Hon. Charles O'Connor now rose, and proceeded to read the writ of *habeas corpus*. The learned counsel followed with a few remarks, stating that no question arose as to the legality of the arrest. He added that his client had been at all times willing and anxious for a trial. He did not desire to press the government to a trial—there was no necessity for that, but in view of the precarious condition of the defendant's health, and that he had anxiously sought a trial since the day of his arrest, he thought the government ought to admit him to bail.

THE QUESTION OF BAIL—ONE HUNDRED THOUSAND DOLLARS REQUIRED. Messrs. Evans and Chandler, for the government, assented to the view of the distinguished gentleman from New York, and mentioned \$100,000 as the amount to be conditioned in the bail bond.

Mr. O'Connor said any amount could be given, and given by men from all portions of the Union and representing every shade of political opinion. Judge Underwood, after a few remarks, which were uttered in a low tone and were wholly inaudible to your reporter, agreed to admit the defendant to bail, but suggested that he would like to have a portion of the sureties from Virginia and the South. Counsel for Mr. Davis replied that there could not be any difficulty in this regard—that there were hundreds then present, possessing ample means, who would sign the bond most cheerfully.

Mr. Davis then advanced and shook hands with many friends while the bond was being prepared. He then signed the bond with a bold firm hand, and the following sureties appeared as their names were called and signed under the illustrious statesman's signature:

- THE SURETIES. Hon. Horace Greely, New York. Hon. Augustus Schell, New York. Hon. Chas. O'Connor, New York. Aristides Welch, Philadelphia. David K. Jackman, Philadelphia. Wm. H. Macfarlan, Richmond. Richard Burton Hall, Richmond. Isaac Davenport, Richmond. Thos. K. Price, Richmond. Abram Warwick, Richmond. Gustavus A. Myers, Richmond. Wm. W. Crompt, Richmond. James Lyons, Richmond. James Thomas, Richmond. Judge John A. Meredith, Richmond. Wm. Allen, of Claremont, Va. Judge Wm. H. Lyons, of Richmond. John Minor Batts, of Culpepper, Va. Thos. W. Doswell, Hanover. Horace F. Clark, Southern District of New York.

The Judge said all the parties signing must be present. He was informed that all were except James Thomas, of Richmond. He had been sent for and would be forthcoming in a few minutes.

THE PRISONER DISCHARGED.

Judge Underwood then directed the Marshal to discharge the prisoner, whereupon ensued a most exciting scene. Scores rushed upon Mr. Davis to shake him by the hand, while beyond his immediate presence there arose a shout which fairly shook the building. The Marshal proclaimed that he would clear the building if order was not maintained. At this, an excited citizen exclaimed at the top of his voice, "Three cheers for Jefferson Davis!" and added, "I will holler if death be my fate." The crowd followed Mr. Davis shouting and hurrying until he reached the street. Here Bank street and the Capitol square, which were packed with people, took the shout, and made the very "wauling note," as reporters sometimes say.

Mr. Davis, accompanied by his brother, entered an open carriage, and was rapidly driven to Eleventh street, down Eleventh to Main, and thence up to the Spotswood. A great crowd followed the hack, and ladies and gentlemen on the sidewalks waved their handkerchiefs. At the Spotswood he was enthusiastically greeted by an immense crowd.

PROBABLY THE END OF THE "LONG AGONY."

The impression is universal here that a *nolle prosequi* will be entered no doubt at the next term of the court and so will end the "long agony." His personal satisfaction, and the people appear to be jubilant. In fact the general temper of the people seems to have been greatly changed, and it is hazardous nothing to say that the Federal authorities and government have gained largely in the popular esteem by this disposition of the case, and all begin to look forward now to a rapid restoration of confidence, free government, and good order.

The New York Tribune keeps up its fire on the Legislature of that State, for its corruption and venality, of which it says the proof has accumulated day by day. It adds: "The atmosphere of the capital is redolent of bargain and sale. 'On one occasion' says a recent correspondent, 'two railroad interests came into open competition on the Assembly floor on a motion to prefer one of them. A most extraordinary scene ensued, a violent commotion was manifested, members rushed with about the chamber, the trial seats of lobbyists occupied the rear benches, and were constantly and rapidly sending communications to the members, votes were changed continually as these messages were received, and the party which was pretty well known to have the longest purse carried the day. It was a standing joke about the hotels that afternoon that there was an auction on the floor that morning.' It was a Peter Funk affair; of the meanest kind, and we do not doubt the extent of the sale; but what a confession to make of the most important Legislature in the Union!"

Greely and Gerrit Smith.

On Tuesday night last, the citizens of Richmond were enlightened by these two Northern whitts, as to their duties in the present crisis. We append the *Enquirer's* report of their speeches:

On the subject of confiscation, Mr. Greely said—"He had been told that the negroes of the city and State refused to buy farms because they were told that they would soon be provided for by confiscation. He trusted that this information was untrue, for waiting for dead men's shoes seemed to him a ridiculous process compared with waiting to obtain a farm by confiscation. On this point he begged his audience to hear him attentively. As to what Congress might or might not do in the future, he was no authority and had little to say. He could imagine a state of things which would lead to a general confiscation; though none that would induce him to approve of it. But as to what had been done, he might speak as confidently as another, and again requested the earliest attention of his audience.

The oldest and ablest member of the present Congress was Thaddeus Stevens, of Pennsylvania, a statesman who had for forty years been honorably known as a champion of freedom for all. Mr. Stevens had held for years the most important position and wielded the greatest influence of any man in the House; yet, while he has made several speeches had written a recent letter in favor of confiscation, he has never yet obtained the support of either House; no bill has been reported embodying his views; no vote has been taken by the members in both Houses favor his project. He was confident that not twenty of the three thousand political journals in the United States favor confiscation. So much all might say; he did not profess to foresee.

Mr. Stevens talked of putting \$500,000, 000 into the treasury by land measures of confiscation; but the speaker had read history, and was confident that all the confiscations of lands and houses made since war was first inaugurated had not netted \$500,000,000 to the treasuries of the confiscating governments, and was equally confident that if the entire property of the South were confiscated to-morrow, and sold to whoever would buy it, it would not put \$500,000,000 in the Federal treasury, for confiscation stunts, stagnates and paralyzes. As its approach industry stops the plough in the furrow, the shuttle in the web, and begins to conceal, and shuffle and prevaricate. All property is slid into the hands of alleged loyalty, while, meantime, labor stands idle and poverty starves. Individuals are enriched—especially the rich—who run the machine of confiscation—but the masses suffer, and famish and die. He firmly believed that confiscation would send more of the blacks to their graves than to homesteads.

But, should not the poor have homesteads? Certainly they should, and the public lands were open to every poor man, white or black. Millions of acres of choice land were open to any loyal citizen, and many blacks as well as whites were hastening to secure them. He expected every one to buy or make himself a home; but entreated the poor man not to wait expecting to obtain one by confiscation.

Thomas Carlyle says that "the great mistake of Rob Roy was that he did not know that he could buy his beef cheaper than he could obtain it by carrying the Lowlands."—let none of us repeat the error. Deadly feuds exist between those dispossessed by confiscation and their successors, as we see in the case in Ireland to-day. No man ever felt that land taken from him by confiscation was rightfully another's. Let us beware of planting in this fair land the seeds of eternal war.

"It was sometimes asserted at the South that 'we must all vote the Republican ticket, or we cannot get back to self-government.' No, sir, nothing like that. For my part I am, and have been and must be, a Republican, because I hold no other party so nearly right as that, but I do not wish

