

ture has not only given no countenance to the idea that they would consider any or all of the measures against which they protest as the grounds for dissolving or for weakening this Union by any act of theirs, but they have, by their concluding resolution, expressed the contrary in language unmistakable, for they have declared—that that Union is not to be looked upon as "in any event to be abandoned." And whatever deduction is to be made from the force of that broad and comprehensive experience, "in any event," it is certain that, in their view, neither one nor all of the measures against which they protested as unjust and oppressive would constitute an event to justify an abandonment of the Union. It is as clear and undeniable as any conclusion of a well-formed syllogism that the legislature of North Carolina have declared this: "we protest against what we deem a spirit of aggression and injustice; we shall view certain acts of legislation on the part of the Congress of the United States as unjust, and as contrary to the true spirit of the constitution, as not designed or looked to by the framers of it; but, unjust as they are, contrary, as we believe them to be, to the true and proper spirit in which the government should be administered, either separately or all put together, would not furnish an event in which this Union ought to be abandoned."

That is the sentiment, clear and unmistakable. I have heard this subject alluded to often. I have heard observations made, implying that, by some action or acts, the State which I have the honor to represent here had pledged herself in some mode or form to take some action directly tending or indirectly looking to a dissolution. I have long desired to put this matter right before the Senate and the country. I have availed myself of the present opportunity to do it. It seems to be fit, proper, and germane to the subject now under consideration.

I have said that no one is authorized to pronounce for the State of North Carolina that this legislation would produce any such results as I have referred to. I go further. I believe—I do not propose to speak the voice of North Carolina upon that subject—I give my own opinion, and but my own opinion, just for what that opinion is worth, independent of these resolutions—nay, I have no doubt that the people of North Carolina will refuse, for any such cause, to embark in any proceedings which, either directly or indirectly, look or tend to a dissolution of the Union. That is my clear and decided opinion. In the first place, strong as our opinions are upon this subject—looking with a degree of abhorrence, which I want language to express, upon movements that have been made in reference to this delicate and much-agitated slavery subject—feeling as I do, as a southern man, that we have much to complain of in our friends upon this floor, who have been unwilling to make the smallest sacrifice, not of principle, but the smallest sacrifice of pride, the smallest sacrifice of anything, for the purpose of yielding the smallest boon that men have ever asked from their equal—yet, looking upon this conduct as I do, as I cannot but look at it, I say that in my judgment, it constitutes no case to justify, excuse or palliate a measure calculated to put this Union in jeopardy. When I speak about the dissolution of this Union, I do not consider myself as arguing about the dissolving of a contract for the building of a house, or the supply of so many thousands of shingles, of a mercantile partnership to transact business for the pecuniary benefit of the partners—I do not consider it as a question of dissolving a "confederacy," as this Union is so often emphatically called upon this floor—I do not look upon this as a confederacy, a league. From the day that the constitution of the United States was adopted, it became a union of government. The constitution is a constitution of government, and not a confederacy in any proper and just sense of that term. The constitution speaks of our connexion not as a confederacy, but as a Union, and of itself not as articles of a league between the States, but as a constitution established by the people.—Ours is a national Union, consummated by a constitution into a national government. When I am thinking or speaking about the causes which will justify a movement for the purpose of dissolving such a Union under such a government, I consider myself as bound to make out a case which would justify my resistance to the State government under which I live. It must be a case of abuse, of oppression so great, as not only shall the just and reasonable limits of power be overpassed, but the consequence of submission must be more intolerable than that which attends resistance. When we look abroad upon this country, I cannot consider the dissolution of this Union otherwise than as an event fraught with the most frightful consequences to the people of every portion, and to the people of my own, followed with inevitable and irreparable ruin. That is my opinion—that is my settled conviction.

Now, sir, whatever are my views, sentiments, and opinions with regard to the proposition of allowing us to diffuse our slaves over any territory belonging to the United States, they have been before expressed in the Senate, and I do not propose to recapitulate what I have said. It is clear and demonstrable—so at least it seems to me—that the true duty of every man connected with this government, as a patriot, as a Christian, as a human man, as a friend to the African race—and I admit no man to be a better friend to that race than I am—it is the duty of every such man, in my judgment,

to permit the diffusion of slave population wherever the climate and mode of cultivation will permit its profitable employment. But to speak to me personally as an individual, to appeal to my judgment as a man about taking measures any way, under any circumstances looking to dissolution of this Union, because we are not at liberty to carry slaves to California, New Mexico, or to Utah, why, there seems to be no proportion under heaven between the comparatively small, almost undiscernible premises, and the vast and portentous conclusions. I wish Northern gentlemen would think otherwise than they do of this matter of slavery and the diffusion of the slave population. They take up this idea: slavery is an evil; it is a greater evil; it is a physical evil; it is a moral evil. Therefore, as soon as possible, we must bring about the abolition of it—must at once adopt measures for that end, or at any rate promptly prevent the extension of its area. This is the whole argument. And how does it stand? Why, when gentlemen express these views, and urge the conduct founded upon them, one might suppose them speaking of a world where evils had been heretofore unknown, where every thing had been in harmonious order in the moral and physical state; and suddenly this one single evil had fallen among us to disturb our peaceful condition; and we need but to eradicate it and restore ourselves at once to universal happiness and virtue! But it is not so. We live, and ever have lived but for a brief space, in the midst of evils necessary, which cannot and ought not to be at once removed. Physical pain is an evil. But yet do we not know that, without looking at the higher moral purposes which it is made to serve, the moment we consider man as a mortal being, subject to various diseases which produce death, if not met by proper remedies, but which may relieve, by their timely application and regard, pain, as in truth it is—the sensation by which nature warns us of the existence of disease, and points out its locality—the whole character of the subject is changed, and what is in itself undeniably an evil, becomes, under the circumstances, an evil, and necessary to protect us from a greater, and therefore relatively a good! The necessity of labor—that man should be obliged to work to-day that he may eat to-morrow—is, in itself, an evil. We know that it is an evil, because the necessity of it was first pronounced upon man as a punishment for transgression. "In the sweat of thy face shalt thou eat bread." A curse—a punishment—yet not merely penal, but remedial also.—For does not every one see that though in itself an evil, yet in the actual moral condition of man, it is an evil necessary to prevent far greater, and therefore a blessing?—since we must all perceive that if man, with his present passions and corrupted nature, were turned loose in a world producing spontaneously every thing to maintain his strength and gratify his appetites, he would be a monster of revolting crimes and misery; and therefore this necessity of labor, in itself an evil, becomes incidentally a good. Is it not so with every thing, or nearly every thing? It was very well said by the Senator from Louisiana, [Mr. Soule,] a few days ago, that government was an evil. It is true, all government is an evil. That one man or twenty men should be authorized to exercise authority over another man as good as themselves was an evil. We know it is in itself an evil. The first institution of any sanction of government upon this earth was a curse pronounced upon Eve: "Thy desire shall be unto thine husband: he shall rule over thee." Before that there was no such authority upon earth. They lived perfectly equal. All government is an evil. The best of government in itself is an evil, because it involves the control of one man over another. But does not everybody know that, such as man is, there must be government to prevent the most frightful crimes and consequences, the most destructive to everything that is excellent, virtuous, and desirable upon earth? And this government, in itself an evil, because an evil necessary to prevent worse, becomes a good. We all look upon arbitrary and absolutely government as specially an evil, and yet every man knows even that that may be a blessing. If a people are in such a state and circumstances as to be totally unfit to govern themselves, it is far better that they should be governed by one man than be left without any government at all. That is undoubted.

Again, to refer to another instance: Polygamy is an evil, undoubtedly an evil, because contrary to the original institution of marriage by God himself. It is an evil existing amongst a large portion of mankind, and has existed from the earliest times. Now, what is the course of our friends' reasoning upon their principles upon this evil of slavery? Why, it must be eradicated; it must be no further diffused; it must not be treated as you would treat aught else; it must not be gently handled, but instantly extirpated, or forcibly exterminated. Is there any justice in this reasoning? Would it be applied to other objects? Why, sir, this very case of polygamy and divorce to which I have referred existed for hundreds of years under a government established by God himself. It was tolerated; and we have an honor for saying it was allowed and tolerated on account only of the hardness of heart of the people for which that government was established. Even in the view of Omnipotence, it was better to permit for hundreds of years the breach of his own institutions, by which one man and one woman were to be united together as man and wife, and for life, than to interfere by law, and restrain the people

from habits and usages to which they had been so long accustomed and were so devoted. It is not too much to say, that it was seen by him to be impossible, without a miraculous interposition, inconsistent with his designs for the government of free and moral agents, suddenly to change the habits and character of that people. He could not, therefore, do it "without sacrificing the ends for which that government was established."

Now, Mr. President, it is said that slavery is in itself an evil. Be it so. Does it follow that it is to be removed? Are we about to set up our rash judgments, and maintain that we cannot endure for an hour what Heaven itself endured under the Jewish theocracy for hundreds of years? When it was said by our Saviour to him who had a withered hand, "Stretch forth thy hand," and he stretched it forth whole, a miraculous power produced health, strength, and restoration. But what should we say if a miserable empiric, seeing that same withered hand, and pronouncing that a withered hand was an evil, and ought to be removed, had, by violent manipulations, forced it to its former length? The result would be seen of this insane folly, in the ruptured vessels, and in the agony of the unhappy sufferer.

Sir, I hold myself to be as decided a friend to the African race as any man in America, and I undertake to lay down two propositions with regard to them as they exist in this country: The first is, that there are no three millions of Africans upon the face of the globe who are, either physically, morally, or intellectually, in as good a condition as the three millions of slaves in the United States. The second is, that there is no man of sense in America, who knows any thing about their condition, and the condition of the country, who believes that their circumstances would be better, or rather would not be infinitely worse, were they now emancipated. Then, what are we to do? Here is the problem to be worked out. My own judgment is, that the true policy of government and people, the true course to be pursued by Christian men, acting in accordance with what we have seen developed in the Divine procedure in the past history of the world, is to allow this institution, which God has permitted, for some great and good purpose to be transmitted to our shores, to diffuse itself where climate and soil invite it—to behave with humanity and consideration to those dependent upon our power, and trust to that wisdom which overrules all things to discover to us or our posterity how it is to be made productive of higher if not of the highest good. In the mean time wisely tampering with it is, in my judgment, a proof either of presumptuous ignorance or of great disregard of the well-being of the community.

Let me here repeat what was said, and so well said, by the honorable Senator from Louisiana, (Mr. Soule,) that, when we speak of property in slaves, we do not speak in the same sense as we do when we speak of property in horses and in cattle. We do not mean property in the absolute sense of the term, as excluding all consideration for the subject of that property, except as a thing. Property, in that sense, is not applicable to the nature of the case. We acknowledge our relative duties. We recognize the slave as a fellow-being, inferior in social condition, but yet our fellow-creature.

I do not doubt at all that there is an obligation on every community where this institution exists, when the period shall come in which these restraints can be lessened, more or less, with advantage to the parties who are under them, and without injury to those who have the control—when it can be done so as to produce real and true good—to make that relaxation; just as I believe it to be the duty of the Emperor of Russia, so far and so soon as his people are sufficiently advanced to be capable of taking part in governing themselves, to modify or surrender that supreme and despotic authority which he now exercises over them; but it is sufficient for us to say that that time has not yet come, and cannot yet be foreseen. The time has not come when even initiatory and prospective measures can be looked to. We must, therefore, leave the present generation to struggle on with the difficulties, whatever they may be, that are incident to their position, trusting—for every thing depends, in this respect, upon a higher and a wiser foresight than ours—trusting that in the future, perhaps, probably in the far distant future, good may be worked out of this institution, more than commensurate with all its present evil.

Now, Mr. President, although I have these views—although I entertain them strongly—although I feel deeply what I think is an unwholesome disposition to tamper, with or without improper designs, with our domestic institution of slavery—it is my deliberate opinion that no measures now accomplished, or now threatened, can furnish justifiable, reasonable, or excusable grounds for taking any measures of resistance calculated to lead to a dissolution of the Union. But, sir, there is this I will say: there is a mode of resistance which no man will resort to more cheerfully than I: it is a constitutional resistance; it is standing upon the platform laid down by the honorable Senator from Kentucky, (Mr. Clay,) of remaining in the Union, and fighting for our rights in the Union.

Now, how are we to do it? It happens, fortunately for us, that, although taking the whole country, we are, on the slavery question, in a minority, there are some cases of legislation in which our Northern friends have got a deep interest—in which we are not entirely insignificant. Our friends of the North are exceedingly anxious to have some remedial

measures; such as will help their manufacturers, and brighten the prospects of their languishing operatives, and give renewed prosperity and happiness to their formerly prosperous and thriving people. Well, sir, I am one of those who believe in the absolute power of Congress over this whole subject. I believe Congress has the power to establish prohibitory, protective, or any duties that Congress may choose. I believe, also, that it is right and proper, when no other considerations intervene, to use that power so as to give the industrial pursuits of this country a decided advantage over the industrial pursuits of every other country. Now, here were my friend from New Jersey, (Mr. Miller,) and my friend from Rhode Island, (Mr. Greene,) not long since presenting petitions, in which are strongly depicted the sufferings of their portions of the country for want of adequate protection, and Congress is earnestly called to their relief.

Now, sir, my mode of contending for our rights is a very simple one. It wants the aid of no Nashville Convention, or Southern Convention, no arm of armed men, no disunion, no secession. We just stand right here, and ask for and enforce our reasonable claims. What have we asked of our Northern friends; and how have we asked it? We have used—certainly I have used—no language either of defiance or even of demand. We have been content earnestly and affectionately to ask—yes, to entreat, not insolently to dictate or require. We have said, do not wantonly do what you know will be regarded amongst us as affrontful, unkind; do not apply to these Territories the Wilnot proviso. You can have no motive to apply it, unless it is a paltry pride, which leads you to persevere, at all hazards, in what you have once purposed—the simple will aggress to offer an affront because you have the power to offer it. There is nothing of value to be accomplished by it, no result to be produced—none in the world. Ours has been simply asking, on the part of men who can hold out no longer, to be permitted to march out of their fortification with their side-arms and their flag flying. What has, so far, been the answer—the answer in effect? Surrender at discretion: we care not for your feelings. It is no motive for our action that you have a sensitiveness upon this subject, and that which will offend you is unimportant to us: we will have the Wilnot proviso; we will vote for it; we will vote for no bill without it.

The Senator from Massachusetts (Mr. Davis) candidly avowed his reason for being opposed to the compromise bill to be that it did not contain the Wilnot proviso. It was not the combination of subjects in the bill, it was not the undiscussible insult to California in putting her alongside of New Mexico and Utah, which dictated his opposition, but the want of the Wilnot proviso.

Mr. DAVIS, of Massachusetts, (in his seat.) I did not say that that was my only ground of objection to the bill.

Mr. BADGER. Not the only ground; but the honorable Senator said that that was with him a sufficient ground. Now, sir, beyond this omission of a useless and amongst Southern men offensive proviso, we have asked only a good and effectual law for the surrender of fugitive slaves—a measure which the constitution makes a clear and imperative duty—a measure which no man can refuse us without utter disregard of our rights and of constitutional obligations.

Well, then, sir, if they will persist in refusing these most moderate claims—if they will not listen to our remonstrances, but will, from motives of real or affected humanity, disregard the injunctions of the constitution, and in the wantonness of power insist on unnecessary and offensive legislation, what remedy have we?—or have we any? *Nous verrons*, as a celebrated editor is or was in the habit of saying. Sir, our course under such circumstances is plain. When their applications come into this chamber for relief and assistance for their suffering manufactures—when they present to us an account of the discharge of workmen and the closing of workshops, the drooping of all their industrial pursuits—I will, so far as I am concerned, resist all their applications and reject their petitions. They will be addressed not to unwilling ears, but to ears reluctantly though sternly closed to their appeal, by a sense of justice, necessity, and self-protection. Yes, sir; though every manufactory in the North should be stopped, though her streets should be filled with sturdy beggars, and her asylums and her poor-houses should every where be filled, her public and private charities oppressed and overburdened, and though the remedy lay in my single vote, that vote should not be given. Not, Mr. President, (God forbid it!) that I should rejoice to look upon their sufferings—not that I wish to mar their prosperity, or that I should deny relief if there were any other possible means by which we could contend for reasonable claims, for such consideration. Reason they reject; persuasion and entreaty they spurn; they answer our claims with their notions, with sentimentality; they treat with scorn our opinions, and judgment, and wishes, and feelings. What, then, is left to us, or at least to me? I hold myself as having no right to go out of the Union—no right to destroy it—and I have no wish, if I had the right, to do so. Then I must stay here, and, by such means as the constitution has put in my hands, endeavor to bring our Northern friends to a pause for reflection. Though on this slavery matter they are with a numerical majority in this Union, they cannot protect their

industry without Southern help. And where will they get it, if Southern Whig Senators refuse it, according to the intimation of the Senator from Georgia (Mr. Berrien) the other day, according to what I say now, what I am authorized, I think, to say for my colleague, and what, though not particularly authorized, I have no doubt I may be permitted to say for my other honorable friend from Georgia, now in my eye, (Mr. Dawson?) If we give them no assistance, can you tell us how they will reanimate their interests, and restore again those once glorious palaces of labor in which wealth and prosperity spread over their whole country? They throw us back upon the necessity of refusing them our aid, if they persist in their course. I envy not their prosperity; God knows I do not. I glory in it, and in that noble enterprise which sought out and built it up. But for the duty, the hard duty upon me of using this only legal means of defence and resistance, I would stand ready at all times to help them forward in their career, in a just and reasonable way, which, whilst it builds up themselves, may be giving strength and vigor to our common country.

Mr. President, I do not state what I do as a threat. Not at all. In the language of my honorable friend from Virginia, (Mr. Mason,) speaking some time ago respecting the State he represents, I simply "declare a resolved purpose."

Mr. President, as well from the resolutions of our Legislature, which I have read to the Senate, as from the view I have offered of the propriety of things, in which I hope to find a cordial support at home, I believe, and deem it proper and correct to affirm, that North Carolina will not be found disposed, upon any occasion which is even remotely probable, to look either directly or indirectly to the dissolution of the Union. If I am mistaken, still, sir, here occupying a position as a Senator of the United States, I must act upon every subject which comes before me upon my own deliberate judgment. I acknowledge the right of no man, or set of men, to command, or authoritatively direct my conduct, whether they are the Legislature, or even the People of the State I represent. Whatever respect is due—and great and profound respect is due to their opinions and judgment, and however important an element for consideration that opinion and judgment constitute—still my own conscience and my own understanding must always ultimately rule my own conduct, whenever these come into irreconcilable conflict with the opinions and judgment of others.

One word more, Mr. President, and I will cease to trespass upon the Senate. There is another capacity—the capacity of an individual—in which I wish to say a word or two about my views of the obligations resting upon me. Every gentleman must entertain and act upon his own opinions. I undertake to arraign none. I acknowledge in each a right to entertain, to express, and to act upon his own opinions; I claim only the same privilege for myself. Now, sir, with regard to the obligations under which I stand to the Government of the United States, I entertain views widely different from, if not directly opposite to, those intimated by the Senator from Virginia (Mr. Mason) and the Senator from South Carolina, (Mr. Butler.) Sir, I was born a citizen of the United States—the first breath I drew was as a citizen owing allegiance to the United States. I did not come into this world as a citizen of North Carolina only, and have my allegiance transferred by her act to the United States. I was born a citizen of the United States; I owe allegiance to the United States. The United States is my country; and the Government of the United States the government of my country. I acknowledge no more a power of disposing of the obligations I have undertaken to discharge to that country and that government, and which I hope I shall endeavor to fulfil—I acknowledge, I say, no more authority in the State of North Carolina to dispose of that obligation than in the State of Virginia or the State of New Hampshire to do it. If the State of North Carolina had not united herself with the other States of the Union under the constitution—if she had chosen to remain, in the absolute sense, an independent sovereignty, I would have vowed allegiance to her, and to her alone; but she thought proper to ratify the constitution of the United States, by which the whole state of the case was altered. That constitution is not a mere confederacy—it is a union; it forms a constitutional government, and I owe a paramount allegiance to that government. Why, sir, is not the constitution express to that effect? Surely it is; and the very form of the oath prescribed for public officers by the State of North Carolina, immediately after her acceptance of the constitution, declares authoritatively the sense in which she understood the obligation to the new government. By that oath she taught me, when under her laws I took it, on my admission to the bar, that the authority of the United States is supreme and hers subordinate. By that oath I bound myself to support her constitution, only when not inconsistent with the Constitution of the United States. I was sworn to support the Constitution of the United States unreservedly, and without exception or qualification. Therefore, Mr. President, without undertaking to determine what influences the views and sentiments of the people of my own State

might have upon my own judgment as to the propriety of any particular course—for certainly the general opinion of the State in which a man lives is entitled to great weight and influence, and to have considerable effect upon him—I must say that I acknowledge no right in the Legislature of North Carolina to exercise the Papal authority of absolving me from my oath, or to transfer my allegiance—to turn me over to Barbary from the United States, and make me simply a citizen of hers. Therefore I should hold myself at liberty—yes, bound by every consideration of duty to myself and country, by that integrity which binds me to maintain and fulfil the oath I have taken—to consider for myself, under any supposed circumstances, whether a case existed of unmitigated oppression or of dangerous and obstinate usurpation, which constitutes a known and understood exception from the general duty of submission to a government, and justifies the oppressed in falling back upon the natural right of resistance and self-preservation. To my own State I owe love; I owe obedience, but not a blind and unlimited obedience. I owe her a large, and grateful, and devoted attachment. She has generously honored and advanced me beyond any merits of my own, and has thereby added force to the claims which she always had upon me as her native-born son, whose ancestors on one side, for four generations, have lived and died upon her soil. Sir, I acknowledge these claims. I feel all that grateful and devoted attachment, and I hope to be ever ready to prove it by more than words. But I cannot forget that she is but one State of the Union, and that the whole Union is my country. These are my sentiments, and upon these I must act until, by adequate reasons, I am induced to change them. Hence you will perceive, Mr. President, that, looking upon the subject in the light I do, holding a supreme allegiance to be due to the United States, disowning all right, under the constitution, of secession, and perceiving no reason in any proposed disposition of these questions to justify or excuse disunion or any form of revolutionary resistance, I have but one mode of defence—but one mode of resistance—but one remedy. That I have mentioned. It is legal, constitutional, orderly, and, applied as I propose, it is just and fair.

With regard to the pending amendment, as I have already indicated, I would prefer California in her full size; but if gentlemen think—if gentlemen representing Southern constituencies think—it will be more acceptable to their people to have California admitted with mutilated limits, and to have a Territorial Government established upon that portion of the territory which may be withdrawn from her jurisdiction, I am ready to vote for it. I do not think it is a matter of great importance. I think the only effect will be that we shall have two free States upon the Pacific sooner than we would by admitting California with her present boundary. That is the difference. I shall vote for the amendment, but am personally not solicitous about its success or failure.

The Slave Trade in Cuba.—On the very night preceding the landing of the late Cuban expedition at Cardenas, a large vessel came quietly up to the wharf and landed 600 negroes from the hold, poor, miserable, half-starved shadows of men, who had been torn from their homes in Africa and introduced into the island by the consent and to the great profit of the Captain General of Cuba. Shortly after this occurrence a bag containing about \$20,000 was found at the door of the Captain General's sleeping room, which—as there appears no acknowledgment for the same in the published reports of the receipts by the treasury—we presume, went to swell the already large pile of savings of Conde Alenx during his very economical administration. Now, these facts we learn from a highly intelligent citizen lately from Cuba, who was in the vicinity of the transactions when they occurred, and they have been substantially confirmed by the statements of others. They are facts notorious to all Americans and foreigners in Cuba.

N. O. Delta, Aug. 2.

Death from Handling a Corpse.—The Newark Advertiser has the following letter dated Boonton, July 20th: Our village has again been visited with sudden death, in the case of Mrs. Geo. W. Eston, of this place, who died suddenly last night, under the following circumstances. (On the 20th inst, two girls lost their lives by falling into the river and drowning, near this place. On Thursday, the 23d, their bodies were recovered and taken to Mrs. Eston's, laid out and coffined. In handling the corpse and clothes of the deceased, it is supposed she came in contact with some infectious matter, which communicated to a cut she received on one of her fingers the day before, which soon after became inflamed, the arm and shoulder swelling very much; yesterday congestion of the brain set in, and last night she died."

The Origin of Glass.—It is wonderful how much we are indebted to chance for many very valuable discoveries. The art of making glass was discovered in this way: As some merchants were carrying a quantity of nitre they halted near a river issuing from Mount Carmel. Not readily finding stones to rest their kates on, they used some pieces of nitre for that purpose. The fire gradually dissolving the nitre, it mixed with the sand, and a transparent matter flowed, which, in fact, was no other than glass.

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