

# The Rutherford Star.

BE SURE YOU ARE RIGHT AND THEN GO AHEAD.—DAVY CROCKETT.

VOL. IV.

RUTHERFORDTON, N. C. SATURDAY, FEBRUARY 5, 1870.

NO. 3.

## Professional Cards

**J. L. CARSON,**  
ATTORNEY AT LAW,  
RUTHERFORDTON, N. C.

Collections made in any part of the State  
if possible. feb. 6-11.

**M. H. JUSTICE,**  
Attorney at Law,  
RUTHERFORDTON, N. C.

Claims collected in all parts of the  
State. feb. 19 47-11

**L. F. CHURCHILL,**  
**G. M. WHITESIDE**  
CHURCHILL & WHITESIDE  
ATTORNEYS AND COUNSELLORS  
AT LAW,  
RUTHERFORDTON, N. C.

Will practice in all the Courts of Western  
North Carolina, in the Supreme Courts of the  
State and in the District, Circuit and Superior  
Courts of the United States. feb. 6-11

**DR. J. W. HARRIS,**

WILL GIVE PROMPT AT-  
tention to all Professional calls  
and hopes to merit a continuance  
of his long established practice.  
Has constantly on hand a fine supply of  
PURE DRUGS at his office in Rutherfordton.  
e 2-4

**DR. J. M. CRATON,**  
RUTHERFORDTON, N. C.

OFFERS his professional services to his  
old friends, and the public generally.  
Office at his Drug Store. dec. 18-19

**DR. O. HICKS,**  
RUTHERFORDTON, N. C.

CONTINUES the practice of Medicine,  
Surgery and Midwifery, in Rutherfordton  
and the surrounding counties. Charges mod-  
erate. mch. 18-19

**John T. Butler,**  
PRACTICAL  
Watch and Clock  
MAKER AND JEWELER, & C.,  
Main St., Charlotte, N. C.

Dealer in Fine Watches and Clocks, Jewel-  
ry, Spectacles and Watch Materials, &c.  
Fine Watches, Clocks and Jewelry of every  
description repaired and warranted for twelve  
months.  
Work left at the Vindicator Office  
will be forwarded at my expense. 45-4-11

**W. M. SHIPP,**  
ATTORNEY AT LAW,  
Charlotte, N. C.

Will attend to all business entrusted to his  
office in the 11th Judicial district. Collections  
made in all parts of the State. 45-17

**ALEXANDER & MASON,**  
SOLICITORS OF  
AMERICAN AND EUROPEAN PATENTS,  
AND  
COUNSELLORS AT PATENT LAW.

(15 years experience as solicitors of Patents  
460 Seventh St., Opposite the Patent Office,  
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Papers Carefully Prepared, and Patents se-  
cured without delay.  
Examinations in the Patent Office Free of  
Charge, and no individual fee asked in any  
case, unless a Patent is allowed.  
Send for Circular of terms, instructions and  
references.  
aug. 5-11

**CHARLOTTE HOTEL,**  
**W. M. MATTHEWS & SON,**  
PROPRIETORS,  
CHARLOTTE, N. C.

TAKE this method of retaining their ser-  
vants thanks to their friends and the pub-  
lic generally for the very liberal man-  
ner in which their House has been patronized  
under the charge of Matthews & Sigel, and they  
pledge themselves that no pains shall be  
spared to make their patrons comfortable.  
Their table shall be furnished with the very  
best the market affords.  
Attentive and polite servants will always  
be on hand and every effort will be made to  
give entire satisfaction.  
Their stables are large and commodious,  
sufficient to accommodate all who may come  
to see us. Horses and Vehicles always on  
hand to supply the wants of customers.

**RUTHERFORDTON  
MALE ACADEMY.**  
The Spring session of the Rutherfordton  
Male Academy will commence Jan. 24th,  
1870.

Rates of Tuition per session of twenty  
weeks (as agreed upon by the Trustees)  
\$6, \$10 and \$15.00 according to grade of  
pupils.  
W. L. TWITTY, Prin.  
Jan. 1870. 1-11.

**W. M. WILSON,**  
**W. J. BLACK,**  
**WILSON & BLACK,**  
WHOLESALE AND RETAIL DEALERS  
In Drugs, Medicines, Paints, Oils, Dye  
Stuffs, Chemicals, Window Glass, Lamps,  
Lamp Chimneys, &c.

Corner Trade & College Sts.,  
CHARLOTTE, N. C.  
Vindicator copy 4. 45 17

**Notice.**—By virtue of a  
deed of trust executed to me from J. A. Car-  
penter, late Constable, as trustee to secure the  
payment of certain claims. I hereby notify  
all persons who have receipts for papers  
pledged to the said J. A. Carpenter's hands,  
to present the same to me for settlement, or to  
J. B. Carpenter, at Rutherfordton.  
This 18th Jan. 1870.

**K. T. CARPENTER,**  
Trustee.

## 1000 SACKS

LIVERPOOL SALT delivered any Depot,  
\$9.20 to the Trade.  
STENHOUSE, MACAULEY & Co.

HIGHEST MARKET PRICE  
Paid for country produce by  
STENHOUSE, MACAULEY & Co.  
45-3m

TO MERCHANTS.  
**ELLAS & COHEN,**  
The Oldest Merchants of Charlotte, are offer-  
ing their large and well assorted Stock of  
Dry Goods, Ready Made Clothing,  
Boots and Shoes, Hats and Caps,  
Notions and Fancy Goods.  
Suited to the Wholesale Trade, at  
Unprecedented Low Prices.  
Buyers would do well to examine their goods  
and prices before purchasing.  
Store opposite Charlotte Hotel,  
45 3m. ELLAS & COHEN.

**AXES! AXES!! Axes!!!**  
EVERY AXE WARRANTED.  
100 doz. Just received, which we offer  
very low at  
WHOLESALE OR RETAIL.

Also a full stock of Hardware, Cutlery and  
Guns.  
Call and see us.  
**OATES, WALTER BREM & Co.**  
45-3m Mansion House Corner.

**DRUG TRADE!**  
**KILGORE & URETON,**  
WHOLESALE AND RETAIL  
DRUGGISTS,  
CORNER TRADE AND TRYON STREETS.

Invite attention to their large and well selected  
stock of  
Drugs,  
Medicines,  
Paints, Oils,  
Varnishes, Dye Stuffs,  
Window Glass, Brushes, Combs,  
Fancy and Toilet Articles,  
Perfumery, Soaps,  
Kerosene Oil,  
Lamps,  
and everything kept by a first class  
DRUG HOUSE.

Merchants Physicians and others are invited  
to examine our stock and prices.  
**T. K. CURETON,**  
RESIDENT PARTNER,  
45-17 CHARLOTTE, N. C.

**GROVER & BAKER'S**  
FIRST PREMIUM  
ELASTIC STITCH  
FAMILY SEWING  
MACHINES,  
181 Baltimore St., Baltimore, Md.

POINTS OF EXCELLENCE.—Beauty and  
Elasticity of Stitch; Perfection and sim-  
plicity of Machinery. Using both threads  
direct from the spools. No fastening of seams  
by hand and no waste of thread. Wide range  
of application without change of adjustment.  
The seam retains its beauty and firmness after  
washing and ironing. Besides doing all kinds  
of work done by other Sewing Machines, these  
Machines execute the most beautiful and per-  
manent Embroidery and ornamental work.  
36-17.

Fresh Garden, Flower, Fruit, Herb,  
Tree, Shrub and Evergreen Seeds,  
with directions for culture, prepared by  
mail. The most complete and Judic-  
ious assortment in the country.—  
Agents wanted.

25 Sorts of either for \$1.00; prepaid by  
mail. Also Small Fruits, Plants, Bulbs, all  
the new Potatoes, &c., prepaid by mail. 4 lbs.  
Early Rose Potato, prepaid, for \$1.00. Con-  
over's Colossal Asparagus, \$3 per 100; \$25  
per 100, prepaid. New hardy fragrant ever-  
blooming Japan Honeysuckle, 50 cts. each,  
prepaid. True Cape Cod Cranberry, 50 cts.  
upland or lowland culture, \$1.00 per 100, pre-  
paid, with directions. Priced Catalogue on  
any address, gratis; also trade list. Seeds on  
commission.  
B. M. WATSON, Old Colony Nurseries  
and Seed Warehouse, Plymouth, Mass. Es-  
tablished in 1842.

**3451 ARRIVALS.**  
**LARGE STOCK OF GROCERIES.**  
Just received at  
**LYNCH & HUFFMASTER'S.**  
CONSISTING IN PART:  
Beacon, Land, Flour, Meal, Leather,  
Cotton Yarn, &c., &c.  
In fact everything generally kept in a well  
regulated store.

**Family Grocery Store.**  
For sale Cheap, for Cash or Country Produce  
**WE HAVE NOTHING TO SELL  
ON CREDIT.**  
38-17. LYNCH & HUFFMASTER.

**LAND AGENCY.**  
THE UNDERSIGNER has completed  
arrangements by which he can place in  
the Market, any lands which may be for  
sale.  
Persons having lands to sell will find it  
to their advantage to confer with me before  
selling.  
J. B. CARPENTER, Agent.

STATE OF NORTH CAROLINA  
ATTORNEY GENERAL'S OFFICE,  
RALEIGH, Nov. 29th, 1869.

HON. JOSEPH W. HOLDEX,  
Speaker of the House of Representa-  
tives:

DEAR SIR:—Yours containing a  
Resolution of the House asking an  
opinion on certain clauses in the  
Constitution therein named has  
been received, and you will please  
transmit to your Honorable body  
the enclosed, in answer to their  
request.

Respectfully,  
L. P. OLDS,  
Attorney General.

**CONSTRUCTION OF THE  
HOMESTEAD LAW.**

As to whether, Sections 1 and  
2 of article 10 of the Constitution  
have the effect to exempt from  
sale the property therein men-  
tioned, on execution or other final  
process, founded on a judgment  
arising out of tort; or a judgment  
founded on a conviction for crime?

II. Or, is there any interest in  
the land subject to execution at  
any time after the setting apart  
the "Homestead"?

To make the subject plainer,  
and put it beyond all cavil, let me  
call attention to rudiments of the  
law where crime is concerned, as  
an evil to society, with the way of  
correcting it. By putting both  
State, and persons wronged in  
their true place, and the rest of  
mankind as mere actors in mat-  
ters *ex contractu*, nothing is easier  
than to see the exact object before  
us.

Crime, in all cases, includes an  
injury. Murder is an injury to  
the life of an individual; but the  
law of society considers principal-  
ly the loss which the State sus-  
tains by being deprived of a mem-  
ber, and the pernicious example  
thereby set for others to do the  
like. Robbery may be considered  
in the same light; it is an injury  
to private property; but were that  
all, a civil satisfaction in damages  
might atone for it; the public mis-  
chief is the thing for the preven-  
tion of which, our laws have made  
it a high offence. In gross and  
atrocious injuries the private  
wrong is swallowed up in the pub-  
lic; and indeed, as the public  
crime is not otherwise avenged  
than by forfeiture of life and prop-  
erty, it is impossible afterwards  
to make any reparation for the  
private wrong which can only be  
had from the body, or goods of  
the aggressor.

But there are crimes of an in-  
ferior nature in which the public  
punishment is not so severe, af-  
fording room for private compen-  
sation also; and herein the dis-  
tinction of crime from civil inju-  
ry is very apparent. For in-  
stance, in the case of battery, or  
beating another, the aggressor  
may be indicted for this at the  
suit of the King, for disturbing  
the peace, and be punished criminally  
by fine and imprisonment,  
and the party beaten may also  
have his private remedy by action  
of trespass for the injury which he  
in particular sustains, and recover  
a civil satisfaction in damages.  
The sum whereof is, punishments  
are incident to crimes and misde-  
meanors, being devised, denon-  
ced, and inflicted by human laws,  
in consequence of disobedience, or  
misbehavior in those, to regulate  
whose conduct such laws were re-  
spectively made, embracing the  
one idea of the power, the end,  
and the measure of *human punish-  
ment*. See Blackstone's Comm.

Now, though in practice there  
may be seen slight departures  
from the special punishments this  
writer mentions as the law of  
England, yet by keeping in view  
the aim and end of all govern-  
ment, these very first acts of sov-  
ereignty looking out for the pro-  
tection of the race, are re-pro-  
duced in similar forms in every  
country; nor until moral suasion  
becomes the rule of conduct, will  
we see anything different. For  
if we commute the galleys for  
imprisonment for life, the same  
loss of the criminal to society is  
felt with no great modification;  
and so soon as this modification  
is understood to be for the worse  
instead of the better, we must of  
moral necessity regard the due  
and old time exactions of ages  
and the law of God.

But there is another view in  
which this part of the subject  
should be considered. This pri-  
mary law being grounded on the  
common consent of mankind, and  
even when viewed in the milder  
light of offenses *mala prohibita*,  
resting on the consent of whole

nations tacitly or express, invest-  
ing the sovereignty with the right  
of making laws and enforcing  
obedience by exercising upon  
their non-observance, severities  
adequate to the evil, cannot be  
denied or obstructed by any less  
comprehensive legislation. Hence  
no mere Convention of nations  
can annul the rightfulness of pun-  
ishment to be inflicted upon crimes  
*quod in se*, nor smaller bodies as  
of States trench on the punish-  
ments necessary for the smaller of-  
fenders.

If then the public welfare re-  
quires that the grosser crimes be  
punished by both death and con-  
fiscation, and the lesser by im-  
prisonment and sacrifice of prop-  
erty, to both State and individ-  
uals for the wrong done them,  
any law whereby these remedies  
are weakened is a public and a  
private evil, and not to be toler-  
ated. To relax the hold on vice  
by compromising for lesser pun-  
ishment than reason allows, is  
giving reward for further crime,  
even from the same person, mak-  
ing excessive moderation as bad  
excessive punishment.

The question here arises, where  
both society, in the person of the  
State and individuals, are damag-  
ed by such misconduct of crim-  
inals, or wrongdoers, which shall  
be first redressed? For the higher  
crimes, as treason, we have al-  
ready said, the sovereignty claims  
both life and property, leaving  
nothing for the private citizen.  
In smaller offences it was for a  
long time the rule that the civil  
right to sue for the injury the  
party has received did not in gen-  
eral merge in the felony or become  
destroyed, but was only suspended  
until he performed his duty to so-  
ciety by an endeavor to bring the  
offender to justice, and after the  
party on whom suspicion was fix-  
ed had been convicted or acquitted  
without collusion, the prosecution  
was founded. -12 Est. 409, -17  
Vesey 329.

But this doctrine was modified  
in the case of Jones vs. Clay, 7  
Bos. and Pul., 192, where it was  
held that the Court of Common  
Pleas will compel a party who  
has proceeded both by indictment  
and action for the same assault,  
to make his election upon which  
he is to rely, and though formerly  
held that, in general, if the party  
moved for a criminal information  
he must abandon any action, that  
doctrine seems to have been bro-  
ken in upon by a recent case in  
the Court of King's Bench, Caddy vs.  
Barlow, 1 Man. and Byll., 275,  
where it was held in action by A,  
for a malicious prosecution by C,  
of an indictment against A and  
B, and that a rule for a criminal  
information obtained by A, and  
made absolute, was *no bar to the  
action*.

In New York, any person in-  
jured by a felony for which the  
offender is committed to the State  
prison can recover damages in a  
suit against the trustees of the  
felon's estate. 1 R. S., 700.

By the act of Congress, March  
1797, and by that July, 1798, Na-  
tional and State priority is con-  
sidered, and certain preferences  
given in collecting debts, going to  
show that sovereignties reserve  
certain rights to themselves when  
contracted with the citizen.

It thus being seen that from  
treason down to trespass, all  
through the grades of crime, the  
State but executes the trust re-  
posed in her by society, as a first  
duty, by punishing the guilty and  
protecting the innocent, and life,  
with liberty and property in var-  
ied degrees being responsible for  
this guilt as a corrective, we come  
directly and fairly to the question  
before us, and are prepared to test  
the constitutional law of exemp-  
tion by such standard.

In the very beginning of the  
Convention not only kept the above  
principles and rules in mind, but  
with honorable lenity protects *ex con-  
tractu* by three divi-  
sions. 1. The taxes must be paid.  
2. Laborers and mechanics have  
a lien thereon. 3. The land  
must have been paid for. All  
these are civil matters, and the  
Convention might have included  
other liabilities as a matter of  
grace to creditors, reaching even  
all debts previously contracted,  
but as the Homestead was alone  
the product of stern misfortune  
and designed as some protection  
to the debtor, only certain exemp-  
tions were to be expected. These  
are allowed, the State in this  
sovereign meeting in convention  
never for a moment surrendering

a jot of the more essential mat-  
ters of protection, not simply to  
one man, but to itself and its citi-  
zenship at large, in case of crime.—  
The protection is intended for the  
poor and honest debtor, not the  
criminal. Such law would be  
absurd. It would be offering re-  
ward for crime, and what would all  
other provisions of the Constitu-  
tion or acts of Assembly avail if  
vice be let run rampant and soci-  
ety go to pieces in the general  
storm of corruption.

Therefore, no question need be  
raised respecting this exemption,  
as to the State or person wronged.  
It only relates to debt as such; and  
by emphasizing the language as it  
should be, the whole matter be-  
comes plainer even thereby: "the  
collection of any debt," the law  
taking care to say what debt should  
be exempted, showing that even  
some civil contracts ought to be re-  
garded, and certainly all those  
weightier forms of liability which  
no single convention can have the  
authority to annul, but which  
would more correctly require the  
voice of society at large as previ-  
ously said.

And could we suppose that the  
Convention thus undertook to  
legislate away the right of self-  
protection by modes hitherto so  
certainly and widely recognized,  
it would be lodged in the persons  
of the wife and children as trust-  
ees of the exempt, sufferers from  
crime having redress as if an at-  
tempt at invasion of the sacred  
and solemn rights of the prin-  
cipal parties in all good govern-  
ment—the State and the wrongful  
sufferer. I am sure that the Con-  
vention never supposed its con-  
duct should be changed with so  
great departure from all right rea-  
son.

By examining the old insolvent  
law of the State, it, in its provi-  
sions carried out the like view as  
here stated, naming debts proper  
in contradistinction to dues for  
misconduct or guilt.

II. As to the second question,  
section 5, of Article X, of the  
Constitution explains itself:—  
After widowhood ceases, the ex-  
emption opens to law. Section 3  
shows how the children are pro-  
tected and how long. The reply  
to the first part of the inquiry set-  
tles the whole subject, and which  
it is hoped may suffice for answer  
to the resolution of the House.

L. P. OLDS,  
Attorney General.

## Woe Fado.

We extract the following beau-  
tiful and truthful illustration from  
an exchange: As the trials of  
life thicken, and the dreams of  
other days fade, one by one in the  
depth vista of disappointed hope,  
the heart grows weary of the  
struggle, and we begin to realize  
our insignificance. Those who  
have climbed to the pinnacle of  
fame, or revel in luxury and  
wealth, go to the grave at last with  
the poor mendicant who begs by  
the wayside, and like him are soon  
forgotten. Generation after gen-  
eration, says an eloquent writer,  
have felt as we feel, and their fel-  
lows were as active in life as ours  
are now. They passed away as a  
vapor, while nature wore the same  
aspect of beauty as when the Cre-  
ator commanded her to be. And  
so shall it be when we are gone.  
The heavens will be as bright over  
our grave as they are now around  
our path; the world will have the  
same attraction for offspring yet  
unborn that she had once for our-  
selves, and that she has now for  
our children.

## Time.

"When I look upon tombs of  
the great" said Addison, "every  
emotion of envy dies in me.—  
When I read the epitaph of the  
beautiful, every inordinate desire  
goes out. When I see the tombs  
of parents themselves I consider  
the vanity of grieving for those  
whom we must quickly follow.—  
When I see kings lying over those  
who deposed them; when I rival  
men placed side by side, or holy  
men that dived the world with  
their contests and disputes, I re-  
flect with sorrow and astonish-  
ment on the little competitions,  
factions and debates of mankind.  
When I read the several dates of  
the tombs of some that died as  
yesterday, and some six hundred  
years ago, I consider that great  
day when we shall all of us be  
contemporaries, and make our ap-  
pearance together."

## SIX O'CLOCK P. M.

The workshops open wide their doors  
At six o'clock p. m.  
And workmen sweep forth by scores,  
At six o'clock p. m.

Of all the minutes in array,  
Of hours that go to make the day,  
There's none so welcome, so they say,  
At six o'clock p. m.

How many children show delight  
At six o'clock p. m. !  
How many homes are rendered bright  
At six o'clock p. m. !  
How many little happy feet  
Go out into the busy street,  
With joyous bounds papa to meet,  
At six o'clock p. m. !

Thousands of tables draped in white,  
At six o'clock p. m.  
The gathered families unite,  
At six o'clock p. m.  
And as they eat the frugal fare,  
They quite forget their toil and care,  
And drop their heavy burdens there,  
At six o'clock p. m.

Then blow, ye shrieking whistles, blow !  
At six o'clock p. m.  
And let the weary toilers go  
At six o'clock p. m.  
Ring out, releasing bells ring out !  
And bid the welkin wake the shout,  
And echo it all round about,  
" 'Tis six o'clock p. m. !"

## "THE BLESSED BABY"

Do you think I'd a baby  
That I'd let him pull my hair ?  
Do you think I'd put on collars ?  
Just for him to soil and tear ?  
Do you think I'd call him pretty  
When he's in his jacket ?  
Yet I've known some silly mothers  
With their babies do just so.  
Do you think I'd set him crying  
Just to see his coming frown ?  
Do you think I'd set him walking  
Just to see him tumble down ?  
Would I call my baby pretty  
When he'd neither teeth nor hair ?  
Yet I know some mothers  
Think their babies wonderful fair.

## George Peabody's Will.

The following is said to be the  
Will left in England by Mr. Pea-  
body. It evidently needs another  
instrument to complete it; to  
which it refers in the last clause:

I, George Peabody, gentleman,  
do make this my last will and  
testament:

Firstly, I direct that my re-  
mains shall be sent to my native  
town of Danvers, now incorpo-  
rated by the name of Peabody, in  
the county of Essex and Com-  
monwealth of Massachusetts, in  
that part of the United States, of  
America called New England, and  
be deposited in the ground  
appropriated to that purpose in the  
cemetery of Harmony Grove, in  
Salem, in said county (near the  
Peabody town line,) under the  
direction of my executors, hereinafter  
named.

Secondly, I give and bequeath  
to Henry West, of 22 Old Broad  
street, London, £2,200; and in  
the event of his decease, to his  
wife, Louisa West; and, in the  
event of her decease, to his sur-  
viving children.

Thirdly, I give and bequeath  
to Thos. Derman, of 22 Old Broad  
street, London, the sum of £1,000;  
and in the event of his decease, to  
his wife, Annette Emma Derman;  
and in the event of her decease,  
to his surviving children. And  
I empower my executors to pay  
the above named legacies within  
six months after my decease, and  
free from any tax, duty, or charges  
whatsoever.

Fourthly, I give and bequeath  
to the Right Hon. Lord Stanley;  
the American minister at the  
Court of St. James for the time  
being; the Right Hon. Sir Staf-  
ford Northcote, Bart.; Sir Curtis  
Miranda Lamson, Bart., and  
Junius Spencer Morgan, Esq.,  
trustees of the Peabody Donation  
Fund, and their successors, trust-  
ees of the said fund, the sum of  
£150,000, upon trust for the build-  
ing of lodging-houses for the la-  
boring poor of London, as defined  
in my late letters to the said trust-  
ees; and I direct that this legacy  
be considered a part of the second  
trust and disposed of in accord-  
ance with the said trust. And I  
direct that my London executors  
shall of the said sum of £150,000  
pay to said trustees of the Pea-  
body Donation Fund £100,000 on  
the first Monday of October, A.  
D., 1873, and the sum of £50,000  
at any time during said year of  
1873. As this work progresses  
the labor and responsibility in-  
crease, and I therefore deem it  
essential that another trustee be  
added, who will have the neces-  
sary time and possess the requi-  
site knowledge of all that may be  
needed for the successful prosecu-  
tion of the trust. Without assum-  
ing to dictate to the trustees, I  
would mention the name of  
Charles Read, Esq., M. P., who  
is well known to me for his high  
and most honorable character, as  
a most suitable person to fill that  
office.

Fifthly, I nominate, constitute,  
and appoint Curtis Miranda  
Lamson, of 80 Eaton Square,  
Pimlico, Middlesex, and of Row-  
fant, in the parish of Worth, Sus-  
sex, Baronet; Charles Read, of  
Erismead House, Hackney, Mid-  
dlesex, Esq., M. P.; George Pea-  
body Russell, of Salem, Essex,  
and State of Massachusetts, United  
States, Esq., R. Singleton  
Peabody, of Rutland, in the State  
of Vermont, counselor, and Chas.  
W. Chandler, of Zanesville, in the  
State of Ohio, counselor, execu-  
tors of this my last will and testa-  
ment, fully authorizing said St.  
Curtis Miranda Lamson and said  
Charles Read, called my London  
executors, to act independently of  
said George Peabody Russell, said  
R. Singleton Peabody, and said  
Charles W. Chandler, called my  
American executors; and I also  
authorize my American executors  
to act independently of my said  
London executors—that is to say,  
my London executors to have full  
management and control of my  
personal estate in England, and  
my American executors to have  
full management and control of  
my real and personal estate in  
America; but it is my wish and  
hope that all my executors, both  
London and American, may act  
together with the utmost harmo-  
ny for the best interest of the  
estate.

Sixthly, I direct that all and  
each of my executors aforesaid be  
exempt and excused from giving  
bonds to any court or magistrate  
or otherwise for the performance  
of their duties or offices as my ex-  
ecutors.

Seventhly, I give and be-  
queath to the said Sir Curtis Mi-  
randa Lamson and said Charles  
Read £5,000 each for their ser-  
vices.

Eighthly, I give and bequeath  
to the said George Peabody Rus-  
sell, R. Singleton Peabody, and  
Charles W. Chandler, my Ameri-  
can executors, \$5,000 each.

Ninthly, I give and bequeath  
to the said George Peabody Rus-  
sell, R. Singleton Peabody, and  
Charles W. Chandler all the rest,  
residue, and remainder of the  
property, both real and personal,  
of which I shall be possessed at my  
decease, or which may afterwards  
come or fall into my estate upon  
trust to sell, exchange, or retain,  
and the interest accruing on the  
same, to divide semi-annually (re-  
investing the same in the case of  
minor children) among the parties  
named as beneficiaries in the  
family trust, of which Messrs. J.  
M. Beebe, S. T. Dana, and J.  
Endivott Peabody are trustees,  
according to the proportions of  
the sums allotted to each in said  
trust, or such other proportions  
as I may hereafter prescribe to  
them, my said American execu-  
tors.

In witness whereof I, the said  
George Peabody, declaring this  
to be my last will and testament,  
written on seven pages of paper,  
have hereto set my hand and seal  
this 9th day of September, 1869.  
GEORGE PEABODY.

## Fact.

An exchange, in urging its  
claims for support from the pub-  
lic, has the following incontro-  
vertible truths. It says:  
"Whether people will it or not  
this is their representative, and  
they are judged abroad as liberal  
or biggishly precisely in propor-  
tion to the healthful or warning  
appearance which the paper pre-  
sents. A well-supported journal  
is credible to all concerned, as it  
reflects back on the community  
their liberality; its publisher's  
labors with great pleasure, and  
makes each successive issue hon-  
orable to himself and to the peo-  
ple for whom he enters."

## Curing Hams.

The following is communicated  
by Mr. George A. Griffin, who  
has long practised this method of  
curing with excellent results.—  
As soon as the animal heat is well  
out, rub the pieces on every part  
with salt, and lay them on a shelf  
or in a box or barrel, as conveni-  
ent, for one week. Then rub  
with finely pulverized saltpetre  
(one ounce to 20 lb. ham) and im-  
mediately follow with another  
dressing of salt as at first. Re-  
peat at the end of second, third  
and fourth week the rubbing with  
salt alone. At the end of five  
weeks wash in warm water, hang  
to dry for twenty-four hours and  
smoke.