# Watchman & State Journal.

BY E. P. WALTON, JR.

MONTPELIER, JAN. 26, 1855.


*Political.*—The vote for U. S. Senator in Massachusetts, and the intelligence contained in the annexed letter on Ohio politics, are significant of a division in the K. N. ranks. The Slavery question *cannot* be ignored in the North: that is certain. Look at the vote in the Massachusetts House of Representatives on Tuesday, for U. S. Senator:

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| Henry Wilson, anti-Slavery K. N. | 234 |
| H. W. Bishop, democrat, | 1 |
| All others, | 120 |

The House, it will be remembered, consists, with but two or three exceptions, of K. N's—either members or candidates of the Order. The conclusion is that two-thirds of the K. N. strength in the House is anti-slavery,—one-third dissenters.

The writer of the following would have added dignity and strength to his letter had he given the K. N. Platform literally, in lieu of his interpretation of it.

OHIO POLITICS.

*Revolution among the Know Nothings.*

Correspondence of the N. Y. Tribune.

CLEVELAND, Friday, Jan. 12, 1855.

The action of the State and National Grand Councils of Know-Nothings, held in Cincinnati last fall, opened the eyes, and cured for life a majority of those who had enjoyed the inestimable blessing of seeing "Sam."—I speak of Ohio. A large majority of those who joined the Order last summer and fall were ignorant of its real principles until after they were "taken in." I confess I am one of the number. We supposed that it was a grand invention to help freedom, as well as to curb Popery.—We did not realize that it was defunct *Nativism*, galvanized into spasmodic activity by means of mystery, gripes, and oaths; and that the great question of human rights was completely *ignored*, and its discussion practically forbidden. The realizing sense of these facts has cooled the ardor of tens of thousands, and from fever heat last September, the mercury in the Know Nothing thermometer has fallen, in January, to the freezing point.

When the State Grand Council convened in Cincinnati, it was fondly anticipated by the best men of the Order in this State that the *Nativistic* plank of the platform would be removed, and that a man should be judged by his principles, not his birthplace. It was held that, if the Order was sincere in its hostility to Papacy, it were gross injustice to liberal, intelligent Protestants of European birth to treat them as if they were Romanists. But the wise men who composed that State Council thought otherwise. Nativism, nothing but Nativism, would answer. The cry of "Croppies lie down" was retained for the purpose of wielding and using the strong Protestant sentiment of the community to promote the ends of the leaders of the Order. Now, this is not the entertainment to which we were invited when we sat down to the Know Nothing board.

Next came the great National Council, in grand, gloomy, and peculiar conclave. The sachems have tried to cast an impenetrable secrecy over its mighty purposes, and withhold its wonderful resolves from the knowledge of the rank and file of the Order. But enough of the decrees of this Council has come to light to open the eyes of its followers.

It may all be summed up in a few sentences. The Council resolved, 1st. That the Order should be *nationalized*. 2d. That it should occupy such grounds on the great Slavery issue as would be acceptable to the slave-power. 3d. That the Loco Foco Baltimore Platform of 1852 was the right position to take. 4th. That the question of Slavery must henceforth be *ignored* and its discussion *suppressed*; the Slavery *cancer* on the body politic must be let alone; the violation of the Missouri Compromise must be submitted to quietly, with the best possible grace; the aggressions of the slaveholder must not be brought into the politics of the Order for fear of offending the slave-holding members of the brotherhood; the mighty Anti-Nebraska ball set in motion last summer must be stopped. But why do these things? In order that the brotherhood may be a *unit* throughout the Union, and thereby be enabled to establish *Nativism*, trample down the foreign born Protestant, under pretence of crushing Popery, and secure the immense spoils of Government office as generous rewards for such patriotic services.

I assure you that the majority of the Know Nothings of Ohio realize the downward tendency of the Order, and keenly feel that they have been *sold*. But forewarned is forearmed. Already vigorous steps have been taken to arrest the Pro-Slavery and Nativistic march of the Order in this State. A reformed Order has been instituted; every plank in its platform has been carefully selected for strength, soundness and durability. It was organized exclusively by members of the old Order.—It is known at present as the "*Know-Something*."

The prominent points of difference between the Know-Nothings and Know-Somethings are these: The former prescribes men on account of their place of birth; the latter makes *principles*, not nativity, the test of membership. The former requires each member, upon his initiation, to swear never to reveal the existence of the Order, or his own connection with it; the latter requests each member to proclaim the existence of the new Order, and leaves him at liberty to confess his own connection with it, but not that of others, without their express consent. The Know Nothings attempt to conceal not only the existence of their Society, but its principles; the Know-Somethings boldly proclaim and publish their platform.

The old Order prescribes a man if born of Catholic parents, raised in a Catholic family, or married to a Catholic wife. The new Order does not hold him responsible for the belief of others, or the place where he was raised and nurtured, provided his own sentiments are in concord with the sentiments of the order. The old Order proscribes Catholics of the Gavazzi school, the same as Papists of the Bedini sort. The new Order treats all Catholics who deny and resist the political pretensions of the "Mother-Church," on the same footing with Protestants—it wages no war on rights of religious conscience. On the Slavery question, the old Order maintains a sneaking cowardly silence—completely ignoring the whole issue, and refusing to permit it to be discussed by the Order. The other adopts a bold and manly language, covering the whole constitutional ground of resistance to that curse. This feature is its crowning glory, and will make it electrify the hearts of the freemen in the West.

But your readers will obtain a much clearer conception of the vast superiority of the new Order over the old Order, by contrasting their respective platforms.

I have not the technical formula of the Know-Nothing creed before me, but it may be stated thus:

1. None but natives shall hold office.
2. The patriotism, talents, character and capacity of citizens of foreign birth shall go for nothing; all persons of foreign birth should be proscribed.
3. No person born in Canada or Europe should be permitted to vote until he has resided twenty-one years in the United States.
4. Protestant foreigners should be proscribed as rigorously as Catholics, even if tens of thousands of them are our fathers, elder brothers and cousins.
5. All persons of foreign birth should be regarded *prima facie* as enemies of our Institutions, and be placed on the same level where we keep free niggers.

To which should be added:

"Indians should rule this continent, as they are the only genuine *natives* or aborigines in it—all others being foreign interlopers and alien enemies."

Now contrast the platform of the Know-Somethings with the above. It is as follows, according to a copy a member has placed in my possession:

1. Opposition to all forms of tyranny over the mind or body of man. (Jefferson.)
2. Neither nature nor the Constitution of our country recognises the *right* of man to property in man.
3. Principles and character, and *not* birth-place, are the true standards of qualification for citizenship.
4. No more slave States should be admitted into the Union, and there should be neither Slavery nor involuntary servitude, except for the punishment of crime, in any territory of the United States.
5. The Papal power being a political despotism under the name of religion, its supporters should not be permitted to hold office in a free country.
6. The people being the legitimate source of political power, all offices, national as well as State, so far as practicable, should be filled by a direct vote of the electors.

Such is the platform of the "Know-Somethings," and it will meet with a response that will appal your Hindoo Silver-Gray Know Nothings. A State Council is organized, and in active operation. Also, a National Council, *pro tem.* Applications for charters and membership are pouring in from all sides.

In subsequent communications I will keep you fully posted in regard to the progress and attitude of both Orders, knowing that your sympathies will be with the one nearest right. KNOW-SOMETHING.

## Council of Censors.

The election of thirteen Censors is to take place on the last Wednesday in March, and the candidates must be men who are "*out* of the Council (Senate) or General Assembly,"—meaning, we suppose, persons who have not been members for the last seven years. As yet no regular nominations have been made, unless by the K. Ns. *sub rosa*—and we have noticed but two names suggested by the press. The Vermont Tribune names the Rev. WORTHINGTON SMITH, for Franklin County, and the Burlington Free Press and Rutland Herald approve that name. We say—ditto: Mr. Smith is versed in all law, human and divine, and is right-eous as well as learned—a Roman indeed for a Censor, but not a Romanist. The Freeman nominates Timothy P. Redfield, Esq. for Washington County. He is well fitted for the office; but is he eligible? Mr. Redfield was a member of the Senate in 1848.

*The Weather.*—Friday to Monday last may be set down safely as a stormy time.—Snow, wind and rain, each in turn exhibited premium specimens, interrupting all sorts of business. This storm extended all along the Atlantic coast, and so far west as to interrupt telegraphing between Chicago and St. Louis. At Chicago the railroads were blocked. Here there was little or no delay on the trains, except what was due to the lower roads. On the Sullivan road, the train was delayed by the washing of a culvert at Charlestown; and the Northern was impeded by snow in the vicinity of Danbury.

*Fire.*—On Saturday, a dwelling in the north part of the village, owned by Keith, Peck & Co., was considerably injured in the upper works—the second time within a few weeks.

*Accident.*—Mr. D. B. Kibbey was severely injured on Tuesday, by a team, (with a load of wood) running over him near his dwelling on clay hill. The road was icy and the team beyond the control of the driver. For a time Mr. Kibbey's life was despaired of; but he is improving.

*The Property Saving Company*, specially charged with saving property from fire in this village, has been organized for 1855, as follows: HARVEY KING, Captain; AZEL SPALDING, Lieutenant; JOHN S. BAKKER, Clerk; W. Sprague, Timo. Cross, D. L. Fuller, H. Y. Barnes, Erastus Hubbard, Joseph Poland, and Charles Lyman. The badge of their office will consist of *a red ribbon* tied in the left breast of the coat. The duties of this company consist in reporting themselves immediately at the scene of any fire, to co-operate with the owner in the protection or removal and preservation of personal property.

*Lectures.*—Rev. Mr. Hudson has delivered two lectures, in this village, on Shakespeare, and Solomon Northrop two on Slavery. Mr. Northrop is a free man of color. He was born a freeman, kidnapped and sold into slavery, and restored to freedom after twelve years' service, through the interference of Gov. Hunt of New York. He tells apparently an honest tale, without exaggeration.

☞ The Middlebury papers record the death, on the 11th inst., of Hon. Dorastus Wooster, well known to our citizens as a member of the Senate for some years.

☞ A very interesting story will be found on the first page. We found it in a smart little weekly, entitled "Bull's New York Messenger."

*The Vermont State Temperance Society* had an unusually interesting meeting at St. Albans. Proceedings dignified, temperate and wise,—a great improvement upon last year. We shall record them in our next, including a highly interesting report from the executive committee.

*Documents for Academy Libraries.*—On request of Senator *Brainerd*, to give suggestions on the distribution of public documents, we have given the names of such Academies and Grammar Schools as occurred to us, and we are happy to say that Mr. B. will, so far as his quota will allow, supply those on the East side of the Mountain. Senator FOOT will doubtless be glad to do the same for the West side. Those who desire such contributions to the libraries of academies will see the propriety of forwarding their address at once.

*Dickens' new Story:* "The Seven Poor Travellers," can be had of Fetridge & Co., Boston.

*Dicken's Household Words:* republished by J. A. DIX, New-York.

The number for February is unusually good, containing the continuation of "North and South," an interesting article on the loss of Sir John Franklin, &c. &c. Price 25c. For sale by the publisher, and by Fetridge & Co. Boston. $3 per year.

*Godey's Ladys' Book for February:* Attractive in illustrations and matter. $3 per annum.

*U. S. Magazine:* New-York, J. M. Emerson & Co.

A handsome illustrated monthly—quarto, 32 pages each number. $1 per year.

*The Scalpel:* an entirely original expositor of the Laws of Health, and abuses of Medicine and Domestic Life: by Edward H. Dixon, M. D. New-York, Sherman & Co., 1 Vesey st. $1 per year.

Caustic, witty, sensible—of course interesting and valuable.

*Arthur's Home Magazine:* Philadelphia, T. S. Arthur & Co. $2 per year.

The February number of this excellent and cheap monthly has been received. Matter excellent and illustrations beautiful.

*Our Thanks* are due to Hon. W. S. Barry of Miss. for a speech on Know-Nothingism, and to Senator Brainerd for valuable public documents.

## Decisions of the Supreme Court.

CHITTENDEN COUNTY.
DEC. TERM 1854.
January 15, 1855.

*Morse v. R. & B. R. R. Co.* Case for killing plaintiff's cows by a train on the defendant's road. *Held per* BENNETT, Judge, affirming the judgment below, that the duty of the defendant to fence its road, only exists as between it and adjacent land owners; and therefore, one not an adjacent land owner, could not maintain an action for damages for an injury to his cattle, founded on the neglect of the Company to fence its road;—that whether the train of the defendant was negligently managed on the occasion of the injury, was a question of fact for the jury, to be determined upon all the attending circumstances, and that the Court below was right in refusing to instruct the jury that any particular mode or speed of running a train was negligence as matter of law.

W. W. Peck and Underwood & Hard for plaintiff; Phelps & Chittenden, and D. A. Smalley, for defendant.

*Thompson v Prouty.* Assumpsit. The defendant contracted with the plaintiff to make an expedition to California, and labor so much of the year 1841 as would give him time to reach home by the first day of December of that year, and that then he would equally divide with the plaintiff the entire avails of the trip. The defendant labored in California under the contract till the period of returning arrived, and then sent to the plaintiff a sum less than one half of all the proceeds, then on hand, but more than one half of such proceeds, after deducting a reasonable sum for the expenses of a return. The defendant remained in California till the Spring of 1851, when he returned, having in the mean time accumulated further sums. *Held per* BENNETT, Judge, reversing the judgment below, that the defendant was not bound to account for the accumulations made after the period for return had arrived, but that he had no right, if he chose to remain in California, to retain anything out of the proceeds of his labor for his return expenses and that he was liable to account for one half the funds on hand at that time he had chosen to make the division.

Levi Underwood and E. K. Hard, for plaintiff; Geo. F. Edmunds, for defendant.

*Barber v the Town of Essex.* Case. The declaration stated that a certain highway in said town was out of repair, and full of holes and excavations, and that by reason thereof the plaintiff in travelling thereon was injured. It appeared that the highway had been about four months before the injury crossed by the Vt. & C. R. R. Co., by its road, and a deep cut made therein in consequence (but this did not appear to have been done under any legal right) which made the highway entirely impassable. The Company therefore built a bridge across the railroad, ab out 15 rods from the cut, and turned the travel across it, and into the highway on the other side of the cut, but no sufficient barriers were put up to indicate to travellers that travelling along the old highway way dangerous. The town did not appear to have had any agency in this change of the road and travel. The plaintiff was travelling on said highway in the night, and being ignorant of the change, and not seeing the bridge, passed it, and drove into said cut. *Held per* REDFIELD, Chief Justice, affirming the judgment below, that the pro f supported the declaration; that there was no evidence of an abandonment, or discontinuance, of the old highway; that whether the night was as dark as to ren er imprudent to travel, was a question offered for the jury;—that the plaintiff having proved the insufficiency of the highway, and that the injury was caused by it, had made a *prima facie* case, and that the burden of proof was thus thrown upon the defendant to show that the town was bound in this case to provide a safe and proper passage for the traveller, and to prevent his taking the old road and driving into the cut, by barriers reasonably sufficient for that purpose.

A. B. Maynard and Geo. F. Edmunds, for the plaintiff; J. Maeck, for the defendant.

*Sharp v. Vt. C. R. R. Co.* Debt on award of land damages by commissioners appointed under the charter of the defendant. The defendant had, under its charter, located its road upon the land of the plaintiff. Before the award of damages, the defendant by permission of the plaintiff commenced building its road upon the plaintiff's land. Afterwards the damages were duly appraised by the Commissioners. The defendant after their appraisal, and without paying the damages, [illegible] by the charter, changed the location of its road, under an authority granted in the charter, so that it did not cross the plaintiff's land; and abandoned the first location. The charter provided that the company after the appraisal of lands by the Commissioners, upon paying to the owner the damages awarded, or depositing the same in a bank, should be deemed to be seized and possessed of the land in respect to which the damages should be awarded. *Held per* ISHAM, Judge, reversing the judgment below, that the rights of the land owner and the company were under the charter co incident and reciprocal; that the plaintiff could not acquire a *vested* right to the damages, until the defendant acquired a *vested* right to the land; and that as by the provisions of the charter the defendant had not acquired a vested right to the land by payment or deposit, at the time of the change of locations, the plaintiff could not recover.

D. A. Smalley and J. Maeck, for the plaintiff; E. J. Phelps & L. E. Chittenden, for the defendant.—*Free Press.*

## Vermont Copper Mining Company.

*Chartered in 1853—capital $500,000.*

The first examination made of these copper mines, at Vershire, was by Mr. G. W. Maltbey, about the year 1825. His attention was attracted to it, by the decomposition of the sulphuret of iron on the surface of the ground. He expended about thirty dollars in opening the mine, and become satisfied that it was valuable, but having no real or definite knowledge of its utility and value, he suspended operations. The work was recommenced by one Mr Spencer and a few others, about the year 1831, who lost their investment, and gave up the enterprise in despair.

A company had then been organized at Strafford, by Messrs. Tyson, from Baltimore, and Bunney, from Boston, for the purpose of digging and working the Copper mines in that town, rolling, smelting &c.—When Messrs Spencer & Co. failed, the Strafford Company purchased the ore on hand, transported it to Strafford, and there worked it. In 1832, the Strafford Company sent a few hands to the Vershire mine, who worked there through the summer season with tolerable success. The business at Strafford was finally wound up, and the work at Vershire was again suspended.

Nothing further was done at Vershire, till August, 1853, when Mr. Bernard, of Morristown, New York, examined the mine, and procured a bond for deed of the property for $1000, to be granted in one year. In consequence of unexpected success, in the mining operations, Mr. Bernard took his deed of the property the 12th day of September. He then sold out shares of the mine to different individuals, in New York City, and vicinity, who made application to Hon. Stephen Thomas, of W. Fairlee, to petition the legislature for a charter, and on the 13th of Nov. the act of incorporation passed. The first meeting of the corporators was held on the 28th of November, when they chose their President, Clerk, Treasurer and Directors, and they are now exporting about one hundred tons per month, of the dressed ore, to the Humphreysville Copper Company, New Haven, Ct., which is yielding a rich reward for all labor and expenses. The mine could not now be purchased for the sum of one hundred thousand dollars.

We visited the mine, a few days since, and find they are now working a "crushing machine," propelled by an engine of twenty horse power. The machine is of cast iron, will crush thirty tons per day, and is no small wonder to "native Americans," in the town and vicinity. After the crushing comes the washing, by what the miners call the "jigging machine." When washed it is considered ready for transportation and smelting. The mine is located about seven miles from the Passumpsic Railroad, but the ore is now carried about ten miles to reach the Railroad Station, at Thetford.

The vein which is at present being worked, ranges from 8 to 16 feet in thickness, the ore being the yellow sulphuret of copper, mixed with the various oxides, green carbonate, and native copper. Its course is nearly due north and south, with a dip or underlay to the east of about three feet to the fathom when near the surface; but on descending, it rapidly becomes more vertical, and the probability is that it will eventually be found to run at right angles to the base of the mountain in which the mine is situated.

The working was first commenced at the foot of the mountain, but from time to time other openings have been made with good success. The ore at the height of 600 feet is as rich as that at the base of the hill. Owing to the favorable situation of this mine, the expenses of working it are below the average cost of mining.

It has been reported that this mine was first discovered by its volcanic eruptions, as early as the year 1800. But we were unable to find any such report verified, even by the "oldest inhabitant." But that the mine is now valuable, and that the working of it will long be pursued with profit, can no longer be doubted.

There is, also, a copper mine in Corinth, called the "Pike Hill." It is now being worked, and bids fair to yield good ore in "rich abundance." We shall visit this mine soon, when we will furnish our readers with a full account of it.

We are of the opinion that Vermont is as rich in minerals as any state in the union except California, and we believe that many who are now leaving their "dear native hills," will yet return to aid and assist us in opening some of the rich treasures which a more thorough geological survey will yet develop. We verily believe that a few years will serve to yield us proof of this prediction. Who knows but that Vermont is yet to be to the Eastern United States, what California now is to the Southern and Western?—*Star of Vt.*

*Gold Mining in Bridgewater.*—We learn from the *Spirit of the Age* that arrangements are now nearly completed for carrying on mining operations in Bridgewater, and that the quartz crushing will soon commence.—A steam engine of thirty horse power, says the *Age*, is now harnessed to crushers, and other machinery necessary for pulverizing and separating the gold; and that there is sufficient of the latter article to richly remunerate the owners for the enormous outlay necessary to put the works in operation, we think there is not a doubt. Steam was applied to the machinery for the first time on Tuesday, and every thing moved in a manner which showed that it had been put together under the direction of a thorough and scientific superintendent. Every thing looks favorable and promises well.—*Windsor Journal.*

## TURKEY AND THE EAST.

BY HON. GEORGE P. MARSH.

The Hon. George P. Marsh, recently our accomplished minister at Constantinople, delivered a lecture in New York city, last Friday evening. We find the following abstract in the *Tribune* of Saturday:—

The lecturer commenced with a review of the checkered history of the maritime provinces of the Ottoman Empire, which form the boundary between the Orient and Western Europe, and which, as a consequence, have been the theatre of so many contests, all of which have left indelible marks of the various stages of civilization or barbarism which produced them. The present state of Turkey was next considered; and the only hope for it, with its effete form of civilization, was stated to be a conversion to Christianity. The picture of Turkey, as presented to the Christian world, has been drawn only by their enemies; when the pencil is taken up by native artists, the duplicity and cruelty of the Christians, who have preyed upon Turkey, may be found equal to those of the Mussulmen. The Janissaries were a cruel soldiery, as all unenlightened bodies of soldiers are, but the Turk, in himself, is calm, and not cruel; there is no more peaceable city in the world than the Turkish portion of Stamboul, nor any more turbulent one than the Christian quarter of Constantinople. The lecturer proceeded to show that the Turks are not justly to be accused of barbarism in the destruction of Christian edifices any more than the various Christian sects. The charge of indolence more justly applies; still, even that belongs more properly to the inhabitants of the capital than to those of the country. The little encouragement left to industry, in any of its branches, by the system of free trade imposed [illegible] many for her decadence from her ancient skill and industry in the arts. One thing must always be remembered to the credit of Turkey,—she has ever been a city of refuge to the oppressed of Eastern Europe. The Turk is physically and morally brave, generative, and eminently self respecting; but his communication with the worst form of European civilization, joined to a heedlessness for the future of his country, has much injured his good qualities. Christianity has lately been presented in a purer form to the inhabitants of Turkey; many Ottoman men and women read the Bible; and this is the more encouraging inasmuch as religion with the Turk is the sub structure of all civil organization. The present Sultan, although himself but half-educated, is a warm encourager of the civil, naval, and political improvement of his people, and urges the cause forward as fast as they are prepared for it. The first impetus toward reform was given by France; the present British Ministry has long been the friend of this Turkish reform; but, strange and melancholy to tell, the great obstacle is not found in the obstinacy of the Turkish character, but in the intrigues of the European Powers. The lecturer then touched lightly on the character of the Armenians, who form one-twelfth of the subjects of the Porte; they are wanting in physical and moral courage; otherwise amiable and intelligent. The Greek was next described. The reverse of the Turk in all the Turk's good qualities—like the Russian in all the Russian's bad qualities—and aiming at an imitation of the Russian, under whom he is likely to experience a worse bondage than that of his Turkish master. [Applause.] He is a liar, a sycophant; destitute of all high qualities fitting him to excel in civilization; his religious development is on a par. It is a mistake to suppose that he is the descendant of the ancient Greek. The modern Greeks are of a mixed Slavonian and Armenian origin. If, by the restoration of Turkey, is meant the restoration of the system of the Comnetar and the bowstring—the less success the attempt has the better for the welfare of the world. But a glorious and happy future would await Turkey, were an enlightened constantinual system of government secured to her by the consent and guaranty of the European Powers. Under such a system, confided to the guidance of native rulers, Turkey would flourish much more than by being made an appendage to any of the nations which now contend for her. The material aspect of Constantinople, and life in that city, was presented in much detail; the following features being presented among many others: In the vaults of the Royal Library, there is a mass of Greek manuscripts which the Franks have never had a full opportunity to examine; but it is hoped that several documents of much interest and importance may yet be obtained. The private buildings are generally of wood. The ancient site of the royal palace has been deserted since the slaughter of the Janissaries; and the present Sultan has expended millions in the construction of a palace on the shores of the Bosphorus, in a far less eligible position. The Turkish Sabbath is Friday, and as the Jewish and Christian are also observed, thus there are only four business days. The writing of the Turks is read from right to left, but the system of numerical notation, which proceeds by decimals, though different figures from ours are used, is read from left to right. The Turkish system of writing is very compendious, frequently a single period containing as much as several pages of our writing, and the last word is often the key to the meaning of the whole. The only drawback is, that the document is not easily understood; and, not unfrequently, when a letter is sent, an envoy is sent with it to explain orally what it means. Letters are seldom signed; the author's name is generally supplied by his seal, to affix which, every gentleman carries about him a signet. The minaret and crescent mainly distinguish the Mosque from the Church. The minaret answers the same purpose as the *campanile* or belfrey, viz: to summon believers to worship; but the sound employed is different, as the Turk does not tolerate a bell, save in the Frankish churches, and one or two favorite mosques; the congregation is called together by a human voice, viz: that of the muezzin. The minaret is often beautifully shaped, and sometimes 150 feet high. Most mosques have only one minaret; but that of Mecca has 7, and Sultan Achmed's has 6.—The origin of the Crescent, as the symbol of the Turkish faith, furnishes a curious subject of investigation; it is found as a symbol both in Christianity, Paganism and Islamism; as Fuller said: "The inquiry would trouble a wise man, but that a wise man would not be troubled thereat." The mosque of Sulyman the magnificent, though less in extent than some European churches, can vie with any of them in external magnificence. There are about 160 great mosques in Constantinople, and 700 smaller places of worship. The general effect of the minarets is more striking than that of spires; and when lighted at night, they present a beautiful *coup d'œil*. Sermons are preached in the mosques on Fridays; they are open for prayer daily. The day commences at the going down of the sun; thus the same hour falls at a different time of two consecutive days; but the inconvenience is remedied by the hour of prayer being called by the muezzin. These officers are generally chosen from among the blind—partly from charity, but still more that they may not, from the elevation of the minaret, survey what is doing in the houses beneath them. The whirling and howling dervishes were described, whose fanaticism has been a great cause of the antipathy of Turks to Christians; but this, as well as all other walls of separation, is rapidly crumbling away; and there is some hope of a result which furnishes the best hope for the future of Turkey, namely, her establishment as a free and independent Turco-Christian State.

The lecturer was heard with much attention, and frequent expressions of approbation and amusement.

## Opinion of Judge Dean

ON THE ADMINISTRATION OF NATURALIZATION LAWS.

N. Y. SUPREME COURT,—DUCHESS Co.

*In the matter of the application of John Clark to become a citizen of the United States.*

The petitioner, a native of Scotland, applied to the Clerk of this Court for admission as a citizen. A number of other aliens made a like application. The clerk was proceeding to administer the formal oath to the witness of the respective applicants when the subject was brought to my notice, and on enquiry I learned that the practice had, for many years, been for the Clerk to receive and pass upon all applications for Naturalization and grant certificates without consulting the Court, and that the proof on which aliens were admitted to citizenship did not ordinarily meet any one of the requirements of the statute. On the state of facts I deemed it my duty to forbid the clerk from entertaining any applications of this nature, directing that all should be made to the Court. The application was then made to the Court, and on examination I found that neither Clark, nor any one of the other candidates for citizenship, could furnish proof of continuous residence within the United States, in excess of two or three years, and that each of the applicants was unprepared with any proof as to his conduct or character, during even that brief period. As this decision must change the practice in Naturalization cases in the Court and affect it in others, it is due to the importance of the subject, that the reasons on which it is founded should be given.

There are probably no laws of a public character so imperfectly understood and so badly administered as those for the naturalization of foreigners. Among the powers which were by the States delegated to Congress was the "one to establish a uniform rule of naturalization." This power was exercised the year after the formation of the government by an act approved by Washington, March 26, 1790. Again in 1795 and 1798 in an act approved by President Adams. All these acts were repealed in 1802, during the Presidency of Jefferson, when the act was passed, which, though it has been often modified to unimportant particulars, and in but few instances materially changed, is the one now in force, and under which the courts derive their jurisdiction to act in the premises. One reason why these laws are so imperfectly understood and so badly administered, is that the statutes of the United States have little application to the affairs of the States, and the best lawyers of the several States are usually ignorant of their provisions. By the laws [illegible] a common rule of naturalization any court in the State possessing common law jurisdiction, a seal and a clerk, can exercise the powers of these State Courts, ordinarily familiar only with the laws of their own State, have their time occupied by attending to what they regard as their judicial duties, and permit, if they do not order, applications for naturalization to be made to the clerk, whose knowledge of the laws is derived from the printed blanks which he fills up and signs, on receiving his fees. By this practice, which, on enquiry, I find is general, universally certificates of citizenship are issued indiscriminately and illegally, without a compliance on the part of the alien with any of the requirements of the statutes, except taking the oath of allegiance.

The first section of the act of 1802, to which I have referred, contains the following provisions:

"Any alien, being a free white person, may be admitted to become a citizen of the United States or any of them, on the following provisions, and not otherwise:

1st. That he should have declared, on oath or affirmation, before the supreme, superior, district, or circuit court of some one of the States or of the territorial districts of the United States, three years at least before his admission, that it was *bona fide* his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whatever, and particularly, by name, the prince, potentate, state, or sovereignty whereof such alien may at the time be a citizen or subject.

2d. That he shall at the time of his application to be admitted, declare, on oath or affirmation, before some one of the courts aforesaid, that he will support the constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever, and particularly, by name, the prince, potentate, state, or sovereignty whereof he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court.

3d. That the court admitting such alien shall be satisfied that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held one year at least; and it shall further appear to their satisfaction, that during that time he has behaved as a man of good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order and happiness of the same: *Provided*, That the oath of the applicant shall, in no case, be allowed to prove his residence."

It will be seen that the Court, and not the clerk of the court, is to admit the alien.—And that, as the court, before admitting him, is to be satisfied of certain facts, it follows that the powers conferred upon the Courts are judicial and not ministerial or clerical, and consequently that these powers cannot be designated to the clerks, but must be exercised by the Court and requires an examination into each case sufficiently to satisfy the Court of the following facts:

1. Five years continuous residence of the applicant within the United States, and one year of like residence within the United States, and one year of like residence within the State or Territory where the Court to which the application is made is held.

2. That the applicant during the five years has conducted himself as a person of good moral character.

3. That the applicant is in principle attached to and well disposed towards the Constitution of the United States.

The "continuous" residence would not perhaps be necessary from the language of the section I have quoted, but an amendment approved March 3, 1854, by President Madison, provides

"That no person who shall arrive in the United States from and after the time when this act shall take effect shall be admitted to become a citizen of the United States who shall not for the *continued term of five years next preceding his admission as aforesaid have resided within the United States*, without being at any time during the said five years out of the territory of the United States."

This amendment is now in force, except the words "without being at any time during the said five years out of the territory of the United States." These words were, in 1848, repealed in "an act for the regulation of seamen on board the public and private vessels of the United States," and thus in their business were necessarily beyond the limits of our territory, to avail themselves of the naturalization laws; but the person drawing the repealing clause made it general instead of an exception in their favor.—Whether Congress should not restore this provision, making an exception in favor of the seamen and the soldier, it is not for me now to say, as I am enquiring only what the law is, that it may be administered correctly by this court.

From the parts of the laws of Congress to which I have referred, I think there can be no doubt of the correctness of the position I have taken on this subject, and that the practice of the clerks in issuing certificates of citizenship without any application to the Court and on proof of residence only, is an abuse which needs to be corrected. It was never intended by those who enacted the act for the naturalization of aliens, that persons who had been transported for crime—that those who came over here merely because Europe was too full for them—but who retained their loyalty of feeling for the monarchies they had left, should, because they remained here for five years, be entitled to admission to citizenship. The intention was to permit those who came here from abroad seeking a permanent home—who, by five years continuous residence, manifested that intention—and by good behavior during all that time and an attachment to republican principles which could be proved to the satisfaction of a Court, had shown themselves worthy recipients of the benefits to be derived from citizenship—and safe depositories of the powers it confers, to be admitted to these rights and the exercise of these powers, by an order extended in open Court after an examination into the facts of such case—and a judicial decision upon the application—an examination which should be conducted with the same care, and a decision which should be made with the same deliberation and solemnity as that which should accompany every other judicial act. Those Courts, which instead of administering this law, have by their negligence and institution practically repealed it, admitting thousands to the rights of citizenship who want all the requisites to entitle them to such admission, have been guilty of a gross violation of duty and have made the law itself odious in public estimation. Of the wisdom or propriety of our present, or of any naturalization laws, it is not my business at this time to speak; my duty now is to administer the laws as they are. I am compelled for the reasons I have stated, to reject the prayer of the applicant, and also to forbid the clerk from, in any manner, exercising the powers conferred by Congress upon the Courts.

This is all that it is necessary for me to say in deciding the case now before the Court; but there are other provisions of the naturalization laws which are loosely interpreted, or wholly misunderstood. By the act of May 26, 1824, the period between the declaration of intention and granting the certificate of citizenship is reduced from three to two years; but this in no manner affects the requirement of five years continuous residence.

The first section of the same act prescribes a different rule for the naturalization of aliens who arrived in this country prior to attaining the age of eighteen; it is:

"Any alien being a free white person, and a minor, under the age of twenty-one years, who shall have resided in the United States three years next preceding his arrival at the age of twenty-one years, and who shall have continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of twenty-one years within the United States, including the three years of his minority, be admitted a citizen of the U. S. without having made the declaration required in the first condition of the first section of the act to which this is an addition, three years previous to his admission; Provided, Such Alien shall make the declaration required therein at the time of his or her admission; and shall further declare, on oath, and prove to the satisfaction of the court, that for three years next preceding it has been the bona fide intention of such alien to become a citizen of the United States, and shall in all other respects comply with the laws in regard to naturalization."

The practical construction of this provision I am informed is for the clerks to admit aliens who will make oath they arrived during their minority on proof of three years residence. The true construction is, that it merely does away with the necessity of a previous declaration of intention to become a citizen, on the part of those who arrive in the country prior to attaining the age of eighteen years, but requires instead of such previous declaration, the oath of the party, and also proof that for the three years next preceding, it has been the intention of the alien to become a citizen, but in all other respects the act of 1802, and its amendments, are to be complied with by the person who applies under this section.

The act of 1802 provides that no person arriving after the passage of that act should become a citizen unless he had his name, birth place, age, nation, &c., registered in the clerk's office, where he arrived; and also the place of his intended settlement, and required that the clerk should record this in his office and grant certificates. In 1816, an act still more stringent in its requirements as to the evidence in cases of naturalization, was passed and remained in force until 1828, when these provisions were wholly repealed. There are several other statutes relating to the subject of naturalization, which are not formally repealed but which have become obsolete for want of persons to whom they can be applied. The man who would collect and embody in a single act the operative portions of the various statutes on this subject, with such amendments as experience has shown are necessary to their due and faithful execution, would be a public benefactor. While they are, as now, scattered through the laws of Congress from 1802 down to 1848, it cannot be expected that the Judges of the various Courts will undertake the task of ascertaining exactly which section and line is in force, and which is repealed, consequently the administration of these laws will be loose and defective, until such an act is passed. And when that is done and the laws are administered in their purity, it will be apparent that the faults have been far more in the administration than in the laws themselves.

For the Watchman.

## Washington County TEACHERS' ASSOCIATION.

A large and interesting meeting was held per adjournment, in the High School at Waterbury, on Tuesday, the 16th inst., the President, Hon. D. M. Camp, in the chair. Prayer by Rev. J. Sargeant, of Barre. Record of last session read by the Secretary.

Hon D. M. Camp, of committee, reported a bill providing for a State Board of Education, which was discussed by Messrs. Camp, Parker, Bates, Sargeant and Graham, and ordered to lie for consideration at the next meeting.

AFTERNOON SESSION.—The following resolution was called up, and ably discussed by Messrs. Camp, Bates, Green, Parker, Johnson, Spaulding and Graham, and again laid on the table:

*Resolved*, That the methods of instruction in our common schools *can be, ought to be, and must be* essentially improved before they can answer the expectations of intelligent educators, and meet the demands of the times.

EVENING SESSION.—Lecture by Mr. J. S. Spaulding, of Barre Academy, on common schools.

Adjourned to meet at Waitsfield, on Friday, the 16th day of February, at 10 o'clock, A. M. J. H. GRAHAM, *Sec'y.*

*Cincinnati*, Jan. 17.—Private despatches report the failure of three more banking houses at St. Louis.

# Congress.

WEDNESDAY, JAN. 17.

SENATE.—Mr. Fessenden, of Maine, presented a memorial from certain citizens of Maine, praying for the repeal of the Fugitive Slave Law.

The bill of Mr. Bayard, of Delaware, appropriating $300,000 for the extension of the General Post Office, was passed.

The Judicial Reform bill was taken up and considered.

After considerable discussion upon the various amendments offered, the further consideration of the bill was postponed until to-morrow, and the Senate adjourned.

HOUSE.—The Speaker laid before the House a letter from Rufus Choate, containing his resignation as a Regent of the Smithsonian Institute. His resignation is based upon the personal inconvenience to which he is put in attending to the business of the situation, and particularly, inasmuch as he dissents from the recent action of the Board in the management of the institution, considering that they have departed from the law.

Mr. Meacham, of Vermont, moved that the letter be referred to a select Committee, with instructions to inquire whether the Institute has been managed according to the law establishing it, and whether additional legislation upon the subject is necessary.

Mr. English, of Indiana, moved to lay the letter and resolution upon the table.

The motion was rejected, and the resolution passed.

Mr. Cobb, of Alabama, made a personal explanation in relation to his position on the Homestead bill, and the privileges of foreigners under that system.

Mr. Ball, of Ohio, asked if he was afraid "Sam" would be after him.

Mr. Cobb said he had no fear of "Sam," he was not known in his district.

The House went into Committee of the Whole on the Pacific Railroad bill.

Sundry amendments were proposed, and, pending a motion by Mr. Wheeler, of New York, to strike out the enacting clause, the Committee rose, and the House