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## LAWS OF OHIO.

**PUBLISHED BY AUTHORITY.**

[No. 161.] AN ACT

To provide for the more speedy collection of Claims of Creditors, Legatees and Distrubutees of Executors, Administrations and Guardians, and to define the jurisdiction of the Court of Common Pleas and Probate Court, in certain cases.

SECTION. 1. Be it enacted by the General Assembly of the State of Ohio, That after thirty days from the time of the settlement of the accounts of executors, administrators or guardians, shall have been made, or shall hereafter be made by the Probate Court, and an order of distribution made thereon, if such executor, administrator or guardian, shall neglect or refuse to pay to any person, interested in said order of distribution, as creditor, legatee, widow, heir, or other distributee, or otherwise, when demanded, his or her share of the estate or property ordered to be distributed by such Probate Court, it shall be lawful for any person interested, as aforesaid, to file a petition in the Probate Court of the county in which the settlement or order of distribution is made, against the executor, administrator or guardian making such settlement of his or her account as aforesaid, briefly setting forth in the petition the amount and nature of the claim of the party filing such petition, whereupon, the Probate Judge shall forthwith issue a citation against such executor, administrator or guardian, setting forth the filing of the petition, the amount claimed by the petitioner, and commanding such executor, administrator or guardian, to appear before said Probate Court on the return day thereof, to answer said petition, and show cause, if any, why judgment should not be rendered and execution awarded against him or her for the amount claimed by such petitioner, and found to be due upon such settlement and order of distribution, which citation shall be made returnable not less than twenty nor more than forty days from the date thereof, the return day to be named in the citation, which shall be served and returned by the Sheriff or other proper officer, as in case of a summons, and may issue to any court in the State.

SEC. 2. But if such executor, administrator or guardian, shall reside out of this State, the Court being satisfied of that fact, either before or after the return of the citation, may order such non-resident to be brought into court, by publication in some newspaper of the county in which the petition is filed, for six consecutive weeks before the time fixed for the hearing of said cause; or in case no newspaper be published in the county, then to publish in some newspaper having a general circulation in said county.

SEC. 3. On the return of the citation served, or the service of notice by publication, as aforesaid, the cause shall be considered ready for hearing, unless for good cause shown by either party the same shall be continued for trial and judgment as in other cases of continuance, and if no good cause be shown in defence of the claim of the plaintiff in such petition, it shall be lawful for such Probate Court to render judgment in favor of such plaintiff, against such executor, administrator or guardian, for the amount found to be due to the petitioner, and remaining unpaid, upon the settlement and order of distribution, as aforesaid, with the interests and costs of suit, and to award execution thereon as in other cases of judgments, which execution shall be served and returned, by the Sheriff or other proper officer, in all respects as executions are issued from the Courts of Common Pleas, and all judgments rendered under this act shall have like liens upon the real estate of the parties, as judgments rendered in the Common Pleas, and governed in all respects to the same rules.

SEC. 4. If the amount coming to any heir, legatee, widow or other distributee, under such order of distribution, shall be uncertain or in any dispute, depending upon the destruction of any device, bequest, conveyance, contract or advancement, or upon any other question, the Probate Judge may hear and determine all such questions necessary to ascertain and fix the amount due the plaintiff in such petition, and if necessary, to hear and determine, and settle the rights and claims of all the parties interested as aforesaid, in such order of distribution, and for that purpose the Probate Court is hereby authorized to cause all the heirs, legatees, or other distributees, parties in interest to be made parties to said petition, when the same is necessary, by amended or supplemental petition, and service of notice, as provided in the first and second section of this act, and in such case to render judgment and award execution against such executor, administrator or guardian, in favor of the parties respectively, for the amounts respectively found due them, with the interests and costs, unless the court should be of opinion the costs should be paid out of the estate ordered to be distributed, or by the parties, in which case such order shall be made respecting the costs as shall seem equitable.

SEC. 5. In all cases under this act the Probate Court before which any proceeding shall be pending shall, on motion of any of the parties to said proceeding, cause the same to be reserved and sent to the court of Common Pleas of that county for trial, and judgment, and execution, and in case of such reservation it shall be the duty of the Probate Judge, forthwith to make out a transcript of his proceedings in the cause, so far as he has progressed in the same, which, together with the petition, and all other papers in the cause, shall be forthwith filed with the Clerk of the Court of Common Pleas of the county in which the cause is commenced, and said cause shall thereafter be carried on to final judgment and execution in said Court of Common Pleas, in all respects as though the same had been originally commenced there, as in other civil actions, under the provisions of the code of civil procedure.

SEC. 6. The Court of Common Pleas shall have concurrent original jurisdiction with the Probate Court, in all cases provided for in the first, second, third, and fourth sections of this act, and any creditor, legatee, widow, or other distributee, as aforesaid, may bring a civil action in the Court of Common Pleas of the proper county, against such executor, administrator or guardian, for his or her share of the estate, upon such settlement and order of distribution, in the same manner as in other civil actions, and proceed therein to final judgment and execution, and be governed in all respects as upon other civil actions, under the code of civil procedure, and to cause all persons interested in said cause, as heirs, legatees, distributees or otherwise, to be made parties to any action aforesaid, if it shall be deemed necessary, in order to a full and complete settlement and adjustment of the rights of the parties, in the same manner as other civil actions, with other power and authority to settle and determine the rights of the parties, and render judgment and award execution thereon as in other cases.

SEC. 7. The sureties of every such executor, administrator, or guardian, shall moreover be liable upon the official bond of the executor, administrator, or guardian, against whom any judgment may be rendered under the provions of this act, either in the Probate Court, or Court of Common Pleas, and such sureties may be made parties to any such judgment, by petition or action to be commenced and prosecuted in the same manner as provided in this act for the commencement and prosecuting causes, against executors, administrators or guardians, to final judgment and execution: Provided that in all cases in which service of process shall have been made upon such executor, administrators or guardians by publication as provided in section 2, the surety shall be permitted to make the same defense as the executor, administrator, or guardian could have made.

SEC. 8. Any executor, administrator, or guardian, may maintain a civil action in the Court of Common Pleas, against the creditors, legatees, of distributees, or other parties, asking the direction or judgment of the court in any matter respecting the trust, estate, or property to be administered, and the rights of the parties in interest, in the same manner, and as fully as was formerly entertained in courts of chancery.

SEC. 9. Appeals shall be allowed from any final order, judgment or decree of the Probate Court to the Court of Common Pleas, by any person against whom any such order, judgment or decree may be made, or who may be affected thereby, in same manner as provided for appeals from the Probate Court, in the act entitled "an act supplementary to the act entitled an act defining the jurisdiction and regulating the practice of Probate Courts," passed March 14, 1853, and to amend said act passed May 1, 1854. Appeals shall also be allowed from any order or judgment of the Court of Common Pleas, in like manner, to the District Court, in proceedings under this act, by any person against whom any such judgment or order may be rendered, or who may be affected thereby, to the same extent and in the same manner as is provided for appeals from the Common Pleas in other cases, and bills of exceptions may be taken and allowed upon any decision of the Probate Court, Court of Common Pleas, or District Court, in proceeding under this act, as in other cases.

SEC. 10. This act shall apply to all cases of estates now settled, or in course of settlement, as well as those that may hereafter be settled, and to all causes or suits now pending, respecting any matter provided for in this act.

SEC. 11. That the act entitled an act for the more speedy collection of debts, etc., from executors, administrators, and guardians in certain cases, passed March 18, 1851, be and the same is hereby repealed. This act to take effect and be in force from and after its passage.

JOSEPH TRUESDALE,
Speaker pro tem., of the House of Reps.
THOMAS H. FORD,
President of the Senate.
April 17, 1857.

[No. 162.] AN ACT

Supplementary to the act entitled "An Act to provide for the organization of Cities and Incorporated Villages," passed May 3, 1852.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That section twenty-eight of the act to which this is supplementary be so amended as to read as follows: SEC. 28. So soon as the amount of compensation which may be due to the owners of the property to be taken, or to any of them, shall have been ascertained by the jury, the court shall make such order as to its payment, or its deposit, as shall be deemed right and proper in respect to the time and place of payment or deposit, or to the persons entitled to receive payment, and the proportion payable to each, and may require adverse claimants, of any part of the money or property, to interplead, so as fully to settle and determine their right and interests, according to equity and justice; the court may direct the time and manner in which possession of the property condemned, shall be taken or delivered, and may, if necessary, enforce any order giving possession; the costs occasioned by the enquiry and assessment shall be paid by the corporation, and as to the other costs which may arise, they shall be charged or taxed as the court in its discretion may direct; no delay in making an assessment of compensation, or in taking possession, shall be occasioned by any doubt which may arise as to the ownership of the property, or any part thereof, as to the interests of the respective owners, but in such cases, the court shall require a deposit of the money allowed as compensation for the whole property, or of the part in dispute; and in all cases, as soon as the corporation shall have paid the compensation assessed or secured its payment by a deposit of money under the order of the court, possession of the property may be taken, and the public work or improvement progress: Provided that any person or persons interested in the appropriation of private land for any street, alley, or public highway, or before or after the passage of an ordinance for the opening of any street, alley, or public highway, or before or after application to the court may execute his, her or their bond payable to the corporation to the acceptance of the council or trustees of the corporation, conditioned for the payment of all damages which may be assessed by the jury, and such bond shall be good in law, and if such bondsmen shall make payment or deposit according to the order of the court, then such street, alley or highway shall be opened, otherwise the corporation may make such payment or deposit and collect by law the amount of such damages of such bondsmen with or without the costs of court at their discretion.

SEC. 2. That section ninety-nine of the act to which this is supplementary be so amended as to read as follows: SEC. 99. The first Monday in April shall be the regular annual period for the election of all municipal officers; and all officers whose election is provided for in this act, or may be provided for by any law or ordinance, shall be elected on that day; special elections of members of the city council of any city, shall be held within thirty days after a vacancy happens (unless the regular day for municipal elections shall occur within sixty days after such vacancy,) at such time as the Mayor shall direct, so that ten days' notice of such election be first given. The trustees or council of every municipal corporation shall designate the place or places for holding municipal elections; and in all cities there shall be a place in each ward designated for holding all elections. And it shall be the duty of the Mayor in all elections for municipal officers, to issue a proclamation to the qualified voters of the city, or of the respective wards, as the case may require, setting forth the time and places of election, and the officers to be chosen, and to cause such proclamation to be published in some newspaper printed in such city, at least ten days previous to the election. Any person, who, at the time of any election of municipal officers would be a qualified voter under the laws of the State, for county officers, and shall actually reside in the corporation or ward in which he offers to vote shall be deemed a qualified voter. And all elections shall, in all respects be held and conducted in the manner prescribed by law in case of township elections.

SEC. 3. That section fifteen of the act entitled "An act to amend the act entitled 'an act to provide for the organization of cities and incorporated villages,'" passed March 11, 1853, be so amended as to read as follows: SEC. 15. The council of any incorporated city or village may order the clerk or other proper officer of such corporation to certify under his official seal any unpaid assessment or tax which may hereafter be assessed by such corporation for opening, grading, paving, lighting, or otherwise improving any street, alley, sidewalk, highway, public ground or part thereof, or for draining or filling lots, to the auditor of the county in which such corporation is situated, and the amount of such assessment or tax so certified shall be placed upon the grand tax duplicate of the county by said county auditor, and shall with interest from the date of the assessment be collected with, and in the same as, State and County taxes, and credited to the corporation.

SEC. 4. In all cases in which the council of any city or incorporated village has or may have authority to compel the attendance of witnesses for the investigation of matters which may come before the council, the presiding officer of said council for the time being shall have the power to administer the requisite oaths, and such council shall have such power to compel the giving of testimony by the attending witnesses, as is now conferred on courts of justice.

SEC. 5. The provisions of sections one and three of an act passed April 5th, 1856, supplementary to said act of May 3d, 1852, and hereby extended to and made applicable to incorporated villages, which shall have the power conferred on cities of the second class the same as if they were specially named therein.

SEC. 6. That the original sections 28 and 99, of the act to which this is supplementary; and the original section fifteen of the act entitled "An act to amend the act entitled 'an act to provide for the organization of cities and incorporated villages,'" passed March 11, 1853, be and the same are hereby repealed; and that this act take effect from and after its passage.

N. H. VAN VORHES,
Speaker of the House of Representatives.
THOMAS H. FORD.
President of the Senate.
April 17, 1857.

[No. 152.] AN ACT

To amend the forty-sixth section of an act entitled an act for the assessment and taxation of all property in this state, and for levying taxes thereon according to its value, in money, passed April 13, 1852.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the forty-sixth section of the act entitled an act for the assessment and taxation of all property in this state, according to its true value in money, passed April 13, 1852, be so amended as to read as follows: That the county auditor, if he shall have reason to believe, or be informed that any person has given to the assessor a false statement of the personal property, moneys or credits, investments in bonds, stocks, joint stock companies, or otherwise, or that the assessor has not returned the full amount required to be listed in his ward or township, or has omitted or made an erroneous return of any property, moneys or credits, investments in bonds, stocks, joint stock companies, or otherwise, which are, by law, subject to taxation, shall proceed at any time before the final settlement with the county treasurer, to correct the return of the assessor, and to charge such persons on the duplicate with the proper amount of taxes to enable him to do which, he is hereby authorized and empowered to issue compulsory process, and require the attendance of any person or persons whom he may suppose to have a knowledge of the articles, or value of the personal property, moneys or credits, investments in bonds, stocks, joint stock companies, or otherwise, and examine such person or persons, on oath or affirmation, in relation to such statement or return; and it shall be the duty of the auditor in all such cases, to notify every such person, before making the entry on the duplicate, that he may have an opportunity of showing that his statement or return of the assessor was correct, and the county auditor shall, in all such cases file in his office a statement of the facts or evidence upon which he made such correction; but he shall, in no case, reduce the amount returned by the assessor, without the written assent of the auditor of state, given on a statement of facts submitted by the county auditor.

SEC. 2. That in all cases in which any person shall make a false statement of the amount of property for taxation, to evade the payment of taxes in whole or in part, the person making such false statement, shall be liable for and pay all costs and expenses that may be incurred under the provisions of this act and the same fees and costs shall be allowed and paid as is now or may be allowed by law, for similar services, and if not paid may be collected before any justice of the peace of the proper county, by suit in the name of the county commissioners, but in all cases under this act where the statement shall be found correct, and no intention to evade the payment of taxes the costs and expenses incurred under this act, shall be paid out of the county treasury of the proper county, on the order of the county auditor.

SEC. 3. That the forty sixth section of the act to which this is an amendment, be and the same is hereby repealed. This act to take effect and be in force from and after its passage.

JOSEPH TRUESDALE,
Speaker pro tem, of the House of Representatives.
THOMAS H. FORD,
President of the Senate.
April 16, 1857.

[No. 153.] AN ACT.

To amend the first and second sections of an act entitled an act regulating descents, and the distribution of personal estates, passed March 14, 1853.

SEC. 1. Be it enacted by the General Assembly of the State of Ohio, That the first section of the act entitled "an act regulating descents and the distribution of personal estates," passed March 14, 1853, be so amended as to read as follows: Section 1. That when any person shall die intestate, having title or right to any real estate or inheritance in this State, which title shall have come to such intestate, by descent or devise, or deed of gift from any ancestor, such estate shall descend and pass in parcenary, to his or her kindred, in the following course:

First—To the children of such intestate, or their legal representatives;

Second—If there be no children or their legal representatives living, the estate shall pass to and vest in the husband or wife relict of such intestate during his or her natural life;

Third—If such intestate leave no husband or wife, relict of himself or herself, or at the death of such relict, the estate shall pass to and vest in the brothers and sisters of the intestate who may be of the blood of the ancestors from whom the intestate came, or their legal representatives, whether such brothers and sisters be of the whole or half blood of the intestate;

Fourth—If there be no brother or sisters of the intestate, of the blood of the ancestor from whom the estate came, or their legal representatives, and if the estate came by deed or gift from an ancestor who may be living, the estate shall ascend to such ancestor.

Fifth—If the ancestor from whom the estate came be deceased, the estate shall pass to and vest in the brothers and sisters of such ancestor, or their legal representatives; and for want of such brothers and sisters or their legal representatives, to the brothers and sisters of the intestate of the half-blood or their legal representatives, though such brothers and sisters be not of the blood of the ancestors from whom the estate came;

Sixth—If there be no brothers and sisters of the intestate or their legal representatives, the estate shall pass to the next of kin to the intestate, of the blood of the ancestor from whom the estate came.

SEC. 2. That section two of the act to which this is amendatory be so amended as to read as follows: *Section 2.* That if the estate come not by descent, devise or deed of gift, it shall descend and pass as follows:

First—To the children of the intestate and their legal representatives;

Second—If there be no children or their legal representatives, the estate shall pass to and be vested in the husband or wife relict of such intestate;

Third—If such intestate leave no husband or wife relict of himself or herself, the estate shall pass to the brothers and sisters of the intestate of the whole blood and their legal representatives;

Fourth—If there be no brothers or sisters of the intestate of the whole blood, or their legal representatives, the estate shall pass to the brothers and sisters of the half blood and their legal representatives;

Fifth—If there be no brothers or sisters of the intestate of the half blood or their legal representatives, the estate shall ascend to the father; if the father be dead, then to the mother;

Sixth—If the father and mother be dead, the estate shall pass to the next of kin to and of the blood of the intestate.

SEC. 3. That sections one and two of the act to which this act is an amendment be and the same are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

N. H. VAN VORHES,
Speaker of the House of Representatives.
THOMAS H. FORD,
President of the Senate,
April 17, 1857.

AUDITOR'S OFFICE,
EATON, May 27, 1857.

I hereby certify that the foregoing acts are correctly copied from the original rolls on file in this office.

JAMES ALBERT,
AUDITOR.

### What is Intended.

The Garrison Abolition party is only the advance guard of what is called "the Republican Party." Garrison, eight or ten years ago, was where the Republican Party is now—and hence, where that party is to be ten years hence, we can see by the following Garrison *programme:*

"We reiterate our former declaration, that the object of the society is not *merely* to make "Liberty national and Slavery sectional"—nor to prevent the acquisition of Cuba—nor to restore the Missouri Compromise—nor to repeal the Fugitive Slave bill—nor to make Kansas a Slave State—nor to resist the admission of any new Slave State into the Union—nor to terminate Slavery in the District of Columbia and the Northern Territories—but it is, primarily, comprehensively and uncompromisingly, to effect the immediate, total overthrow of Slavery, wherever it exists on American soil, and to expose and confront whatever party or sect that seeks to purchase peace or success at the expense of human liberty. Living or dying, our motto is "NO UNION WITH SLAVEHOLDERS, RELIGIOUSLY OR POLITICALLY.

In behalf of the Executive Committee.
WM. LOYD GARRISON, Pres't
S. H. GAY, } Secretaries.
WENDELL PHILLIPS, }

This is frank and manly—and it is just what abolitionism means—the dissolution of the union of the slaveholding and non-slaveholding states.

BRISTOL'S SARSAPARILLA.—Medical Botany has not disclosed the existence of any medicinal root, plant or herb, that possesses the purifying, restorative, vitalizing properties of Sarsaparilla, and Chemistry has never prepared from that root, a remedy which will compare in strength, sanative effect, or infallibility, with Bristol's Sarsaparilla. It was the first of the "Sarsaparillas" in point of time, it is still the first in efficacy and popularity. The cases of Scrofula, Cancer, Erysipelas, Consumption, Tumor, and Liver Disease, pronounced hopeless by the faculty, that have been radically cured by this preparation are innumerable. In the same category, as regards the certainty and safety of its operation, we place Kemp's Worm Lozenges, and purely vegetable remedy, and a very pleasant one for intestinal worms.


# Preble County Democrat.

L. G. GOULD, Editor.

EATON, O., MAY 28, 1857.


**FOR GOVERNOR,**
**HENRY B. PAYNE,**
**Of Cleveland**

THE WEATHER—VEGETATION—The recent rains, together with the mild weather and warm sun, have started vegetation forward as if by magic. The gardens and farms, which a short time since looked dull and unpromising, already look inviting, the grain and grass shooting up rapidly, and the trees leafing in haste to make up for lost time. A more perceptible as well as gratifying change has rarely been witnessed in any season.

☞The elections that have taken place thus far throughout the country, since the great national triumph last fall, show that the Democracy are gaining ground everywhere. The great battle of last year was fought and won upon great issues, the success of which are necessary to the very existence of our government, and whose defeat would be followed by a dissolution of the ties which have made us one people and one country. It becomes us, therefore, as men, as citizens, as patriots, as Democrats, to preserve in all its purity our national faith, and to refuse to lower our standard of principle for any temptation of expediency whatever.

### "Young America."

We are glad to notice that our young and enterprising friends, WM. WHITRIDGE and WM. D. QUINN, have purchased the Drug establishment recently owned by Minshall & Son, and intend to do business on the "Young America" principle, under the firm of WHITRIDGE & QUINN, and solicit the patronage of the public at large. The Book establishment of Messrs. QUINN & BANFILL, has been removed to the Drug Store, where a general variety of the latest publications, periodicals; stationery, and many other articles, will be kept constantly on hand, together with all kinds of Drugs, Medicines, Paints, Oils, &c.

### Harmony.

The Sandusky Mirror very truthfully says: We are glad to see the harmony that now exists in the ranks of the Democracy. This is the more gratifying to the party, when we reflect that after a presidential contest, there is always a large number of applicants for office; and men failing to get situations are apt to feel sour. But such is not the case now.—From all parts of the country, we have the most cheering evidence that harmony and fellowship, prevail in an eminent degree among the Democracy. This is a gratifying state of affairs to the Democracy of Ohio, when they consider the coming political contest in our State.—It shows that the Democracy are on the alert, and profiting by the counsel of the Sage of the Hermitage, "that eternal vigilance is the price of liberty," they are preparing to give Black Republicanism its final doom in Ohio. The signs of the times foreshadow a brilliant and triumphant victory, that will redeem Ohio from the thraldom of Black Republicanism, which in its brief reign has brought dishonor on our State.

The honest masses are moving as one man, to kick out of place those unworthy and faithless servants, who by their dishonesty venality and corruption, have disgraced and dishonored the places they tried to fill. The fiat has gone forth that the Democracy can and will be triumphant, and the only question is by what majority shall we carry the State.

☞It is said that Judge Drummond will go out to Utah as Governor, in case Major McCulloch declines. He is the late Judge of the Territory—is not quite six feet tall, well built, possesses a good constitution, with an iron will, and fixed determination. He is of Scotch-Irish geneology—reared and educated in Virginia. He removed to Illinois nineteen years since, and is now in his thirty-seventh year.

☞An important railroad case was tried last week in New Hampshire, in which it was decided that the railroad directors have a right to make extra charges when tickets are not procured before entering the cars, and that conductors are justified in expelling from the cars those who refuse to pay such charges.

☞Colonel Benton has written another letter, deploring slavery agitation as an unmitigated evil. He claims that the emancipation controversy in Missouri is intended only to excite the slaves, and says that much mischief has already been done in this way.

### The Democratic Party.

Of all the political parties of the present day, remarks the Pennsylvanian, the Democratic party stands pre-eminent. Viewed as a party, whose organization is almost perfect, or as a party by whose counsels, either directly or indirectly, the country has advanced to its present state of prosperity, certain it is that it possesses within itself elements of strength and recuperative energies, known to no other party or organization. In proof of this let us take an impartial glance at its history. The termination of the Revolutionary war found an emancipated people exhausted by the efforts of the struggle. One victory was achieved, but there remained another, compared with which, the former was but preliminary. A portion of the people, enthusiastic in their regard for the great Washington, would have made him their king. Another portion, discarding the forms of royalty, would have incorporated what is perhaps as bad, a "strong Republic," and invested it with powers, centralized in form and dictatorial in character.—Another and by far the greater portion, struggled successfully for a pure Republic, with powers restricted within such limits, as that the greatest good might be secured to the greatest number.—Pre-eminent as a champion for the latter form stood Jefferson. Though meeting the combined opposition of the friends of the two former modes of government, and maligned and stigmatised from the pulpit and the press, he yet had the satisfaction of seeing the triumph of liberal government, and the high honor of filling the post of Chief Magistrate of the country, whose liberties he labored so assiduously in establishing. It is to the equitable principles, as taught by Jefferson, in contradistinction with the exclusive and anti-republican tenents of the older Adams, that the Democratic party owes its superiority to all parties and factions that have ever arisen in opposition to it. Whatever charge of abuse of power, or betrayal of its trust; whatever objections have, and may, from time to time, been urged against it, on the score of unfaithfulness to its pledges, yet it has never failed to receive the support of the country when harmony prevailed in its own ranks. It is to the great men of the Democratic party we are indebted for the enunciation of all those axioms of self government which have ever distinguished our political history, and made our form of government the most glorious theme for the dilations of the orator, the realization of the dreams of the philosopher, and the most glowing subject for the songs of the poet. From its birth until the present time it has had to encounter the most determined and implacable opposition. Frenzied appeals have been made to the passions and prejudices of the people, and lastly, hostile sections have been arrayed against it; and although for a time, its harmony and discipline were destroyed, yet it always fought its battles against fearful odds without ulterior aid, and with its own ancient weapons. Witness its heroic efforts, and signal success, under the leadership of that indomitable military chieftain and sagacious statesman, the immortal Jackson. Neither the power of the money monopoly, which was installed in high places, nor the deceptive cry of disaster and ruin could impede its irresistible onset. What American citizens at the present day can refrain to rejoice at that success, overthrowing as it did the money power, which if left alone would have reduced a free people to the menial service of the "priviledged classes." When the heroic Republic of Texas asked admission into our family of States, the opposition to the Democratic party would have sacrificed the highest aspirations of an emancipated people, and left a kindred nation the rapacity of European legitimacy, merely because its climate and productions made it probable that slavery would be established there. What party of faction now would wish to see annulled the act by which Texas was annexed, and thereby the subsequent acquisition of California and New Mexico. And yet for this enlightened policy the Democratic party encountered the fiercest opposition, and was branded as false to the North, in collusion with the South, for the purpose of enlarging the area of slavery. When the universal clamor for Protection filled the country, true to its ancient regard for the general good as paramount to sectional interests and special legislation for particular classes of men, the Democratic party adopted the principles which it believed to be the right ones, and which the wonderful increase of our commerce and unparalleled plethory of our treasury, demonstrate beyond the shadow of doubt to have been the *only* right ones. The last and most brilliant epoch in the history of the Democratic party is the repeal of the unconstitutional restriction called the Missouri Compromise, and the passage of the Kansas-Nebraska Bill. The scenes and incidents consequent thereupon, are yet fresh in the minds of all. Rampant Abolitionism, which for years had clung like the poisoned shirt of Nessus to the opposition party in the North, raised a howl which struck consternation in the ranks which were wont to marshal under the leadership of Clay, of Webster, and of Choat. In the scene of confusion and passion that followed, old party ties were severed, and the flag that waved over the old Whig party, through victory and defeat, was usurped by the fanatical hosts of Abolitionism, and rallying to the cry of "Free soil, free speech, and no union with slaveholders," they sought to embroil the two great sections, North and South, in all the horrors of an intestine war. Statesmen, whose only fault was devotion to the Union, and who had grown grey in the honorable service of their country, were branded as traitors. We are of those who believe that the Democratic party has a high mission to fulfil. It has within its keeping the Constitution, and all that we as Americans hold dear. Wherever Liberty has a votary, or a freemen a habitation, there it may be found. It takes by the hand the oppressed and down-trodden emigrant from his fatherland, and tells him he is an equal and a fellow-citizen. Its aspirations cheer the industrious pioneer, where Nature blooms in perpetual vegetation, on the Rio Grande, or where he grapples with sterner fate on the banks of the Oregon.

### Crops and the Fruit.

So far as we can learn from our own observation, from travelers about the country and our numerous exchanges, the prospects for a full crop of both grain and fruit were never better in Ohio than now. The season is late, to be sure; but to the cold weather, keeping back the fruit, and to the unusual quantity of rain saturating the earth against the possibility of drouth, are to be attributed this prospective abundance. Our soil seldom suffers from too much rain. As a general thing Ohio has nothing to fear but drouth, and for the three past years she has suffered much from this cause.

As to fruit, our peach, cherry, apricot, and apple trees are literally alive with buds just bursting into bloom and it is hardly supposable that the frost can now, in the middle of May, injure them much. In the south part of the State the peach and cherry trees are white with blossoms.

In northern Ohio the wheat crop never promised so well. Not a field has proven a failure, so far as we have heard. The Stark County *Democrat* speaks for that old wheat growing county thus:

"The wheat crop generally looks well in this county, so far as we can learn. It may be late, but good weather now will bring it forward rapidly.

The Pennsylvania *Advertiser* says: Farmers tells us that the wheat crop in Lake county promises an abundant yield."

A gentleman in the north western part of Ohio states that the crops are recovering from the severity of the winter and the backward spring. The wheat, which looked yellow and sickly, has regained its healthful color, and now promises an abundant yield. Should nothing unfavorable occur, the yield in that portion of the State will be very large, as an unusual breadth of the land was sown.

Would that the crops throughout the North west promised as well as in Ohio.

The Springfield (Ill) Journal gives an account equally favorable respecting the condition of the wheat crop in that State, it says:

"We are gratified to learn from many of our farmer friends who were in town on Saturday, that the spring wheat gives promise of a good crop. It was apprehended that the recent cold weather had materially injured it, but such is not the case. The warm rains of the last week, and the bright sunshine since, are very encouraging to the farmers.

With regard to Michigan the Lansing Journal says prospects have improved, and from present indications the wheat crop will not be much short of an average yield. The Iowa City Republican says the wheat prospects in that State are gloomy.

GOVERNOR GEARY.—This "small potato" individual, who acquired some renown in Kansas—due to other circumstances than his own merits, as was conclusively shown by his fleeing from the Territory when a crisis came—is to be the Know-Nothing candidate for Governor of Pennsylvania. He was formerly a member of the order, and therefore makes no sacrifices of Democracy in accepting such a position. He will divide the opposition vote with Wilmot, and both will be overwhelmingly beaten by General Packer, the Democratic nominee.

☞It is a wonder, that Democracy gains strength while the party opposing it runs into a rapid decay. However much the policy and measures of the Democratic party are reviled, in the end they thoroughly vindicate themselves and live down all Opposition. Herein is the secret of the Democratic party. There men of faint hearts and weak faith—political Peters—who, when the party is in peril, when some of its leaders are failing and its colors are trailing, betake themselves to the ranks of the Opposition. In place of such men the party always receives recruits more valuable because more reliable. The future of our party is cheeringly bright.