

The Sabbath Recorder.

EDITED BY GEORGE B. UTTER.

"THE SEVENTH DAY IS THE SABBATH OF THE LORD THY GOD."

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WHOLE NO. 160.

The Sabbath Recorder.

Our readers have already been informed of the favorable decision of what was called the "Jew Case," before the Supreme Court of the State of Ohio. Still they will be interested in reading the Argument of Counsel. We therefore copy it entire, as we find it in the "Occident and American Jewish Advocate." At a future day we hope to be able to give the Opinion of the Court upon the Case.

SUNDAY LAWS IN OHIO.

JACOB RICE, vs. In Certiorari, to Common Pleas. CITY OF CINCINNATI.

The Case.

JACOB RICE, the defendant in Certiorari, was fined by the Mayor of Cincinnati, for trading on Sunday.

The ordinance under which this fine was imposed, is contained in the 2d volume of the City Ordinances, page 58, and is in these words:

"Any person of the age of fifteen years and upwards, who shall be found on the first day of the week, commonly called Sunday, sporting, rioting, quarreling, hunting, fishing, shooting, bartering, or selling, or buying any goods, wares, or merchandise, or at any common labor, (works of necessity and charity excepted), shall be fined in any sum not exceeding \$20."

And the second section contains a provision, that—

"Nothing in the first (the foregoing) section of this ordinance, in relation to common labor, shall be construed to extend to those who conscientiously observe the seventh day of the week as a Sabbath."

The record of the Mayor's proceedings sets forth that the defendant offered to prove, and it was admitted by the plaintiff, that he conscientiously doth observe the seventh day of the week as a Sabbath.

Upon the hearing, on this state of the law and fact, the Court of Common Pleas reversed the judgment of the Mayor, and certiorari is now obtained from this Court for the purpose of reversing the judgment of the Common Pleas.

It would be enough to call the attention of the Court to the fact, that the transcript of proceedings before the Mayor does not set forth, that defendant is a person of fifteen years and upwards, nor does it negative the exception, in regard to works of necessity and mercy.

But we do not wish this case to go upon any technical point. The defendant is one of a class of citizens who are somewhat numerous in this community, and who are peculiar in their faith and forms, and naturally sensitive in regard to whatever infringes upon them. This case is only one out of some forty, which rest upon the same principle;—and that principle is regarded by them as a question of religious freedom; as indeed it is. In that light mainly we shall regard it.

The Argument.

It is argued for the City, that the exemption only extends to common laborers, and not to common labor—and the defendant being a tradesman, is not exempted, although a conscientious Sabbatarian, &c.

We set out with the proposition, that the Court should endeavor so to construe this Ordinance as to make it harmonize with natural justice, and with the Constitution and laws of the State. Acts in *pari materia* are to be construed together, and in a manner as, if possible, to give effect to each.—*Dodge v. Gridley*, 10 Ohio Rep. 176; *Ib.* 452; 2 Mass. Rep. 143; 9 Cowen, 437.

And the construction which we suggest, and upon which we respectfully insist, is that which distinguishes the acts specified into two classes—thus:

1. *Pastimes and Offences*.—Sporting, rioting, quarreling, hunting, fishing, and shooting.

2. *Lawful Avocations*.—Trading, bartering, selling, buying, &c., or any common labor.

That the phrase "any," has relation to trading, &c., and has the same significance as though the word *other* occurred directly after it. "Trading," &c., or any other common labor, &c., are but so many specifications of *kinds* of common labor, and the words "or at any common labor," thrown in to save time, as it were, by grouping all under the generic phrase.

The exception in the second section is then as broad as the enacting clause, and is pertinent and sensible, and the law harmonizes with itself, and with the higher law of the Constitution and the State Legislature.

On the other hand, the construction for which the counsels for the City contends, as being that upon which the judgment of the Mayor undoubtedly was grounded, is that the acts enumerated should be classified into—

1st. *Pastimes and Offences*, and lawful avocations—thus, sporting, rioting, quarreling, hunting, fishing, shooting, trading, bartering, buying, or selling, &c.

2d. *Common Labor*. And that the latter alone is excepted by the proviso; and all of the former class indiscriminately swept within the operation of the penalty.

Before considering the objections to this view, we beg leave to quote another general rule, of the highest authority, as to the construction of statutes.

It is in the language of Chief Justice Marshall, in *United States v. Fisher et al.*, 1 Cond. Sup. Ct. Reports, 425.

"Where rights are infringed, where fundamental principles are overthrown, where the general system of the law is departed from, the legislative intention must be expressed with irresistible clearness, to induce a court of justice to suppose a design to effect such objects."

There is not a word in this lucid passage, but is pregnant with meaning and force, in respect to the argument we are about to submit. If we can show that rights are infringed, that fundamental principles are overthrown, that the general principle of the law is departed from, in the con-

struction contended for on the opposite side, will not this Court, too, say, the legislative intention must be expressed with *irresistible force*, before we can suppose such an intention? And is it so expressed in the view they present? Place the emphasis upon the word *any*—"*or at any common labor*"—and the reading we insist upon, is, in point of fact, the plain, natural, and common sense reading of the clause.

It is admitted by plaintiff's counsel, that the term "common labor," in the act of 1831, may embrace all sorts of employment; yet it cannot have that extensive signification in the Ordinance, because that enumerates bartering, trading, &c., before using the comprehensive phrase. If the greater includes the less, then the enumeration here spoken of is mere surplusage;—it is merged in the comprehensive phrase. On the other hand, if the enumeration is used with the intent to take it out of that phrase, then it is an infringement of rights—an infraction of fundamental principles—and a departure from the general system of the law—and, therefore, not only is the intention to be most clearly manifest, but the power so to legislate must be equally apparent.

As to the extent of this phrase, "common labor," let it, in the language of Lord Bacon, "be restrained upon the fitness of the matter and the person." The proposition of plaintiff's counsel, is, that "common labor" is that in which we may suppose the vast majority of mankind to be habitually engaged, as distinguished from mechanical or other labor, requiring the exercise of intellect or skill; and that such "common labor" is protected under the proviso. According to this argument, a dozen wood-sawyers, or as many street-pavers, might pursue their avocations in the immediate vicinity of a place of worship, on the first day of the week; and if they had conscientiously observed the preceding day, they would be justified in so doing. Nay, farther, the defendant himself, and others of his persuasion, might do the same thing, although their usual avocations on other days of the week were widely different, and rest themselves with perfect security upon the saving clause of the city ordinance. Yet, if one of them, instead of this, pursues his ordinary avocation on that day, without infringing upon the rights or consciences of others, he becomes amenable to the penalty of the law. Now, to what result does this reasoning lead us? "Common" labor upon the first day of the week is protected. Why so? Because he who performs it, conscientiously observes the seventh day of the week as the Sabbath, and the Constitution will not permit his right of conscience to be restrained. All very well. But the Israelite whose ordinary avocation is merchandizing, may not pursue it on the first day of the week. Why? Does he not conscientiously observe the seventh day? Certainly. Can you restrain his right of conscience? No. What then? Why, his ordinary avocation, in the eyes of the city Fathers, is not "common labor;" and though he have a conscientious right to saw wood, or pave streets on that day, he has no such right to pursue his ordinary avocation, if it be any other than such *common* employment.

It is the character or kind of labor, therefore, that is protected, and not the conscientious scruples of him that performs it. The law enacting and the law administering powers may not restrain the rights of conscience—but either or both may divide men of the same faith into classes, according to their avocations, and may define what species of labor may be followed on a given day, consistent with the rights of conscience, and what may be proscribed. As between these classes of men, so made up, the law is to give the benefit of his conscientious views to one, and pay no kind of attention to the equally sincere faith of the other. The one is regarded with toleration—perhaps favor; whilst the other is put down in the same category with rioters and brawlers, and punished accordingly. And this, too, altogether without reason as to the matter of employment, which is indeed no business of the legislator; since if a man has a right to go about his lawful business or avocation on a particular day, he has it absolutely; and whether it be laboring or trading, the right is the same. It could never be allowed as a function of the lawgiver, or the province of the courts, so to discriminate among pursuits, and punish men, not on account of their offences, but their avocations.

The proposition we submit is, that the phrase "common labor," is to be construed in reference to the *man* himself; and that the "common labor" of every one is that which pertains to his ordinary avocation. The drayman, the mechanic, the farmer, the clerk, the merchant, the physician, the attorney, the judge, and the divine, all labor in their respective callings. It is all labor; and we are all laborers. Whether it be physical labor alone, or of the physical and intellectual powers combined, it is still labor;—still the result of the primeval sin and curse,—"In the sweat of thy brow shalt thou eat thy bread." And it is all "common labor," because it is labor common to our respective pursuits in life. And this we contend is the correct construction of the phrase "common labor," as well in the Ordinance as in the Statute.

It is true plaintiff's counsel, by a note to page 4 of his argument, contends that this phrase in the Statute, by a rule of repugnance, cannot mean any man's ordinary occupation. Then by the statute, bartering, selling, &c., are not made punishable; for unless included in the phrase "common labor," they are not prohibited at all;—and yet, reverse the position of the City Solicitor, and he would contend with equal energy, and far more legal reason, that a merchant who should attempt to pursue his ordinary avocation on the Sabbath, without conscientiously observing the seventh day, ought to, and should be held to punishment under the statute.

The argument, which is based upon the relative provisions (alike) of the 1st and 2d sections of the Ordinance and the Statute, and a comparison between the keeper of a tavern or

coffee-house, and a merchant or mechanic, following his usual occupation, is utterly unsound. The one is exercising a calling which the law has claimed and exercised the right and power to control, from the very organization of the State; one in which he has no rights save what he acquires from the law itself, and in which he may be restricted; the other is the enjoyment of a natural and indefeasible right. True, that in the exercise of it, he is subject to the well-settled and defined principles of law that govern the intercourse of men; but his calling cannot be singled out, and struck down, because it is not sufficiently "common" or menial in its character.

But it is asked what is the office of the word "common," prefixed to "labor," if it be not thus to distinguish between classes and grades of employment. The answer is, that as the Statute describes an offence, and affixes a punishment, it contemplates the existence of a motive to do evil in the transgressor. The man who observes the seventh day of the week, and quietly goes about his ordinary avocations on the first, is not in motive, or design, which is the language of the criminal law, a transgressor. And this, because he is engaged in that which is with him, "common labor." But if instead of that, he went about some other employment in which the rights of others were injured, or the peace of society endangered, it would indicate an evil and malicious disposition, and the law instead of protecting, would punish him. As for instance, if the defendant in this case, instead of opening his store, and disposing of his goods to such as came to purchase them, on the first day of the week, had engaged himself in driving a dray in the vicinity of places of public worship, or otherwise molesting others in the enjoyment of their rights, he would not then have been permitted to call that his "common labor," and so cloak an evil and malicious purpose. The very office of the word "common," is to confine those who observe the seventh and use the first day of the week, to their usual trade or occupation.

Again, the inquiry is made, why, if the city council intended to include the ordinary occupation of a citizen, in the words "common labor" used in the proviso, did they insert the prohibition against bartering, selling, &c., in the first section. We answer that the office of the whole Ordinance, taken together, is to prohibit all from either buying or selling who are not protected by the saving clause. Though under the statute and ordinance both, as we construe them, the Israelite is permitted, on account of his religious faith, to vend his wares on the first day of the week—and there is no power to prohibit him from so doing—yet it is perfectly competent to prohibit a traffic with him on that day, by any other than those who hold a like religious faith. His right to sell, if that be his usual occupation—his "common labor"—and the right of others holding to like faith and observances, to buy, are matters which cannot be restricted. The right of others to vend merchandise on that day, even as an ordinary occupation, is restrained by the statute, but the traffic of those not Israelites, and so amenable to the general laws in regard to the Sabbath, with such as are permitted to vend, is not restricted by the Statute, and the office of the prohibition is to remedy this omission, and nothing more. To this end it is competent; beyond this, it has no power.

The defendant is a merchant. He offered to prove, that it was admitted by the Mayor, from personal knowledge, that he closed his place of business on the seventh day of the week, and conscientiously observed that as the Sabbath. His offence consisted in opening his place of business on the first day, and offering his merchandise to those who were disposed to purchase. We claim that as this was his ordinary avocation, it was with him "common labor" and that he is within the proviso as well as of the Ordinance of the Statute. We submit that we have shown the unreasonableness of holding the phrase "common labor" to have relation to the nature of the employment;—that so construed it is inconsistent and absurd; and the law imperfect and ridiculous. But when construed with reference to the *man*, it has a perfect meaning and operation; while the phrase "common," distinguishes that labor which is customary and usual, from that which may be resorted to from caprice and wantonness, and in despite of good order, and thus furnishes a complete predicate for the effectual application of the law.

If we are correct in these positions, then there is an end of the case. But if the Court shall hold that the intention of the City Council is sufficiently manifest to exclude the avocation of the merchant from the protection granted to "common labor," and that it is not saved by the proviso, then it may be material to inquire as to the power of the council to depart from the policy of the statute, to draw a distinction which it does not recognize, and to create and punish an offence, in contravention of a general law.

The ground we assume as to the relative positions of the ordinance and the statute, are not fully or fairly stated by plaintiff's counsel. We submit this proposition, and conceive it to be well-settled law: that where the act of a corporation, either by express words, or necessary implication, contravenes the letter or spirit of a statute of law of the State upon the same subject, is necessarily void.—*Marietta v. Fear-*

ing, 4th Ohio Rep. 432. We claim, and conceive we have demonstrated, that the phrase "common labor," in the statute, annexes itself to, and covers a man's ordinary occupation; and that it cannot, by any ingenuity, be construed to mean anything else. If the construction we claim for the ordinance be given to it, then it harmonizes with the statute;—but if that of plaintiff's counsel prevail, then there is a serious and fatal repugnance. In the latter case the ordinance is restrictive of the statute; and that, too, in a matter which refers to the organic law of the

State. The City enactment undertakes to find that the Legislature has been too liberal in its construction of the Constitution;—too indulgent to the rights of conscience—too tolerant to the man who conscientiously observes the Sabbath of the faith in which he has been reared; and entirely foolish in supposing, that in this enlightened and polished age, "common labor" can embrace anything above paving streets, carrying a load, or sawing wood.

The policy of this statute is to require a due observance of the first day of the week as a Sabbath. Yet it is marked by a great and distinctive principle; and that is, that its provisions shall not be operative upon those who conscientiously observe the seventh day instead.

For the purpose of argument let it be conceded, that within the policy of the law, a municipal corporation has the power, within its jurisdiction, to legislate upon the same subject; and in so doing, to increase the punishment, or embrace other offences against the Sabbath than those which are named; does it follow, by parity of reasoning, or correct legal conclusion, that such corporation has also a right to infringe the principle of the law, by substituting a saving clause widely different, and far more restrictive, than that which the statute contains? Most assuredly not. Such a doctrine is too absurd in theory to be maintained by the Courts, as it would be too dangerous in practice to be submitted to by the citizen.

The counsel for the City has labored to controvert this position, by a citation of authorities, all of which fall within the first, without impairing the latter point. In *Rogers v. Jones*, 1st Wendell, 260, it was held that the Legislature of New York having fixed a fine of \$1 for servile labor on Sunday, the corporation of the city of New York might increase it to \$5; and this is said to be a case in point. Not so. The increase was within the policy of the law—and we are not advised that any rights were impaired. In like manner, the ordinance now under consideration increases the maximum penalty of the statute from \$5 to \$20; but that is not adduced as a violation of the statute. So as to penalties for storing of gunpowder, cited in the same case. The principle is not shaken.

But the learned counsel lays stress upon the phraseology of the statute. "Nothing herein contained shall be construed," &c. "A simple exemption from the force of that statute, not from liability under any other statute, or any municipal ordinance." The technicality is a mere grasp at a straw; a quibble unworthy the case or the counsel. Is not the statute an existing law of the State? Does it not by its very exemption declare a great principle, and fix the rights of the citizen under it? And may a municipal corporation restrict the one, and infringe the other, because not prohibited, in express terms, from so doing? Most certainly not.

We submit, then, that if the construction which is claimed by the City, be put upon the ordinance, that it is in letter and spirit repugnant to, and contravenes the general law of the State; not because the corporation has legislated upon the same subject, but because in so doing, it has undertaken to restrict the proviso of the statute, and limit the rights of the citizen, which the Constitution has guaranteed, and the statute confirmed unto him; and that inasmuch as it does so, it is null and void.

We do not propose to continue this argument over the constitutional ground which was taken in the Court below. We apprehend this case will be decided before reaching this point. It may be, that we owe it in courtesy to counsel on the other side, to notice the only material argument which he urges in this connection.

The constitutional provision cited, is contained in Article 8, section 3. It guarantees all modes and forms of worship, and expressly declares "that no human authority can, in any case whatsoever, control or interfere with the rights of conscience," &c. We claim that to this provision of the Legislature, by its enactment, has given a clear and positive construction. It is contended on the other hand, that the city council of Cincinnati, having full power to do so, have affixed a different construction; and that it is justifiable upon the ground that the requirement upon the Israelites to observe the first day of the week is no violation of his conscience; because it does not forbid him to observe the seventh, according to the teachings of his own faith. True it is that the Jew is not prohibited from the observance of his Sabbath;—but enforce this enactment, upon the reasoning advanced, and he will be forced to observe a day, which he conscientiously believes is not the Sabbath, and which he is actually forbidden to regard as such. He takes as his guide, in its literal meaning, the law as it was delivered by Jehovah Himself, "Six days shalt thou labor and do all thy work, but the seventh is the Sabbath of the Lord thy God." The command is not more imperative to observe the one, than is the permission absolute to enjoy the remaining days of the week. The first of these it is admitted cannot be prohibited, but the latter it is asserted may be restrained. And upon what principle? Because such restriction will not violate his conscience, and will work but a slight inconvenience, in depriving him of one-sixth of the time which he is entitled to devote to worldly concerns. We have before said, that it does violate his conscience, by requiring him to observe a day which he does not regard as the Sabbath. But even if it were otherwise, by what right do you take from him one day out of six, which he believes he is authorized to devote to labor? The answer is given by counsel, because a large majority of the community hold opinions, upon the identity of the Sabbath, adversely to that of the Jewish sect. The reply is ready, and is unanswerable. The Bill of Rights is the bulwark of minorities. Majorities need no such protection. Their tendency is aggression;—and their numerical strength, the weapon of aggression, is the very thing against which the Bill of Rights is thrown up as a barrier. With this guarantee of the

State, are we, then, a minority? Nay, although this defendant stood alone; *one man*, among the one hundred thousand of the city and its environs, with this guarantee to lay hold upon, is the majority; since that which he bears in his hand assures to him the whole power of the State for his individual protection.

But the work is only begun when men are compelled by ordinance of the city council, to refrain from business or pleasure upon Sunday, without regard to their conscientious convictions.

It will be thought necessary to go farther—to provide for other religious observances—to enact how the Sabbath shall be observed—to compel attendance upon "Divine worship," and point out by law what form of worship, and impose penalties for non-compliance. And when the mild and merciful sanctions of fine and imprisonment in the county jail, for delinquent poverty, (see Ord. 2d vol. p. 37), will no longer suffice, more terrible powers must be called into play; more terrible sanctions denounced. The scourge—the thumb-screw—the rack—the faggot, and the scaffold must be invoked; we must go back upon the dial-plate of time; we enact the blue-laws of Connecticut, and super-add the sanctions of the Inquisition, and the fires of Smithfield! Let this not be scouted as mere rhapsody. We are not a whit better than the pilgrims of the Mayflower; and yet the men who dared the dangers of the ocean and the wilderness, to find freedom of worship upon the Rock of Plymouth, these men were they who forgot the "Golden Rule" in their zeal to do God service, and visited upon the peaceful sect of Quakers more terrible enormities than those of which themselves had been made the victims.

In concluding this argument we have only to observe, that we have no desire to weaken the force, or avert the application of existing laws, for the observance of that day which is designated as the Christian Sabbath. But as we who observe that day have rights, which we dearly cherish, so should we, as we value them, regard the rights of others. The difference among men, upon points such as these, will never be lessened by persecution; whilst every attempt to restrain a minority, however small, in the exercise of those great privileges which have been guaranteed to them by the Constitution of the State, only serves to weaken the bonds of government, by diminishing the confidence of the people in its integrity.

BROUGH AND ZINN,
Att'ys for Def't.

RECOGNITIONS AT THE JUDGMENT.

All will be ineffably solemn. Many will be full of joy and others full of bitterness. Think of Cain, the first murderer and fratricide, meeting the martyred Abel. All murderers, and the victims of their cupidity or hatred. Heroes and despots meeting the millions who were slain in their battles, or on whose neck they fixed the yoke of oppression. Popes and inquisitors, confronting those whom they had murdered in the dark dungeon, on the rack, at the stake and elsewhere. Iron-hearted oppressors, standing by the side of the slaves on whom they had inflicted every injury that pride, anger, and lust could invent or perpetrate. Rumsellers, staring on their slaughtered victims and the long train of widows and orphans. Seducers and the victims of their falsehood, treachery, and crime. False teachers, and the souls they had led down to perdition. Ungodly parents and the children whom they ruined forever. Alas, what recognitions of woe will occur on that day.

But there will also be recognitions of gladness. The pious parent will meet with the redeemed child. The godly will there recognize her sainted husband. The emancipated from slavery, poverty, sorrows and sin, will there meet and bless those who prayed and labored in their behalf. The Sabbath school teacher, the tract visitor, the city missionary—the McDowalls, and Priors, and Howards, and Erys, the colporteur, and many similar coadjutors, will meet with immortal gems which they, by God's blessing plucked from the mire of ignorance and crime. The missionary and the redeemed from paganism. The faithful pastor and the blood-washed flock. All the chosen ones of God, who have been instrumental, in turning souls to righteousness, will there recognize those saved ones. But how soon will all eyes be turned away from each other; to look "without a glass between," on the adorable Judge and Saviour.

SINGULAR ANECDOTE.

Several years ago, a charity sermon was preached in a dissenting chapel in the west of England. When the preacher ascended the pulpit, he thus addressed his hearers:—"My brethren, before proceeding to the duties of this evening, allow me to relate a short anecdote. Many years have elapsed since I was last within the walls of this house. Upon that evening, among the hearers came three men, with the intention of not only scoffing at the minister; but with their pockets filled with stones for the purpose of assaulting him. After he had spoken a few sentences one said—"Let us be at him now;" but the second replied, "No; stop till we hear what he makes of this point." The minister went on, when the second said, "We have heard enough now, throw it!" but the third interposed, saying, "He is not as foolish as I expected—let us hear him out." The preacher concluded without being interrupted. Now, mark me, my brethren—of these three men, one was executed for forgery; the second at this moment lies under sentence of death in this city for murder; the other, (continued the minister with great emotion) the third, through the infinite goodness of God, is even now about to address you—listen to him!"

The Sabbath Recorder.

New York, July 15, 1847.

THE "SABBATH DISCUSSION."

I have been to us a matter of surprise, that almost all dissertations on the Sabbath have failed to present the subject in one very important light, and that the most important of all. We refer now to the commemorative character of the Sabbath as a memorial of the work of creation. We do not mean that this character of the institution has been entirely overlooked; we admit, that there are few writers who do not occasionally refer to it. They refer to it, however, only incidentally, not seeming to be sensible that it possesses any great importance; while the other, and as we conceive—rather subordinate ends of the institution, engage almost the whole of their attention. It is no matter of wonder, therefore, that so many rise from the perusal of their arguments with but very feeble convictions of the everlasting necessity of the Sabbath.

Among our first-day brethren, some very able advocates of the perpetuity and necessity of the Sabbath have appeared, although their mistaken notions about a transfer of the institution from the last to the first day of the week, always made them appear foolish before they had finished their argument. Their ability, however, has been displayed principally in giving importance to the subordinate ends of the institution. As a day of worship, and as a season of rest for the body, they have fought for it manfully. With great cogency they have shown, that, but for a Sabbath enjoined by divine authority, religion would soon cease out of the land; and that both man and beast, if doomed to unremitting toil, would sink under the premature exhaustion of their powers. But while upon these points they have expended their force, and given them every variety of illustration, as if they were the chief things designed by the weekly rest, they have made the commemorative character of the Sabbath such a secondary consideration, and thrown it so completely into the shade, that one can hardly help thinking that they did not see it at all. "Indagator" is evidently one of this class. Doubtless, out of the abundance of his heart his mouth speaketh, when he teaches, that the commemoration of God's rest-day was but an "incidental object" of the appointment of the institution.

Now we are free to confess, that, if the points which these writers insist on are the chief things had in view, we do not see what great difference it can make what day of the week is observed for the purpose. For mere bodily rest, the Sunday would serve our purpose just as well as the Saturday does; and for a mere season of worship, it is, for aught we can see, just as well adapted as any other day. Those, who look upon these as the only ends of the institution, are, therefore, very apt to indulge in a self-complacent pity for the weakness of Sabbatharians in punctiliously clinging to the seventh day. The first day contains as many hours and minutes, as does the seventh, so that the diligent consecration of it would give to Jehovah just as much time; while the sun shines as brightly, and nature wears as lovely an aspect on that day, as on any other day of the week. Sure enough! Why are Sabbatharians so foolishly rigid—so overmuch righteous? If no other important points are to be served by the sabbatic institution than the ones now referred to, we do not much wonder that "E. W. D." proposes to give the law such a construction, as "that the seventh" may be reckoned from any point." Nor do we much wonder that "Indagator" dispenses with the Sabbath entirely, since the arguments by which its necessity for the securing of these ends is established, do not possess the conclusiveness of demonstration, and his "Lord's Day," besides seeming to promise the same results, is freed from the inconsistency of an attempt to defend its claims by the fourth commandment. But if, as we believe, the main design of the Sabbath is to commemorate the creation, then we do insist upon it, that no other day than the Saturday will at all answer the purpose.

But what is the great importance of this view of the subject? What is its importance now, under the gospel? For, though it enters into the dreamy speculations of Sunday-keepers, that it was once important to commemorate the work of creation, incidentally, however, as "Indagator" teaches,—yet now that the work of Redemption has been developed, it is supposed to be no longer important. Let us see then if the commemorative character of the Sabbath is not still important. We are much mistaken, if the work of Redemption does not greatly magnify its importance, instead of diminishing it. The great importance of the Sabbath, considered as a commemorative institution, is this; that it is a standing testimony against Atheism and Idolatry. Bearing witness, as it does, to the fact that Jehovah made all things in six days, and rested on the seventh, it proclaims in the most emphatic manner, that the world did not spring into existence by chance, or by some fortuitous concurrence of atoms, as the Atheist teaches, but had a Former,—an all-wise and all-powerful First Cause. It also proclaims, just as emphatically, that Jehovah made all things himself, and called not to his aid any of the false gods of the heathen. Thus it testifies against Idolatry. And it is remarkable, that of all the positive institutions of the Bible, there is not one, if we except the Sabbath, which carries

the mind directly up to God as the Creator and great first-cause, and so bars up the way to infidelity and the abominations of heathenism;—not one, which attests to mankind the great fact, on which all true religion is based,—the fact, indeed, in which all moral law originates, and upon which, therefore, the whole system of divine revelation must finally rest. Judaism and Christianity have, each, their positive institutions commemorative of important facts which lie at the foundations of the systems respectively. Hence these positive institutions become to us the evidences of the truth of these systems, provided we are first made certain of the truth of that system which is anterior to both, and upon which they are both dependent. That system is the Moral Law—a system which has its origin in those relations which God established by the work of creation.

Now let it be remembered, that the transgression of the Moral Law is sin, (1 John 3: 4) and that Christianity cannot connive at such transgression—no, not in a single point, (Jas. 2: 10) but must on the contrary forbid it. The work of Redemption, therefore, which is the central point and soul of Christianity, so far from throwing into the shade, as unworthy of notice, a fact, in which the whole Moral Law originates, magnifies that fact, and exalts its importance; for only by so doing can it exalt its own importance. And if it exalts the importance of the fact itself, the necessity of commemorating it must be just as urgent now as it ever was, and even more so. What folly, therefore—what worse than folly—what sheer absurdity, to say, as many do, that Redemption is a work so much more glorious than that of Creation, that the importance of commemorating the latter has ceased! We are ashamed of such theology, and consider it a disgrace to religion and a curse to the world. That Redemption, however vast and important, should set aside the necessity of perpetuating the remembrance of a fact, which is the starting point of all religion—the groundwork of the whole—without which even Redemption itself can have no beginning—is an absurdity not distinguishable from downright wickedness, except in view of the intentions and motives of those who advocate the sentiment. On the contrary, we think that Redemption urges the commemoration of the fact more devoutly. Nay, more,—any system of theology, which blots out an institution that bears so striking a testimony against Atheism as the Sabbath does, appears to us like a system that strikes hands with infidelity. And as the institution also bears testimony against Idolatry, any system which blots it out appears to us like a concession to heathenism.

We wish that our limits would allow us to illustrate this point still more fully. It is the grand stand-point, from which the Sabbath may be seen in all its glory. It has not been sufficiently appreciated by writers generally. It was evidently the principal thing contemplated, when the institution was given to the Jews. "It is a sign between me and you throughout your generations, that ye may know that I am Jehovah that doth sanctify you." "It is a sign between me and the children of Israel forever; for in six days Jehovah made heaven and earth, and on the seventh day he rested, and was refreshed." Ex. 31: 13-17. Thus it was by the observance of this institution, that the Israelites were to be distinguished as acknowledging a God different from any of those worshipped by the heathen—as acknowledging the true God, the one that made heaven and earth. And is it not important, that Christians should be distinguished and known as worshipping the same God? "Is he the God of the Jew only? Is he not of the Gentiles also?" The parties of the "Sabbath Discussion" might have spared themselves much unnecessary debate, if they had both seen distinctly that feature of the weekly rest, which we have made the theme of this article, and had appreciated its importance. We therefore invite "Indagator" to review his theology once more, assured that he can hardly help seeing that the Sabbath, although it may be a "positive institution," does now, under the gospel, possess an importance, which cannot be predicated of any abrogated or Mosaic ordinance. And farther; as the Sabbath cannot, with any fitness, be a memorial of creation, unless observed on the last day of the week, we invite "E. W. D." to review his theology. Surely he cannot fail to see the absurdity of the position he has taken. We may have more, to say about the "Discussion" in another number.

CHRISTIAN PATRIOT.—Under this head a Southern paper announces that "our venerable brother, Cave Johnson, draws a pension of \$40 annually, which he is in the habit of applying to benevolent purposes. We received a power of attorney from him a few days ago, in a letter, directing us to draw his pension, and divide it equally between the Indian Mission, China Mission, General Association, and Bible Society, (ten dollars to each), which has been done accordingly."

THE NEW HYMN BOOK.—A Prospectus of the new Hymn Book will be found in another column. We hope the pastors of the several churches will at once take measures to bring the subject before their people, and secure the appointment of one or more persons in each church to obtain a list of those who desire copies of the book. By doing so, it is believed that they will serve not only the publishers, but themselves and the people.

IDOLATRY SUPPORTED BY THE BRITISH GOVERNMENT.—The Committee of the General Baptist Missionary Society in England, at a meeting held at Nottingham, on the 6th of May last, voted to present a memorial to the British government, against the annual grant to support the worship of the idol Juggernaut. The evil that they complain of is, that "36,000 rupees per annum are granted directly from the British treasury to the support of the idol!" Of the character of the system of heathenism thus supported and fostered by British money, they say, "The missionaries, while pursuing their benevolent labors, have frequently visited this popular shrine of Hindoo idolatry, and witnessed scenes of infamy, misery, and death, which no pen can fully describe, or thought conceive; scenes of lewdness and obscenity far too gross to be ever described, are annually beheld; while the more impure the songs, the greater is the applause, not of men only, but of scores and thousands of females, debased by delight in such obscenity."

THE PENNSYLVANIA CASE.

To the Editor of the Sabbath Recorder:—The day after I dispatched my last note, a week ago, I received a letter from one of the Attorneys in the Snowhill Case, which explained the delay in receiving information respecting the proceedings before the Supreme Court. They had written to me, immediately, from the spot; but, by mistake, directed the letter to Burlington, instead of Bordentown.

Our attorneys found, on arriving at Harrisburg, on the 9th ult., that but two and a half days were allotted for the argument of all the cases, (thirteen in number,) from Bedford and Franklin counties, and that the appeal from Snowhill was the last but one on the list; consequently there would be no time to argue the case fully under that arrangement; which, in connection of the bench not being full (Judge Rodgers being absent on a trip to Europe), it was deemed advisable to continue the case until next sessions.

Our attorneys did all they could under the circumstances. One prepared a brief, and the other an argument at some length, which they proposed to submit to the Court in print, (which is often done in cases of intricate law points.) This the Court declined—one of the Judges remarking, that it was a very grave and important question, and that he would prefer to hear it argued at length, and be decided by a full bench. Our Counsel, upon this suggestion, continued the case, and I think wisely; for we shall certainly have a better chance, with a full Bench; and from what transpired our Attorneys are greatly encouraged to hope, that they will be crowned with success.

Yours, W. M. FARNESTOCK.

P. S. It is a rare thing for me to notice any typographical errors, which may occur in my articles, but in my short note of week before last, your compositor perpetrated two, which make my letter read rather awkwardly. For affirm or reverse, it was made to read revise—they may revise without reversing. And, again, cordial cooperation, was printed candid—they may be very candid without being at all cordial.

EXHIBITION OF ALFRED ACADEMY.

ALFRED, July 2, 1847.

To the Editor of the Sabbath Recorder:—

Yesterday, July 1st, was an intensely interesting day with us in Alfred. It was the closing day of another academic year of our flourishing school. At an early hour, a vast and interesting assemblage of people from the surrounding country, mostly young, were upon the ground, where extensive and suitable preparations for their accommodation had been made. Between the hours of nine and ten, the Professors, Teachers, and members of the school, together with citizens and friends, were, under the direction of Marshals, marched to the grove, where, after the preliminaries were duly arranged, the exhibition commenced, which consisted of declamations, compositions, &c., usual on such occasions. From time to time through the day we had singing from the choir belonging to the school, and music from the Andover Brass Band. The whole day was thus employed; and the anticipations of the public of an intellectual feast, were fully realized, for a more orderly, attentive and delighted auditory I never saw. So far as I heard, the expression was one of universal satisfaction.

The past year has been one of great prosperity with this school. Nothing has occurred in anywise to retard its progress, save that for a time during the spring the measles prevailed to some extent.

When I think of the blessings in promise to our denomination, the country around them, and even to the heathen world, by the Alfred Academy and DeRuyter Institute, I am filled with joy and hope, and I do invoke the blessing of the God of wisdom and mercy upon them; their conductors, supporters; and students. Fraternally yours, N. V. HULL.

P. S. The examination previous to the close reflected honor equally upon the teachers and students. Upon the last day of examination, the several Literary Societies were addressed by A. P. Lanning, Esq., of Rushford; and for truly excellent sentiment, chasteness of style, and happy delivery, the address was second to none ever before delivered in this place.

N. V. H.

LLEGALIZED IGNORANCE AND OPPRESSION.—A law in relation to the instruction of negroes, passed by the General Assembly of the State of Missouri, went into operation on the 1st day of July. It forbids all persons to keep school to teach any negro, whether free or slave, or mulatto, to read or write, in that State—forbids any assemblage of negroes or mulattoes for religious worship, where the services are performed by negroes, unless a sheriff, marshal, or Justice of the Peace, be present, to prevent seditious speeches—forbids all free negroes or mulattoes from emigrating, under any pretext, into Missouri, from any other State. Penalty for violation of the provisions of the above act, \$500 fine, and six months imprisonment.

PROGRESS.—Some persons are forever grumbling about the evils of the present age in comparison with those of the past. To them every thing ancient is sacred, while the wickedness of to-day is seen in all its enormity. It would do such persons good to read a sermon by Rev. Mr. Parker, of Boston, bearing more or less upon this subject. Here is a short extract from it, showing that there were some things done in old time, which would scarcely be tolerated at the present day:—

"It is but little more than two hundred years, since a man was put to death in the most enlightened country of Europe for eating meat on Friday! Not two hundred years since men and women were hanged in Massachusetts for a crime now reckoned impossible! It is not a hundred years since two negro slaves were judicially burned alive in this very city! These facts make us shudder, but hope also!"

LONG SERMONS AND PRAYERS.—Our modern complainers will be more reconciled to their destiny when they are informed of the experience of those who went before them. When Essex left London to march against King Charles, then at Oxford, he requested the Assembly of Divines, usually known as the "Westminster Assembly," to keep a day of fasting for his success. The manner in which it was observed is thus stated by Baillie:

"We spent from nine to five graciously. After Dr. Twiss had begun with a brief prayer, Mr. Marshall prayed large two hours, most divinely confessing the sins of the members of the Assembly in a wonderful pathetic and prudent way. After Mr. Arrowsmith preached an hour; then a psalm; thereafter Mr. Vines prayed near two hours, and Mr. Palmer preached an hour, and Mr. Leaman prayed near two hours; then a psalm. After Mr. Henderson brought them to a sweet conference of the heat confessed in the Assembly and other seen faults to be remedied, and the convenience to preach against all sects, especially Anabaptists and Antinomians. Dr. Twiss closed with a short prayer and blessing. God was so evidently in all this exercise, that we expect certainly a blessing."

PERSEVERANCE AND SYSTEM.—Little do many who read a daily newspaper know of the toils, pains, anxieties and privations which its persevering conductors may have felt and suffered while struggling to establish its reputation with the public. Mr. Chandler, the deservedly successful editor of the United States Gazette, which he has recently sold for \$45,000, thus describes his earlier exertions, some 25 years since:—

"When I entered upon the duties of editor of this paper, in 1822, its existence as a daily paper seemed scarcely to be known. A few, a very few, of the old Federal party continued to pay for it, but with the multitude it was obsolete—it was among the things lost. Evidences of resuscitation were soon marked, and from a few hundreds the subscription list rose to nearly a thousand, when I became joint proprietor. How I toiled at the editorial columns, and how the constant companion of my labors (G. H. Hart, Esq.) toiled in his department, I can scarcely explain; but month after month, year after year, did I attend personally to a school of more than a hundred scholars, during seven hours of the day, and then write editorials, collect and select the news, do all the reporting, and much of the correspondence of the daily paper, retiring, with the companion of my labors, at two and three o'clock in the morning from the office, to renew labors after three or four hours' attempt to sleep. Ruinous as all this was to the constitution, it was continued, and the paper slowly, but constantly, gained patronage."

BAPTISM OF A DEAD BODY.—It is hard to believe the following story. And yet it is told by a correspondent of the Paris Archives of Christianity, who vouches for its truth:—

"An English blacksmith in Derrin (department of the North) died on the 16th of March last, after several months' illness, and was baptized on the 18th, about two hours before being interred."

"I have inquired into the matter, says the writer, and find as follows: The man was a Protestant, and never, so far as is known, showed the least intention to become a Catholic; but his relatives, being more attached to pomp and shows than to evangelical faith, made as an excuse their remoteness from a minister of their own religion, and applied to the curate of the parish to obtain admittance for the corpse into his church, and that it might be buried according to Catholic rites. The curate did not refuse so good an opportunity, knowing his pay would be according to his services, and that he would in this case make more money from the body than from the soul. But first he would resort to a pious stratagem! As he had not been able to make the deceased a believer nor an obedient member of the Romish church during his life, he found it easier to make him one after his death. Accordingly, two hours before carrying him from his dwelling, and twenty-four hours after he had breathed his last, he was baptized; and then buried with due pomp, as being a Protestant converted to Catholicism."

THE MIGHTY FALLEN.

Elihu Burritt, in his "Over-sea Omnibus" for the Christian Citizen, says—The great and good Dr. Chalmers is dead, and the like of him the world will scarcely see again. He arrived in Edinburgh, from London, on Saturday, the 30th of May, where he had preached to an audience of the first persons in the Kingdom, among whom was Lord John Russell, Lord Brougham and others. He retired on Sunday evening in his usual health, and was expected to address the General Assembly of the Free Church on Monday; but, alas! he was found dead in his bed at eight o'clock in the morning. Thus the great and good man of the fatherland are falling, or rather ascending, like stars withdrawn from the firmament of the present age, to go from glory to glory in their upward career. But their works and the light of their lives will follow them, a bright and endless posterity, to bless the world they have left. Truly many fathers in the English Israel have fallen asleep during the past year. First, the venerable philanthropist, Thomas Clarkson, went to his reward. Then the good, pure, princely Joseph John Gurney was called from his labors of Christian love into the joy of his Lord. Then fell O'Connell, whose giant strength of purpose and of intellect was felt throughout Christendom. Lastly, Dr. Chalmers has been summoned to his rest, leaving a memory, a speaking life behind, mighty thoughts of eloquent teaching, for the young generations of coming time. These are gone, and many more the world is loth to spare will go; but there will be no gap, no chasm in human progress. The sea of time will close over the greatest of its coffined dead, and the days of mourning will soon be ended even for them.

VILLAGE FEUDS OF THE CHINESE.

The following extract from a letter of Mr. Pohlman, at Amoy, China, published in the Missionary Herald, will give some idea of the village feuds which frequently occur in China. It is evident from this account, as well as from others which are frequently published, that the Chinese Government extends over too large a territory to be in all cases efficiently administered:—

"In several of the villages which we visited the second day, we found none but old men, women and children. All the young men who were able to bear arms, had gone out to battle; and ever and anon the report of guns and the shouts of the victors apprised us that the work of death and destruction was going forward. A civil war had just broken out, and the whole region was in a high state of excitement. Two of the most powerful surnames of the island combined against all the other surnames scattered abroad in every place. This caused villages in close proximity to be raised against each other; and a man's nearest neighbors became his bitterest foes. This outbreak has occurred at a most unfavorable period. It is the time of the latter harvest, when all able-bodied men are required for gathering in the products of the soil. We saw many in the fields, spending all their strength in collecting potatoes and ground nuts, while others were keeping guard, and protecting them from the depredations of their enemies. While talking to a few persons at one village, three slugs fell near me; and presently intelligence was brought that one of the combatants had been mortally wounded. The aged father of the young man ran about in great distress, crying out, with tears, 'What is to be done? What is to be done?' The expense of the war is paid by subscription, and all the money that can possibly be raised, is required for powder and balls, and also for sacrifices to the gods, whose aid and protection are implored by special oblations and unusual rites. In several places we observed the people engaged in religious ceremonies and idolatrous worship; while crowds of old men, and boys collected together to enjoy the sport and feast on the offerings. This state of hostility is of long standing, it having originated in an old quarrel about the right to a well. "These village wars are of frequent occurrence in Fu-kein province, and are suffered to go on without much interference on the part of the proper authorities. It is said that measures have been taken to stop the present conflict, but have proved ineffectual. The truth is, the government of China is the most inefficient in more governed, and yet less governed than this same celestial empire."

"We frequently found ourselves in the midst of a battle, and made it a point to see and exhort both hostile parties to desist. They acknowledged the truth of our reasoning and the wickedness of their course, but they said that matters had now become so involved and intricate that the only way of settlement was by brute force. The state of feeling is such that, although the mandarins should succeed in putting a stop to the present combat, the smallest provocation, on either side, would be taken as a call to renewed war and bloodshed. Such is the condition of the country."

DR. D'AUBIGNE.—John Henry Merle D'Aubigne, author of the History of the Reformation, was born in Geneva in 1794, being now fifty-three years old. His ancestors were refugees from religious oppression in France and Italy. His grandfather, Francis Merle, married Elizabeth D'Aubigne, and by a custom in Switzerland, the maternal name being sometimes added to the paternal, the "historian" has both. Hence, in his own country, he is often called Merle, or Merle D'Aubigne. He studied for the ministry in a Socinian Institution, in Geneva; but about the time he was completing his education there, the celebrated Mr. Haldane, a Baptist, of Scotland, though unable to speak French, attempted, through an interpreter, to teach these Socinian students "the glorious gospel." God blessed his efforts to the salvation of some ten or twelve, among whom were Merle D'Aubigne, Gausson, and Felix Neff. D'Aubigne was settled for a time over an evangelical French congregation in Brussels, from which he was driven by the revolution of 1830. He returned to Geneva, and was placed at the head of the new Theological School, of which his friend Gausson is a Professor, and which has now forty students in the preparatory and theological departments.

Statistics of manufactures of Journal, are bleaching 106, 390,000 yards of 34,000 spindles 375,000 yards these employ wood-acre of iron; 14 machines for plows and 14,000 ing shops; a railroad iron and ber shoe factory do; 1 edge-tool These employ 1100 machinery in \$100,000 are manufacturing Fair of Twentieth Anniversary will be held in the city of New York on the 1st of July. The number of Post Office annuities alone, is 7 inches in length, immense number horizontal position reach to the extent to form square feet of land. Third of an ounce 697 tons. The each, amounts to One piece of seen in two or three; we wives, feverish sick among their men realize the described as the "Christianity" A general meeting of Scotland, was 19th inst., for educational association incorporated, and otherwise or A great meeting of William Caxton Minister, Mr. Be selected for Caxton Abbey. Lord M a great compliment RANDALL'S is about six miles the East River, being some marshy the city for \$25,000 by the city it was wings, and the pro pauper labor of thirty were intri been increased. Some half-dozen, for the use of the labor, beside fine dence for the S contemplation to During the last supported 100 pas ser, and paid the has added \$2,000 ward of 100 tons and will be thre corn, and 10 acre ance of vegetable are kept on the daily supplied what is used to a short time to paupers, and retu city. A FOURTH painful accident the death of Mr son of James Br the commercial Co., Brown, Ship Baltimore, New event took place afternoon. Mr the City, and w with his young swing, some care small canini, a heart, killing his the feet of his taken out of the that the gun was a judicial inq whether the dres of wafton mis ceased was only had recently m Howland, Esq, accident took pl

General Intelligence.

FOREIGN NEWS.

The French Mail Steamer Union arrived at New York since our last, bringing news from Europe three days later, but not important. The prospect of good crops all over Europe, seemed to improve rather than otherwise.

A letter has been received in Cork from a very intimate friend of the O'Connell family, which states that the remains of the "Liberator" are not expected to reach London before the middle of July. The cause of this delay the writer attributes to the succession of obsequies which are expected to take place in every town through which the body of the illustrious dead will pass. Having reached London, the letter further states, the funeral procession will proceed through Birmingham and Liverpool, at which place a special steamer will be in waiting to convey the "Great Tribune's" remains to the metropolis of Ireland, which they are not expected to reach before the end of July.

The number of letters that pass through the Post Office annually, for London and its environs alone, is 75,000,000. They average four inches in length and three inches wide. If this immense number of letters were laid down in a horizontal position, lengthways, they would reach to the extent of 5,534 miles; if laid so as to form square feet, the whole would cover 142 acres of land. They average in weight one-third of an ounce. The whole would weigh 637 tons. The postage of these, at one penny each, amounts to £312,500.

One piece of intelligence, which we have seen in two or three Irish papers, is very lamentable; we mean the death of clergymen's wives, fever-stricken while ministering to the sick among their husbands' flocks. Such women realize the character which Dr. Johnson described as the noblest in the world—that of "the Christian gentlewoman."

A general meeting of teachers, from all parts of Scotland, was to be held at Edinburgh, on the 19th inst., for the purpose of instituting an educational association, which, after it has been incorporated, will grant educational degrees, and otherwise organize the scholastic body.

A great meeting was held in London in honor of William Caxton, the earliest English printer. Lord Morpeth was in the chair, and the American Minister, Mr. Bancroft, was present. The site selected for Caxton's monument is Westminster Abbey. Lord Morpeth paid the United States a great compliment in his speech.

RANDALL'S ISLAND.—Randall's Island lies about six miles from the city of New York, in the East River, and contains 160 acres, including some marshy lands. It was purchased by the city for \$25,000. When taken possession of by the city it was comparatively without buildings, and the project of making it profitable by pauper labor deemed impossible. At first, thirty were introduced, and the number has been increased until there are now one hundred. Some half-dozen buildings have been erected for the use of the paupers, altogether by pauper labor, beside fine out-houses, and a snug residence for the Superintendent. It is now in contemplation to erect a nursery building soon. During the last year, the island has not only supported 100 paupers, with but one hired overseer, and paid the expense of management, but has added \$2,000 to the City Treasury. Upward of 100 tons of hay were cut last season, and will be this—and it has 15 acres of fine corn, and 10 acres of potatoes, beside an abundance of vegetables, now growing. Fifty cows are kept on the island, and 500 quarts of milk daily supplied to Blackwell's Island beside what is used at home. The island promises in a short time to maintain a larger number of paupers, and return still greater interest to the city.

A FOURTH OF JULY ACCIDENT.—The most painful accident connected with the Fourth was the death of Mr. James A. Brown, the oldest son of James Brown, Esq., principal partner in the commercial houses of Brown, Brothers & Co., Brown, Shipley & Co., &c., in New York, Baltimore, New Orleans, and Liverpool. This event took place at Flushing, L. I., on Saturday afternoon. Mr. Brown had just arrived from the City, and while in the lawn in company with his young bride, amusing themselves at a swing, some careless boys in the vicinity fired a small cannon, a ball from which entered his heart, killing him almost instantly. He fell at the feet of his lady, whom he had that moment taken out of the swing. The boys supposed that the gun was loaded only with powder, but a judicial investigation can only determine whether the dreadful occurrence was the result of wanton mischief, or carelessness. The deceased was only twenty-four years of age, and had recently married the daughter of G. G. Howland, Esq., at whose country-seat the fatal accident took place.

STATISTICS OF PROVIDENCE, R. I.—Among the manufactures of this enterprising city, says the Journal, are calico and calendering works, bleaching 108 tons of cotton cloth, and printing 300,000 yards of calico weekly; cotton mills of 34,000 spindles—woolen mills, which weave 375,000 yards of jeans and satinet yearly—these employ 1,800 hands. There are also two wood-saw factories, using annually 700 tons of iron; 14 furnaces, using 5,000 tons of pig-iron for machinery, and also making 5,000 plows and 14,000 stoves; 3 steam engine building shops; a rolling mill, making 10,000 tons of railroad iron and wire each year; 3 India rubber shoe factories; 1 shoe-tie and stay-lacing do.; 1 edge-tool do., and eight engraving shops. These employ 1,647 hands. Cotton and woolen machinery-making shops employ 1,200 men. \$100,000 are paid yearly for labor alone, in manufacturing jewelry.

FAIR OF THE AMERICAN INSTITUTE.—The Twentieth Annual Fair of this excellent establishment will be held this year, not at Nible's, but at Castle Garden, one of the largest amphitheatres in America. It will open to the public on Tuesday, October 6, and continue open upward of a fortnight. Models, machinery, and choice fabrics of skill and ingenuity from American workshops will be received for exhibition and competition during October 2d, 3d, and 4th. Cattle shows, Agricultural and Horti-

cultural exhibitions, Plowing and Spading Matches, and the National Convention of Gardeners, Farmers, &c., will occupy part of the time—and gold and silver medals, diplomas, cups, books, &c., be bestowed on merit, under the inspection and on the award of the most careful and competent judges.

SHE WOULD BE A SAILOR.—The Boston Traveler says that a young and rather good-looking girl, named Julia Bickford, not more than 20 years of age, was brought up in the Police Court upon a complaint, preferred at her own request, of being a common vagabond. She was sent to the House of Correction for three months. She makes the following statements in regard to herself, and they appear to be corroborated by her general appearance and conversation:—She says that, several years since, she accompanied her uncle on a sea voyage, in her woman's apparel; that taking a liking to the sea, upon her return she went to a fitting-out store and got trusted for a suit of male apparel, for which she honestly paid on her return. Thus accoutred, she managed to get a berth as cook, and in this and other capacities she had made voyages to the East and West Indies and to the South. Finally, getting into bad company, she had the moral courage to go voluntarily to the House of Correction, and thus endeavor to break off the bad connections which had been a consequence of her sea voyages.

IMPORTANT TRIAL.—An important case has been before the Supreme Court of Massachusetts, in which Mr. Webster and Mr. Choate were employed. The case, in brief, is this:—One Oliver Smith, a bachelor, the son of a farmer, with but small original means, lived, in a neighboring town, to the age of 80. Always saving and economical, and loving money, he became in later life shrewd and expert in the management of large sums; and, from dealing in country bonds and mortgages, turned his attention to operations in stocks. He was successful, and amassed a fortune of \$300,000. In 1844 he made his will, and gave the bulk of his property to various charities. He died in December, '45. The will is contested on one single ground—viz. that Theophilus Pearsons Phelps, one of the witnesses, was not a competent witness, to the will, being, as was alleged, at the time an insane person. The Court sustained the will.

CHINESE JUNK.—The Chinese Junk, an account of which was received some months since, arrived at New York last week, after a passage of 212 days from Canton, having touched at St. Helena on the 23d of April last, where she was an object of great curiosity, and was over-run with visitors during her stay of seven days. She is built throughout of teak wood, is nearly new, and was bought by Capt. Kellett for \$17,000. She is shaped like a whale boat, is one hundred and fifty feet long, twenty-five feet beam, and twelve feet deep in the hold. She was originally a war vessel, and still retains some of the peculiarities of that character. Externally she is painted white, with a black waist as far as the foremast, then red to the stern. On each side of her bow is painted an immense eye, while a spread eagle flourishes on her stern. Her bow is flat, like that of a scow, with no bow-sprit, but in the place usually occupied by the bow-sprit is an opening about as wide as a barn-yard gate, after the fashion of a Brooklyn ferry-boat, to give a chance for working the anchors, which are also made of teak wood and hung by cables of twisted bamboo. At the bow are also fastened two large cables, which run the whole length of the ship, and form the only hanging of the rudder, a delicate affair of teak wood, weighing some dozen tons, when fully immersed being twenty-three feet in the water, and when hoisted up twelve. To manage this contrivance it takes some thirty men and a stout windlass. The main cabin is thirty feet long, ten and a half high and twenty-three wide, and is adorned with a great variety of figures in fresco, among which are dragons, eagles and tigers as large as life and twice as ferocious. In this cabin are many pieces of beautiful Chinese furniture, which might well be copied by our cabinet makers, together with other curiosities, among which the most prominent was a great idol or "Josh," carved from a single block of wood, and gilded. This divinity has eighteen arms and four eyes, and was brought on board the ship with the greatest reverence by its Chinese bearers. Above, in a little recess on the poop, stands the regular "Josh" of the ship, before which a light is kept constantly burning, and to which the Chinamen have religiously resorted when the junk was threatened by bad weather. This Junk was brought to the country by a Speculator, who intends to exhibit her in the principal seaports, and then sell the curiosities she contains. [Tribune.]

Elihu Burritt says that Ireland is slowly recovering from the desolation of destitution and disease. Corn food is cheaper and more abundant, which, with an increase of early vegetables and milk, has contributed much to the comfort of the people. Fever has abated in malignity, though still widely prevalent. It is admitted that the crops are the most luxuriant that ever appeared in the country: The potato bids fair to survive the rumor which consigned it to destruction. A larger extent of other root crops has been cultivated this year than in the last five years taken together. So there is hope for poor Ireland yet.

A feasible and obvious application of Harvey's grand discovery of the use of valves in raising the blood through the veins, has been suggested by a correspondent of the (London) Mechanics' Magazine; namely, the raising of water from the sea, by the lash of the waves, through valved tubes, into reservoirs on a high level—for the acquisition, of course, of an unlimited supply of water-power, to be turned to any requisite purpose. The inventor proposes to test the practicability of this kind of Water-Ram on South-sea Beach, England.

A gentleman in Oxford, N. Y., has a mode of furnishing light-houses with the Drummond light, to be supported by gases produced by magneto-electrical machines, which are to be kept in operation by the power of water descending from an elevated reservoir, which reservoir is to be occasionally replenished by pumps operated by a wind-mill mounted above the lantern.

SUMMARY.

Just as the frigate Macedonian was leaving our shores for Ireland, with her relief cargo, we received the news that the officers and crew of the United States, the frigate that captured her, had taken up a subscription on the coast of Africa, for the same cause, amounting to \$653; and Commodore Reed states, that it would have been still larger, but for the necessity of limiting the generosity of his noble tars. Thus these ships, once engaged in a desperate conflict with each other, have now joined in the same work of mercy.

Among a number of emigrants arrived in Philadelphia the other day, was an old man in the fifty-eighth year of his age, who had with him ten sons, four daughters, five daughters-in-law, three sons-in-law, twenty-eight grand-children, and two great grand-children. He was smoking his pipe quite leisurely, and seemed happy. They intend to locate themselves in the western country, and till the soil.

Gen. Jackson, in his will, directed that the pistols which were presented by Washington to Lafayette, at the commencement of the War of the Revolution, and which were subsequently presented to General Jackson by the Washington family, be presented to the son of Lafayette, in Paris. This has been done through Mr. J. L. Martin, United States Charge d'Affaires in France; and their receipt is acknowledged in a letter from Lafayette.

The Warsaw (Illinois) Visitor says: Some three weeks since Mr. John Wade of Henry Co. was killed by his brother Washington Wade. The deceased was whipping his daughter, when the other interfered—this leading to altercation, Washington drew a pistol and shot the ball entering the arm and left breast. He died several hours after the wound. The daughter rushed upon him with a stick to complete the awful work.

The committee of the Jackson Monument Association invite proposals to deliver in the centre of Lafayette Square, Washington City, "a solid rude rock of granite, or other durable stone, of between 600 and 1,000 tons in weight—as near as may be of the latter weight." It is designed as the pedestal of said monument, and must be on the ground by the 1st day of March next.

It is said by some of the scientific French Journals, that a company in that country, have, after a variety of experiments, succeeded in extracting oil from a species of rock. The company possesses, in Autunnois, inexhaustible beds of the material from which this oil is extracted, as well as several other productions, as paraffine, mineral tar, a new kind of manure, invaluable for exhausted land, and many others.

We learn from the Milwaukee Gazette, that the entries of Public Lands at the office in that city since January 1, 1847, exceed one hundred thousand acres, and that the receipts are upwards of one hundred and thirty thousand dollars. The quantity of land remaining unsold on the Milwaukee District is between 350 and 400,000 acres.

At a dinner given by the municipal authorities of Boston to the President, at Revere-Hall, no wine or intoxicating liquors were admitted. Mr. Mayor Quincy, with that appetite for Reform which distinguishes his name, refused to preside on the occasion, unless the absence of pernicious drinks was secured.

With respect to the distribution and growth of the wine, it requires, according to Meyen, at least five months of a mean heat of 59 degrees Fahrenheit to produce good wine. If September and October, the season when the grape fully ripens, have not this degree of heat, the wine is sour; and a country where this is the case is therefore unsuitable to the culture of the vine.

The flavor of coffee may be improved by adding forty to fifty grains of carbonate of soda to each pound of roasted coffee. In addition to improving the flavor, the soda makes the coffee more healthy, as it neutralizes the acid contained in the infusion.

The Cincinnati Herald states that Professor Mitchell has discovered a new cluster of stars, one thousand in number, to which he has given the name of Beccoide. Their appearance is singular. They are of a blue tinge, and emit an unsteady light. They seem to revolve in a spiral orbit.

The insurance offices will have to pay £47,000, the amount of the policies effected on the life of Mr. O'Connell; but little of this large sum goes to his family, the insurances having been principally effected by third parties.

A lady arrived at Philadelphia last week, from Liverpool, and proceeded to the residence of a sister in Southwark, where, directly after the interview, she fell down and expired almost instantly. The sisters had not met before for about seventeen years!

Brooklyn is not called the city of churches without good cause. The Daily Advertiser says that there have been 46 churches built in that city since the year 1823. We doubt whether there is another city in the world with 60 churches and not one theatre.

Mr. Astor has in his will left near half a million of dollars for the establishment of a free library in this city. He made this legacy, not expecting from his great age to survive long.

A special train of cars took the President and suite from New Haven to Springfield, a distance of sixty-two miles, in the remarkably short period of one hour and forty-five minutes running time.

The Waterville Union calculates the number of logs that have gone over Titonic Falls, in the Kennebec River, at 7,200 a day, 360,000 in fifty days. It would be a low estimate to prize the logs at \$3 each, making their value \$1,080,000.

We learn from a correspondent of the Baptist Banner, that Hon. Henry Clay was baptized on the 22d inst. in one of the beautiful ponds on his own estate, near Lexington. He united with the Episcopal Church, but demanded immersion.

The Wesleyan Conference in England has been recently united with the Canadian Conference, constituting a united body in Western Canada of 178 regular ministers and more than 900 congregations.

Hay and harvesting will soon be ready for the scythe and the cradle, and in a cloudy morning it is a matter of importance to the farmer to know whether it will be sunshine or showers in the afternoon. If the ants have cleared their holes out nicely and piled the dirt up high, it seldom fails to bring a good day for the farmer, even if it should be cloudy till 10 or 11 o'clock in the forenoon. Spider-webs will be very numerous about the tops of the grass and grain some cloudy mornings; and fifty years' observation has shown the writer of this that these little weather-guessers seldom fail in their prediction of a fair day.

The Scientific American says that a gentleman in Brooklyn has discovered a plan by which the temperature inside of a dwelling may be reduced to twenty or thirty degrees below that of the air outside. He proposes to construct barracks upon this plan for the U. S. Army at Vera Cruz; and by having the soldiers live in a temperature below that in which the yellow fever and other tropical diseases become contagious, he hopes to save hundreds of valuable lives. From his successful experiments, made during the warmest day this season, we are favorably impressed with its utility.

The Housatonic Railroad Company have made arrangements by which Lebanon Springs can be reached with greater facility, ease and comfort than by any other route. Passengers will leave New York for Bridgeport in the fine steamer Mountaineer from the foot of Market-st., at 6 1-2 A. M., taking the splendid cars of the Company at the latter place, will arrive at the State Line depot at 3 1-2 P. M., thence to Lebanon Springs by stage coach, arriving at 5 1-2 P. M. of the same day. Fare through \$2 50.

As some boys were bathing in the Miami Canal, recently, one of them got his foot into a nest of silver and other kinds of watches. Several of them had been valuable, and one contained a diamond, though most of them had been stripped of their cases. One boy got twenty-one watches, another eighteen, and none less than a watch apiece. The canal has not been wholly drawn off for about a year, on this level, and the watches must have been dropped in within that time.

Jesse Hutchinson, one of the famous "Hutchinson Family" of singers, has recently built a beautiful stone cottage, in Lynn, Mass., called High Rock Cottage, which has been described as an elegant specimen of architecture, situated on a picturesque hill, commanding a magnificent view of the ocean, and one of the finest landscapes in the world.

The durability of oak may be known from the fact that the throne of Edward the Confessor is 800 years old; and the oldest wooden bridge of which we have any account is oak—and which existed 400 years before Christ.

John Shepherds, supposed to be the last survivor of those engaged in Braddock's defeat in 1765, recently died near Philadelphia, aged 118 years 9 months and 17 days.

The electric telegraph from Portsmouth, England, to the Isle of Wight, has been found to succeed admirably on a trial, with only one wire laid down under water.

A bell recently arrived at Montreal, from London, designed for the new Cathedral, which weighs 25 tons!—the largest ever cast in England.

The Lutheran church has 100 congregations in the United States, and 30,000,000 people belonging to the denomination.

Mr. Bentley states in a letter to the Times, that he has paid between £14,000 and £15,000 to three American authors alone.

Wilkinson, who poisoned the wedding party in Texas, has been hung by the form of Lynch law.

Table with 2 columns: Commodity and Price. Includes items like ASHES, FLOUR AND MEAL, GRAIN, and PROVISIONS with their respective prices.

Table with 2 columns: Name and Address. Lists names like In Genese, Allegheny Co., N. Y., and their respective locations.

Table with 2 columns: Name and Address. Lists names like In Scioto, Ohio, and their respective locations.

Table with 2 columns: Name and Address. Lists names like Charles Saunders, Chauncy Wardner, and their respective locations.

Table with 2 columns: Name and Address. Lists names like J. Spicer, Hopkinton, R. I., and their respective locations.

Table with 2 columns: Name and Address. Lists names like Adams—Charles Potter, and their respective locations.

THE NEW HYMN BOOK.

At the last meeting of the General Conference, a Committee, consisting of Thomas B. Brown, Lucius Cranston, Wm. B. Maxson, Eli S. Bailey, Nathan V. Hull, and the publication of a Hymn Book, as desired by the Seventh-day Baptist Denomination. Subsequently, Mr. Brown, Chairman of the Committee, suggested a plan for the work, which received the unanimous and hearty approval of the other members of the Committee, and which he was requested by them to carry out. We are happy to state, that he has completed the duty assigned to him, and has prepared for the press a book which is believed by good judges to be equal in point of merit to any thing of the kind now extant. The copy is already in the hands of the printer, and the work will be published and ready for distribution on the 10th day of September next. It will contain above one thousand hymns, covering nearly six hundred pages of the size of the medium edition of "The Psalms," now in use among the Baptists. It will be printed on fine paper, and upon stereotype plates prepared from entirely new type. In style of workmanship, it is intended that the book shall be inferior to none. To secure for it as general a circulation as possible, the price, in common letter binding, has been fixed at 75 cents per copy, or \$3 per dozen. Copies will be put up in extra binding, with gilt edges, &c., to suit every variety of taste, at prices corresponding to the style.

The Publishers of the Book are desirous of learning what number of copies will be at once demanded, in order that they may regulate the size of the first edition by the demand. They request, therefore, that those in want of the work will give them as early notice as possible of the number they desire. Probably the best way to do the business will be for each society or church to appoint some person to ascertain how many will be wanted within its own bounds, and send on the order accordingly. The book will be ready for delivery, as before stated, on the 10th day of September, and to supply at the Anniversary of the Missionary and Tract Societies in DeKuyter, all who may wish to obtain them in that way. To save uneasiness, no money will be required until the books are delivered; and to save loss, no books will be delivered except for the money or its equivalent. Orders for the books are now solicited, and should in all cases be accompanied with explicit information as to the way in which they may be sent. Those who wish to be sure of copies of the first edition, should send their orders as early as the 1st day of September. Address, "UTTER & CHAMPLIN, No. 9 Spruce-st., New-York."

THE DAILY NATIONAL WHIG is published in the city of Washington, every day, at three o'clock P. M. on the days excepted, and served to subscribers in the City, at the Navy Yard, in Georgetown, in Alexandria, and in Baltimore, the same evening, at six and a quarter cents a week, payable to the sole agent of the Whig, G. L. Gilchrist, Esq., or his order. It is also mailed to any part of the United States for \$4 per annum, or \$2 for six months, payable in advance. Advertisements of ten lines or less inserted one time for 50 cents, two times for 75 cents, three times for \$1, one week for \$1.75, two weeks for \$2.75, one month for \$4, two months for \$7, three months for \$10, six months for \$16, one year for \$20, payable always in advance.

The "National Whig" is what its name indicates. It speaks the sentiments of the Whig party of the Union on every question of public policy. It advocates the election to the Presidency of Zachary Taylor, subject to the decision of a Whig National Convention. It makes war to the knife upon all the measures and acts of the Administration deemed to be adverse to the interests of the country, and exposes without fear or favor the corruptions of the party in power. Its columns are open to every man in the country, for the discussion of political or any other questions.

In addition to politics, a large space in the National Whig will be devoted to publications upon Agriculture, Mechanics, and other useful arts, Science in general, Law, Medicine, Statistics, &c. Choice specimens of American and Foreign Literature will also be given, including Reviews of a weekly list of the Patents issued by the Patent Office will likewise be published—the whole forming a complete family newspaper.

The "Weekly National Whig," one of the largest newspapers in the United States, is made up from the columns of the Daily National Whig, and is published every Saturday, for the low price of \$2 per annum, payable in advance. A double sheet of eight pages will be given whenever the press of matter shall justify it.

The Minutes of General Taylor, written expressly for the National Whig are in course of publication. They commenced with the second number, a large number of copies of which have been printed, to supply calls for back numbers. CHAS. W. FENTON, Proprietor of the National Whig.

U. S. All daily, weekly, and semi-weekly papers in the United States are requested to insert this advertisement once a week for six months, not charging the price for publishing the same at the bottom of the advertisement, and send the paper containing it to the National Whig office, and the amount will be duly remitted. Our editorial brethren are also requested to notice the National Whig in their reading columns. July 15.—6m—\$10 C. W. F.

CHRISTIAN PARLOR MAGAZINE.

REV. J. T. HEADLEY, EDITOR. THE CHRISTIAN PARLOR MAGAZINE, formerly under the care of Rev. D. Mead, commences its fourth volume under the editorship of Rev. J. T. Headley, author of "Napoleon and his Marshals," "Sacred Mountains," "Letters from Italy," &c. We hazard nothing in saying that this Magazine, so deservedly popular hitherto, is destined to fill a large place in public estimation; that it will not only maintain its present enviable distinction, but earn to itself a far higher popularity, and become the companion of many a circle to which it is now a stranger, gladdening by its presence, while it exerts an influence pure, elevating, and healthful. The Editor will bend his energies to make this the most popular Magazine of the day, and will draw freely from his own exhaustless store. He will continue to maintain its high moral tone, and nothing will be admitted into its columns which will minister to the corrupt passions and tendencies of youth, or which "the other worldy would wish to blot."

Price, two dollars a year. Three copies for five dollars. A few good, responsible agents are wanted to circulate this work; to whom the best inducements will be offered. E. E. MILES, 151 Nassau-st.

PLUMBE NATIONAL DAGUERREAN GALLERY AND PHOTOGRAPHERS' FRUIT STORES, and the gold and silver medals, four first premiums, and two higher honors, at the National, the Massachusetts, the New York, and Pennsylvania Exhibitions, respectively, for the most splendid colored Daguerreotypes and best apparatus ever exhibited. Portraits taken in exquisite style, without regard to weather. Instructions given in the art. A large assortment of apparatus and stock always on hand, at the lowest cash prices. New York, 251 Broadway; Philadelphia, 136 Chestnut street; Boston, 75 Court and 58 Hanover streets; Baltimore, 205 Baltimore street; Washington, Pennsylvania Avenue; Petersburg, Virginia, Mechanics' Hall; Cincinnati, Fourth and Walnut, and 176 Main streets; Saratoga Springs, Broadway; Paris, 127 Vieille Rue du Temple; Liverpool, 32 Church street.

LOCAL AGENTS FOR THE RECORDER.

Table with 2 columns: Location and Agent Name. Lists agents for New York, Rhode Island, New Jersey, Pennsylvania, Virginia, Ohio, and Michigan.

