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The Eastern Mail (Vol. 01, No. 36): March 30, 1848

Ephraim Maxham

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The Eastern Mail.

BY EPH. MAXHAM.

A Family Newspaper... Devoted to Literature, Agriculture, and General Intelligence.

TERMS, \$2.00; \$1.50 IN ADVANCE.

VOL. I.

WATERVILLE, MAINE, THURSDAY, MAR. 30, 1848.

NO. 36.

PUBLISHED EVERY THURSDAY MORNING, IN WINGATE'S BUILDING, MAIN STREET, (OPPOSITE DOW & CO.'S STORE)

TERMS.

If paid in advance, or within one month, \$1.50
If paid within six months, 1.75
If paid within the year, 2.00
Country Produce received in payment.

Miscellany.

CHARITY BOWERY.

BY L. M. CHILD.

The following story was told me by an aged colored woman in New York. I shall endeavor to relate it precisely in her own words, so often repeated that they are tolerably well impressed on my memory. Some confusion of names, dates and incidents, I may very naturally make; I profess only to give (the pith and marrow) of Charity's story, deprived of the highly dramatic effect it received from her swelling emotions, earnest looks, and changing tones.

"I am about sixty-five years old. I was born on an estate called Pombroke, about 3 miles from Edenton, North Carolina. My master was very kind to his slaves. If an overseer whipped them, he turned him away. He used to whip them himself, sometimes with hickory switches as large as my little finger. My mother suckled all his children. She was reckoned a very good servant, and our mistress made it a point to give one of my mother's children to each of her's. I fell to the lot of Elizabeth, her second daughter. It was my business to wait upon her. Oh, my old mistress was a kind woman. She was all the same as a mother to poor Charity. If Charity wanted to learn to spin she let her learn; if Charity wanted to learn to knit, she let her learn; if Charity wanted to weave, she let her learn. I had a wedding when I was married; for mistress didn't like to have her people take up with one another, without any minister to marry them. When my dear good mistress died, she charged her children never to separate me and my husband; for, said she, 'if ever there was a match made in heaven, it was Charity and her husband.' My husband was a nice good man—and mistress knew we set stores by one another. Her children promised her they never would separate me from my husband and children. Indeed, they used to tell me they never sell me at all; and I am sure they meant what they said. But my young master got into trouble. He used to come home and sit leaning his head on his hand by the hour together, without speaking to anybody. I see something was the matter, and I begged of him to tell me what made him look so worried. He told me he owed seventeen hundred dollars that he could not pay; and he was afraid he would have to go to prison. I begged him to sell me and my children rather than to go to jail. I see the tears come in his eyes. 'I don't know, Charity,' said he; 'I'll see what can be done. One thing you may be certain of; I'll never separate you from your husband and children, let what will come.'

Two or three days after, he come to me, and says he, 'Charity, how should you like to be sold to Mr. McKinley?' I told him I would rather be sold to him than to anybody else, because my husband belonged to him. My husband was a nice good man, and we set stores by one another. Mr. McKinley agreed to buy us; and so I and my children went there to live. He was a kind master; but as for Mistress McKinley—she was a devil! Mr. McKinley died a few years after he bought us; and in his will he give me and my husband free; but I never knowed anything about it for years afterward. I don't know how they managed it. My poor husband died, and never knowed that he was free. But its all the same now. He's among the ransomed. He used to say, 'thank God, it's but little ways home; I shall soon be with Jesus.' Oh, he had a fine old Christian heart.

Here the old woman sighed deeply, and remained silent for a moment, while her right hand rose and fell upon her lap, as if her thoughts were mournfully busy. At last she resumed; 'Sixteen children I've had, first and last;—and twelve I've nursed for my mistress. From the time my first baby was born I always set my heart upon buying freedom for some of my children. I thought it was of more consequence to them than to me; for I was old and used to being a slave. But Mistress McKinley wouldn't let me have my children. One after another—one after another—she sold 'em away from me. Oh how many times that woman broke my heart!

Here her voice choked and the tears began to flow. She wiped them quickly with the corner of her apron, and continued: 'I tried every way I could to lay up a copper, to buy my children; but I found it pretty hard; for mistress kept me at work all of the time. It was Charity! Charity! from morning till night. 'Charity do this, and Charity do that.' I used to do the washings of the family; and large washings they were. The public road run right by my little hut, and I thought to myself, while I stood there at the wash-tub, I might as well be earning something to buy my children. So I set up a little oyster-board; and when anybody came along that wanted a few oysters and a cracker, I left my wash-tub and waited upon him. When I got a little money laid up, I went to my mistress and tried to buy one of my children. She knew not how long my heart had been set upon it, and how hard I had worked for it. But she wouldn't let me have one! So I went to work again; and I set up late at night, in hopes I could earn enough to tempt her. When I had two hundred dollars, I went to her again; but she thought she could find a better market, and she wouldn't let me have one. At last, what do you think that woman did? She sold me and five of my children to the speculators!

After a short pause, her face again brightened up and her voice suddenly changed to a gay and sprightly tone.

'Surely, ma'am, folk's always some good comes of being kind to theirs. While I kept my oyster-board, there was a thin peaked-looking man used to buy of me. Sometimes he would say, 'Aunt Charity, (he always called me Aunt Charity) you must fix me up a nice little mess, for I feel poorly to-day.' I always made something good for him; and if he didn't happen to have any change, I always trusted him. He liked my messes mighty well. Now who do you think that should turn out to be, but the very speculator that bought me! He

come to me, and says he, 'Aunt Charity, (he always called me Aunt Charity,) you've been very good to me, and fixed me up many a nice little mess when I've been poorly; and now you shall have your freedom for it; and I will give you your youngest child.'

'That was very kind,' said I; 'but I wish he had given you all of them.'

With a look of great simplicity, and in tones of exultation, the slave-mother replied, 'Oh, he couldn't afford that, you know.'

'Well,' continued she, 'after that I concluded I'd come to the Free States. But mistress McKinley had one child of mine; a boy about twelve years old. I had always set my heart upon buying Richard. He was the youngest of his father; and my husband was a nice good man; and we set stores by one another. Besides, I was always uneasy in my mind about Richard. He was a spry lad; and I knew it was hard for him to be a slave. Many a time I have said to him, 'Richard, let what will happen, never lift your hand against your master.'

'But I knew it would always be hard work for him to bring his mind to be a slave. I carried all my money to my mistress, and told her I had more due to me; and if all of it wasn't enough to buy my poor boy, I'd work hard, and send her all my earnings, till she said I had paid enough. She knew she could trust me. She knew Charity always kept her word. But she was a hard-hearted woman. She wouldn't let me have my boy. With a heavy heart, I went to work to earn more, in hopes I might one day be able to buy him. To be sure I didn't get much more time than I did when I was a slave; for mistress was always calling upon me, and I didn't like to disoblige her. I wanted to keep the right side of her, in hopes she'd let me have my boy. One day she sent me of an errand. I had to wait some time. When I come back, mistress was counting a heap of bills in her lap. She was a rich woman; she rolled in gold. My little girl stood behind her chair; and as mistress counted the money, ten dollars, twenty dollars, fifty dollars, I see that she kept crying. I thought may be mistress had struck her. But when I see the tears keep rolling down her cheeks all the time, I went up to her, and whispered, 'What's the matter?' She pointed to mistress' lap, and said, 'Broder's money! Broder's money!' Oh, then I understood it all! I said to Mistress McKinley, 'Have you sold my boy?' Without looking up from counting her money, she drawled out, 'Yes, Charity; and I got a great price for him!' [Here the colored woman imitated to perfection the languid, indolent tones common to Southern ladies.]

'Oh, my heart was too full! She had sent me away on an errand, because she didn't want to be troubled with our cries. I hadn't any chance to see my poor boy. I shall never see him again in this world. My heart felt as if it was under a great load of lead. I couldn't speak a word to reproach her. I never reproached her from that day to this. As I went out of the room, I lifted up my hands, and all I could say was, 'Mistress, how could you do it?'

The poor creature's voice had grown more and more tremulous, as she proceeded, and was at length stifled with sobs.

In a few moments, she resumed her story: 'When my boy was gone, I thought I might sure enough as well go to the Free States. But mistress McKinley had a little grandson of mine. His mother died when he was born. I thought it would be some comfort to me, if I could buy little orphan Sammy. So I carried all the money I had to my mistress again, and asked her if she would let me buy my grandson. But she wouldn't let me have him. Then I had nothing more to wait for; so I come on to the Free States. Here I have taken in washing, and my daughter is smart at her needle, and we get a very comfortable living.'

'Do you ever hear from any of your children?' said I.

'Yes, ma'am, I hear from one of them. Mistress McKinley sold one to a lady that comes to the North every summer; and she brings my daughter with her.'

'Don't she know that it is a good chance to take her freedom, when she comes to the North?' said I.

'To be sure she knows that,' replied Charity, with significant emphasis. 'But my daughter is pious. She's member of a church. Her mistress knows she wouldn't tell a lie for her right hand. She makes her promise on the Bible, that she won't try to run away, and that she will go back to the South with her; and so, ma'am, for her honor and her Christianity's sake, she goes back into slavery.'

'Is her mistress kind to her?'

'Yes, ma'am; but then everybody likes to be free. Her mistress is very kind. She says I may buy her for four hundred dollars; and that's a low price for her—two hundred paid down, and the rest we can earn it. Kitty and I are trying to lay up enough to buy her.'

'What has become of your mistress McKinley? Do you ever hear from her?'

'Yes, ma'am, I often hear from her; and summer before last, as I was walking up Broadway, with a basket of clean clothes, who should I meet but my old mistress McKinley! She gave a sort of a start, and said in her drawling way, 'O, Charity, is it you?' Her voice sounded deep and hollow, as if it came from under the ground; for she was far gone in a consumption. If I wasn't mistaken, there was a little something about her (laying her hand on her heart) that made her feel strangely when she met poor Charity. Says I, 'How do you do, mistress McKinley? How does little Sammy do? (That was my little grandson, you know, that she wouldn't let me buy.)'

'My poor Charity,' says she, 'very poorly. Sammy's a smart boy. He's grown tall, and tends table nicely. Every night I teach him his prayers.'

The indignant grandmother drawled out the last word in a tone, which Garrick himself could not have surpassed. Then suddenly changing both voice and manner, she added, in tones of earnest dignity, 'Och! I couldn't stand that!'—'Good morning, ma'am,' said I.

I smiled, as I inquired whether she had heard from Mr. McKinley since.

'Yes, ma'am. The lady that brings my daughter to the North every summer, told me last Fall she didn't think she could live long. When she went home, she asked me if I had any message to send to my old mistress McKinley. I told her I had a message to send.—'Tell her, says I, to prepare to meet poor Charity at the judgement seat.'

About a year after this conversation, I again visited New York, and called to see Charity

Bowery. I asked her if she had heard any further tidings from her scattered children. The tears came to her eyes. 'You know I told you,' said she, 'that I found out my poor Richard was sold to a Mr. Mitchell, of Alabama. A white gentleman, who has been very kind to me, went to them parts lately, and brought me back news of Richard. His master ordered him to be flogged, and he wouldn't come up and be tied. 'If you don't come up, you black rascal, I'll shoot you,' said his master. 'Shoot away,' said Richard; 'I won't come to be flogged.' His master pointed a pistol at him—and, in two hours my boy was dead! Richard was a spry lad. I always knew it was hard for him to be a slave. Well, he's free now; and I shall soon be with him.'

It is now more than a year since poor Charity went where 'the wicked cease from troubling and the weary are at rest.'

LYING. To say that when a man is tempted to employ a falsehood, he is to consider the degree of 'inconvenience' which results from the want of confidence in such cases, and to employ the falsehood or not as in this degree shall prescribe, is surely to trifle with morality.—What is the hope that a man will decide aright, who sets about such a calculation at such a time? Another kind of falsehood which it is said is lawful, is that of a robber, to conceal your property. A man gets into my house, and desires to know where he shall find my plate. I tell him it is in a chest in such a room, knowing that it is in a closet in another. By such a falsehood I might save my property or possibly my life; but if it sit proper to do this there is no action which we may not lawfully commit. May a person, in order to save his property or life, commit perjury? Every reader says no. But if a sufficient reason for violating the Moral Law, where is the ground of distinction? If you may lie for the sake of such advantages, why may you not kill? What makes murder unlawful but that which makes lying unlawful too? No man surely will say that we must make distinctions in the atrocity of such actions, and that though it is not lawful for the sake of advantage to commit an act of certain intensity of guilt, yet it is lawful to commit one of a certain gradation less. Such doctrine would be purely gratuitous and unfounded: it would be equivalent to saying that we are at liberty to disobey the Divine Laws when we think fit. The case is very simple: If I may tell a falsehood to a robber in order to save my property, I may commit perjury for the same purpose; for lying and perjury are placed together and jointly condemned in the revelation from God.—*Dymond.*

PRESS ONWARD. The mystery of Napoleon's career was this—under all difficulties and discouragements to 'press on.' It solves the problems of all heroes, it is the rule by which to judge rightly of all wonderful success. It should be the motto of all, high and low, fortunate and unfortunate, so called,—'press on,' never despair, however dark the way, however great the difficulty, or repeated the failure, 'press on.' If fortune has played false with thee to-day, do thou play true for this to-morrow. Let the foolish of yesterday make thee wise to-day. If thy affections have been poured out like water in the desert do not sit down and perish of this, but 'press on'—a beautiful oasis is before thee, and thou mayst reach it if thou wilt. If another has been false to thee, do not increase the evil by being false to thyself. Do not say the world has lost its poetry and beauty; it is not so, and even if it be so, make thine own poetry and beauty, by a true, brave, and above all a religious life.

SAW DUST AND PINE BOARDS. The following was told by a real buckeye over one of Noble's glorious fires at the DeFusion House, Cincinnati, years ago.

Col. T—of the patent office, was accustomed, when a patent model or specification was shown him, to exclaim 'Oh! that's nothing new, I knew that long ago!' and so annoying did this become, that an old buckeye determined to give him a poser. Accordingly, he appeared before the Colonel one day, and informed him confidentially, that he had discovered a new and valuable process for which he wished to take out a patent, and he particularly requested that not a whisper of it should then get abroad.

'But what is it?'

'Just this, in a low tone—a way to make pine boards out of oak sawdust!'

'Pooh!' exclaimed the knowing one, 'I knew that long ago!—just put the pitch in and press it!'

INCIDENT.—The Rev. J. Adams of the New England Conference, a relative of the 'old man eloquent,' preached in one of the Methodist churches, in Washington, on Sunday morning. He regarded his visit to Washington, at that time, as providential, as he learned from his cousin, J. Q. Adams, the genealogy of the family. He has no doubt that the journal of J. Q. Adams, is the complete history of the country, from its birth to the present time. So much method did he use, he could write while at Washington to his secretary in Quincy, and at what page he could find a copy of a letter or conversation he wished forwarded to him. On the top of each page was a square place, in which he inserted the names of persons who called that day. Rev. J. Adams was a delegate to the Evangelical Alliance in London, in the summer of 1846.—*Newark Eagle.*

'ONE HONEST MAN OR TWO ATTORNEYS.'—We have no especial wish to bear too hard upon the lawyers, for perhaps they prove in many instances a very necessary evil; yet we can hardly resist the inclination to put on record this anecdote: 'Some years ago a suitor in the English Court of Exchequer complained in person to the chief baron that he was quite ruined, and could go no farther. 'Then,' said the baron, 'you had better leave the matter to be decided by reference.' 'To be sure I will, my lord,' said the plaintiff. 'I've been now at law thirteen years, and can't get on at all. I am willing to leave it all either to one honest man or two attorneys, which ever you please!' 'You better toss up for that,' said the baron, laughing. Two attorneys were however appointed, and in about a year reported that 'they could not agree.' Both parties then declared that they would leave the matter to a very honest farmer, a neighbor of theirs. They did so, and in about a week came hand-in-hand to the court, thanked his lordship, and told him their neighbor had settled the whole affair square and strait to their entire satisfaction.'—*Knicknacker.*

BATTLE BETWEEN AN EAGLE AND SERPENT.—In the month of August, 1843, I was sailing up the Ohio river on board the fine steamer Warcousta, Capt. Norman, when as we approached a noted spot on the river called the 'Robber's Cave,' my attention was attracted by several loud screams. I looked above where the sound seemed to originate, and saw an eagle describing circles in the air in a most beautiful and graceful manner. As it wheeled around in its gyrations with mathematical precision, with outstretched but motionless wings, it ever and anon uttered the peculiar scream which first drew my attention. Whilst I was gazing in admiration at its elegant curves, it suddenly changed its motion and descended with almost inconceivable velocity in a perpendicular line to the earth. It went down, as one of the passengers described it, 'like a dart.' Before we could express our astonishment or give any opinion concerning its object, it again rose, and ascended to a great height, with a rapidity almost equal to that of its descent, bearing in its beak a large serpent! As it mounted up, the long body of the snake hung down from the beak of the eagle like the end of a large rope. It was not however, lifeless. It squirmed in every direction, and made strong effort for its deliverance. But in vain. The eagle held him with a death grip.

The serpent resolved to sell its life as dear as possible, endeavored to impede the flying of the bird, and by dint of hard struggling succeeded in getting its body over the back of the eagle.

The feathered pirate now became aware of his danger. His wings were his only means of safety. If these became bound, he must perish with his enemy. All his efforts, however, could not dislodge the snake. The wily serpent, anaconda-like, drew itself more and more tightly round him. It now had the advantage in the contest. The pinions of the eagle were pinioned. The snake, coiled like a rope around the body of its adversary, was enabled completely to fetter its wings and stop its flight. The struggle ceased. The eagle was conquered! They both began to fall, bound together as they were. They came down as rapidly as they ascended and fell in the river. So interested were the officers and passengers in the singular contest, that the steamer backed water, a boat put off, and in a few minutes the two belligerents were laid on deck, dead! The snake had wound itself completely around the wings of the noble bird.

Whilst I stood gazing upon the two objects, my mind was forcibly impressed with the analogy between this incident and the effects of vice. At a distance sin is peculiarly attractive. Serpent-like it displays a variety of beautiful colors. It appears extremely fascinating; but when indulged in its results are fatal. It ensnares—it fetters—it destroys.—Not only does it prevent man from soaring towards heaven, but it binds and weakens him and brings him to the grave.—*American Cabinet.*

POISONED ARROWS OF THE BRAZILIAN INDIANS.—The most curious and the most formidable weapon is the blowing-cane. This is eight or ten feet in length, two inches in diameter at the larger end, and gradually tapering to less than an inch at the other extremity. It is usually formed by two grooved pieces of wood, fastened together by a winding of rattan, and carefully pitched. The bore is less than half an inch in diameter. The arrow for this cane is a splint of a palm one foot in length, sharpened at one end to a delicate point, and at the other wound with the silky tree-cotton to the size of the tube. The point of it is dipped in poison and slightly cut around it, when striking an object, it may break by its own weight, leaving the point in the wound. With this instrument an Indian will, by the mere force of his breath, shoot at a distance of several rods. Our Gentio Pedro never used any other weapon; and we saw him one day shoot at a turkey buzzard upon a house top, at a distance of about eight rods. The arrow struck fairly in the breast, the bird flew over the house and fell dead. Senhor Henrique assured us that an Indian in his employ, at one time and another, had brought in seven happy eagles thus shot. The accounts we received of the composition of this poison were not very explicit, and amounted principally to this; that it was made by the Indians at the head waters of the Rio Branco, from the sap of some unknown tree; that it was used universally by the tribes of Northern Brazil in killing game, being equally efficacious against small birds and large animals; that the antidotes to its effect were sugar and salt, applied externally and internally. It comes in small earthen pots, each holding about a gill, and is hard and black, resembling pitch. It readily dissolves in water, and is then of a reddish brown color. Taken into the stomach it produces no ill effects.

We brought home several pots of this poison, and, by experiments under the superintendance of Dr. Trudeau, fully satisfied ourselves of its efficacy. The subjects were a sheep, a rabbit, and chickens. The latter, after the introduction of one or two drops of the liquid poison into a slight wound in the breast or neck, were instantly affected, and in from two to three minutes were wholly paralyzed, although more than ten minutes elapsed before they were dead. The rabbit was poisoned in the fore shoulder, and died in the same manner, being seized with spasms and wholly paralyzed in eight minutes. The effect upon the sheep was more speedy, as the poison was applied to a severed vein of the neck. As Mr. Humboldt witnessed the preparation of the poison, and has given a full account of his observations, his recital will here not be out of place. The Indian name is Curare. It is made from the juice of the bark and the contiguous wood of a creeping plant called the mavoure, which is found upon the highlands of Guiana. The wood is scraped and the filaments mashed. The yellowish mass resulting is placed in a funnel of palm leaves; cold water is poured upon it, and the poisonous liquid filters drop by drop. It is now evaporated in a vessel of clay. There is nothing noxious in its vapor, nor until concentrated is the liquid considered as poisonous.

In order to render it of sufficient consistence to be applied to the arrows, a concentrated glutinous effusion of another plant, called kiracaguero, is mixed with it, being poured in while the curare is in a state of ebullition. The resulting mixture becomes black and of a tarry consistence. When dry it resembles opium, but upon exposure to the air absorbs moisture. Its taste is not disagreeable, and unless there be a wound upon the lips it may be swallowed

with impunity. There are two varieties, one prepared from the roots, the other from the trunk and branches. The latter is the stronger, and the kind used upon the Amazon. It will cause the death of large birds in from two to three minutes, of a hog in from ten to twelve. The symptoms in wounded men are the same as those resulting from serpent bites, being vertigo, attended with nausea, vomitings, and numbness in the parts adjacent to the wound. It is the general belief that salt is an antidote, but upon the Amazon sugar is preferred.—*Edwards's Voyage up the Amazon.*

FAMILIES OF LITERARY MEN.—The Quarterly Review, in discussing an objection to the Copyright Bill of Mr. Sergeant Talfourd, which was taken by Sir Edward Sugden, gives some very curious particulars about the progeny of literary men. 'We are not,' says the writer, 'going to speculate about the causes of the fact, but a fact it is, that men distinguished for extraordinary intellectual power of any sort, rarely leave more than a very brief line of progeny behind them. Men of genius have scarcely ever done so; men of imaginative genius, we might say, almost never. With the one exception of the noble Surrey, we cannot at this moment point out a representative in the main line, even so far down as in the third generation, of any English poet; and we believe the case is the same in France. The blood of beings of that order can seldom be traced far down, even in the female line. With the exception of Surrey and Spenser, we are not aware of any great English author of all remote date, from whose body any living person claims to be descended. There is no other real English poet prior to the middle of the eighteenth century, and we believe no great author of any sort, except Clarendon and Shaftesbury, of whose blood we have any inheritance amongst us. Chaucer's only son died childless; Shakespeare's line expired in his daughter's only daughter. None of the other dramatists of that age left any progeny; nor Raleigh, nor Bacon, nor Cowley, nor Butler. The grand-daughter of Milton was the last of his blood. Newton, Locke, Pope, Swift, Arbuthnot, Hume, Gibbon, Cowper, Gray, Walpole, Cavendish (and we might greatly extend the list) never married. Neither Bolingbroke, nor Addison, nor Warburton, nor Johnson, nor Burke, transmitted their blood. M. Renouard's last argument against a perpetuity in literary property is, that it would be founding another noblesse. Neither jealous aristocracy nor envious Jacobinism need be under much alarm. When a human race has produced its 'bright consummate flower' in this kind, it seems commonly to be near its end.'

Poor Goldsmith might have been mentioned in the above list. The theory is illustrated in our own day. The two greatest names in science and in literature, of our time, were Davy and Walter Scott. The first died childless. Sir Walter left four children, of whom three are dead; only one of whom (Mrs. Lockhart) leaving issue; and the fourth (his eldest son) though living, and long married, has no issue. These are curious facts.

DR. COOLIDGE'S TRIAL.

Reported for the Eastern Mail.

CHIEF JUSTICE WHITMAN'S CHARGE.

Genl. of the Jury.—I congratulate you that your labors are about to be closed. That you are likely to be liberated from your unpleasant condition which we have found it necessary to impose upon you. In cases of this kind it is customary to separate the jurors from their fellow citizens so that there may be no possible chance for them to be interfered with by those who might be interested to make erroneous impressions upon their minds.

This is more necessarily the case in times of great excitement, and you will be satisfied by the great concourse which have assembled here from day to day in the progress of the session, greater than ever assembled before to my knowledge, that with reference to this trial there must be a great excitement. It is the right of the prisoner and of the government to have the trial decided by a jury which is as impartial and unbiased as the frailty of humanity would admit of.

The crime is that of murder; a crime only committed by those whose hearts are utterly devoid of social duty, and fatally bent on mischief. All the jury have to do is to do their duty as they would in any other case. If the testimony is such as to produce conviction as to the correctness of the charge they must find the prisoner guilty. But if on the other hand they entertain reasonable doubts of his guilt they should find him not guilty. It is usual for the Atty. Genl. to insert as many counts in his indictment as may ultimately turn out from the evidence of the case to be necessary. You may acquit generally on all the counts or you may convict on some one or more and acquit on others.

In this case there are four counts. The first count is for killing the deceased by striking him with a billet of wood.

With regard to this count, I believe the gov't do not press for a conviction, and you will have no difficulty in rendering a verdict of not guilty. The other three counts only contain a description of a murder committed by poison. You have therefore only to inquire whether the prisoner killed the deceased by means of poison. The evidence with regard to this is circumstantial. No man commits crime openly; therefore circumstantial evidence must be relied upon in almost every case. If conviction could not take place upon such evidence, there would be no safety for the community. You must first be satisfied that the person is dead; and second, that he came to his death by violence, and did not die a natural death.

The third point of which you must be satisfied, is that the crime was committed with malice aforethought. It will be necessary for me here to define to you what is understood by malice, in law. It is not exactly what we mean by malice in common parlance; but a murder is considered as malicious when committed by one perpetrating some crime, whether he intended to kill or not. For instance, if a man in a scuffle took up a deadly weapon, on slight provocation, and death ensued, he would be guilty of murder. Or if a burglar, entering a house with intent to steal, accidentally kills those opposing him, although he may have no ill will against the victim, he is still guilty of murder. So in riots, where there is no particular malice against the persons killed, the perpetrators are considered guilty of murder.

By a law of this state, which I think is contained in the Revised Statutes, the jury, if they find the prisoner guilty, shall consider whether the murder committed be of the first or second degree.

A murder of the first degree is where the murder is committed with express malice aforethought, or in the commission of some other crime punishable with death or confinement in state prison for life. All other murders are considered to be of the second degree. The first is punishable with death, and the second with confinement in the state prison for life.

If you convict the prisoner, it will be necessary therefore to consider whether this be a murder of the first or second degree. But if you are satisfied that the murder was by poisoning, deliberately administered, it can be no other than murder of the first degree.

As I before remarked, the evidence is circumstantial. If you are satisfied that every circumstance which is considered necessary for proof is established beyond a reasonable doubt, your duty is to convict the prisoner. These circumstances must be such that they cannot be explained in any other way. There are many cases which might illustrate this; as in a robbery, in which the articles stolen are found upon a person. This is evidence beyond a reasonable doubt that the prisoner is guilty, unless he can show how he came 'by it, consistently with his innocence.

It is very important, however, that you should be satisfied beyond a reasonable doubt of the existence of these circumstances. The evidence with regard to them must be direct and positive. You have an instance of this in the case of the prisoner before you. If you are satisfied from the evidence presented, that the last that was seen of the deceased he was going into the office of the prisoner, and when next found he was dead, with prussic acid in his stomach; and if no other person in the vicinity had prussic acid, or could have given it to him, but the prisoner—if, I say, you are satisfied of all these things from the evidence offered you, you must decide that he was murdered by the prisoner.

Here I think it proper to allude to the testimony of Thomas Flint. He is a competent witness, but his testimony comes to the jury under disadvantages, consequent upon his previous conduct. His credibility has been assailed by his having given different accounts of the transaction before, and by his having been concerned in an attempt to conceal the murder. However this may be, still he may speak the truth, and you are to consider the probability of this being the case. Men do not perform wicked acts without a motive.—Much less is it probable that they would do so contrary to the natural feelings, and against their own interest. It is true he has been guilty of aiding the prisoner in concealing the body, according to his own confession, thus making himself accessory after the act. In the second place he went before a coroner's jury, and under a solemn oath before God he denied all knowledge of the affair, and made statements respecting his actions which were false, thus committing perjury. In all this there was indication of a very loose moral sense. But you are to consider whether, if he had persisted in the statements first made, there was any prospect of injury accruing to himself. No suspicion rested upon him, and he was able to account for his conduct in a manner inconsistent with the supposition of his guilt. On the other hand, by what he has disclosed he has brought a stain upon his character, from which he can never recover. A man like him, in the prime of life, with a reputation fair and unspotted, probably had expectations of future success in his profession. We cannot imagine that such a man could have acted in such a way without a strong motive. You are to judge, then, whether there was any such impelling motive. If there had been any evidence of personal enmity existing between the witness and the accused, this might have been a motive. It remains for you to judge whether he felt any hatred for his former master and friend. If he did not, but if on the other hand he show every evidence of the kindest feeling towards the prisoner at the bar, you are to judge whether it would be natural for him to make a statement which would cost the prisoner his life. But if you find, upon the examination of the facts, that he was impelled by conscience thus to criminate himself and implicate the prisoner, you are to give his testimony the weight which in this case it ought to have. If you are yet afraid to convict from such a witness, you must judge if the other circumstances are not enough to substantiate his testimony. And while you do this, you must inquire whether there is any possibility for all these things to be true and the prisoner still be innocent.

Crimes are not usually committed without a motive. You are to see if the evidence given has made it probable that the prisoner had a sufficient motive for the commission of this awful crime. The government have endeavored to show you that the prisoner was in pressing want of money, that he had made repeated applications for it at various times and places. If you are satisfied, from the testimony adduced, that this had created a craving in his mind which would be enough to induce him to commit this act, you must so decide. With regard to this point in the evidence, the prisoner's counsel have argued that the prisoner had plenty of money, and was in no need of such an effort to obtain it. You are to judge how far the prisoner's repeated application for money at exorbitant interest, is compatible with such a state of things.

You are to judge whether the counsel for the government have fully established the existence of an arrangement with the deceased, by the prisoner, to obtain a large sum of money. You have the testimony of Dingley and the officer who, that there was a letter directed to Edward Mathews on the prisoner's table; that the prisoner denied, on oath, having written such a letter; that this letter called upon the deceased to come to his office on pencil of his life. You have the evidence of Mr. Tobey, that the prisoner excused himself from giving security, on the ground that he expected to be called upon to make an assignment of his notes to Mathews. That the deceased was seen to be preparing a bill of sale, which he put in his pocket, but which was not found with him after his death. It now appears, that, instead of acknowledging that he was trying to obtain money in various ways, he swore before the jury that he had lent Mathews two hundred dollars.—[His Honor here repeated the story of Coolidge's making a charge against Mathews, after he was sent for his books.] After the exami-

nation of this testimony, if you are satisfied that he was strongly impelled by a desire to obtain money, you must let it have its weight in the decision.

It is shown, by the evidence, that he had on hand two vials of the strongest kind of poison, when the murder was committed. You are to judge whether he could have had any other motive for procuring a vial of this description, and whether this is not also a circumstance in favor of the position of the government.

Your next duty will be to consider if there is any reason to suppose, that there was any more of this kind of acid any where else in Waterville.

A question has been raised whether it is morally certain that the contents of the stomach were in the same condition when placed in the hands of Professor Loomis as they were when taken from the stomach. You have the testimony of Mr. Williams, that he took the bowl and secreted it; that he thinks no person knew where he put it, and before sunrise on the following morning he carried it and locked it up in his ice house; from this place it was taken when delivered to Prof. Loomis. The counsel for the defence have admitted that these must have been the same, unless they were tampered with by some person during that night. In such cases, if the evidence does not afford an absolute certainty, you must be guided by a moral certainty. You are to consider whether any other person could have had the acid to insert. Dr. Plaisted tells you that he had a small vial left with him some years ago, but it had never been opened. There is no evidence that any other physicians used it, or that any other person was in possession of it besides the prisoner. But when the prisoner was asked if the contents had been examined, he did not know they had been examined. It is for you to judge then, gentlemen, whether the poison was likely to have been inserted by the prisoner, or, if not by him, by any one else.

The next subject for your consideration is, whether these contents of the stomach contained the acid. You are told that they were carried from Williams's to the laboratory by Prof. Loomis, and then analyzed. He has given you an account of his mode of proceeding. It seems he applied to them three tests, all of which gave evidence of the existence of prussic acid in the stomach. Relying upon these, he tells you there is a moral certainty of its existence, and that in a quantity of about two grains. In confirmation of this, you have the testimony of other skillful physicians, who concur with Prof. Loomis in his opinion. Doctor Hubbard states that these tests are unerring, and are equal to the testimony of three reliable witnesses. This is a strong expression, but I do not know that it is too much so. I am not acquainted with the science of chemistry myself, but I rely with confidence upon those who are skilled in it. They did not see the acid with their own eyes, but consider the proof by these tests as impossible to be mistaken. This is a kind of evidence necessarily introduced, because in the course of events we are compelled to deal with many things which we do not understand, and must depend upon the knowledge of those who are conversant with such subjects. We have, accordingly, in this case, resorted to a Professor of Chemistry, and to Dr. Hubbard and others, who agree with him. You are to judge, from these facts, whether you can have any reasonable doubt that the acid existed in the body when it was found.

If you decide that it did, then you may take into account the other circumstances of finding the body; that it was found in the cellar of the prisoner's office, and that the boots and clothes were not soiled. He could have been poisoned at some other place, and conveyed there; but if you are satisfied as to the cause of his death, and that the means used could only have been obtained at the office of the prisoner, you will judge whether or not the body must have been carried to the place where it was found from the office of the prisoner.

These are the more important circumstances of the case, and it is for you to judge whether they do or do not confirm the testimony of Flint. If you cannot come to a conclusion, beyond a reasonable doubt, that the deceased was poisoned, and that the poison was administered by the prisoner, you will bring in a verdict of acquittal; but if you are satisfied on these points, and the others which I have named, you will convict him.

I am here reminded that Flint is said to have been contradicted in two respects. First, with regard to time. He states that he went to the office of the prisoner at one quarter past 9, and remained there with the prisoner one hour. But Hill testifies that he met the prisoner after 20 minutes of ten, and before ten, in Water-st. the same evening. But you must be aware how uncertain is this matter of time. Hill must be mistaken, for the prisoner himself admits that he left the house of Mr. Williams at a quarter past 9, in company with Flint, and went directly to his office. Again, Flint testifies that the prisoner made his charge upon his books against Mathews, before he went to the jury of inquest. You will judge whether Flint was mistaken, or wilfully stated what he knew to be false.

Gentlemen of the Jury.—With these remarks, I leave the case for your decision. It is our custom, always to instruct the jury that the prisoner at the bar is to be presumed innocent until he is proved guilty. You are not, however, to permit your sympathies to influence your decision. If, upon a careful and deliberate consideration of each part of this testimony, taking up the case point by point, you are not satisfied of his guilt, beyond a reasonable doubt, you will acquit him; but if, on the other hand, you are satisfied, then it is your duty to convict.

After His Honor closed, the jury retired and the Court adjourned to half past five o'clock. As they passed by the prisoner, he was observed to look each one of them full in the face, as if to read their decision in their countenances. At half past five, the Court again assembled, but the jury had not agreed upon a verdict, and they were adjourned to nine o'clock tomorrow morning.

THURSDAY, March 23. Court met at Court House at nine. At fifteen minutes after nine the officer in charge reported that the jury had not agreed, but that there was no certainty they might agree. Court adjourned to half-past eleven. Court opened at half-past eleven. Officer directed to inquire of Jury, reported that they had not agreed, and there was no prospect of their agreeing.

Court directed Jury to be brought in. The Jury having come in, the Chief Justice asked the foreman whether the report of the officer that they could not agree was correct. The foreman assented.

The Court inquired whether it was on a matter of fact or law they disagreed. If it was on a matter of law the Court would instruct. The foreman said it was a difference of judgment on the law and fact.

Court. If any question of law can be specified, it is the duty of Court to enlighten the Jury on that point. The foreman having spoken to one or two

jurymen near him, said he was not aware of any particular point on which they differed.—It was rather as to the weight of testimony.

Court. Do you think there is no hope of the Jury agreeing? Foreman. So I believe it is assented by all.

After some time spent by the Judges in conferring with each other, the Chief Justice said they thought it their duty to direct Jury to return to their room and make another effort to agree.

The Jury went out accordingly, and Court adjourned to three o'clock.

At three o'clock the Jury reported that they had not agreed, but that there was a prospect of agreement. At five minutes past four the Jury came in; the prisoner was placed at the bar. The foreman stated that the Jury had agreed upon a verdict. The Clerk then addressed the usual question to the Foreman.—“What say you, Mr. Foreman, Guilty or Not Guilty?” The Foreman replied—“GUILTY.”

Of Murder, and in the First Degree.

The Chief Justice then asked the prisoner whether he had any thing to say why sentence should not be passed upon him.

The prisoner said he had only to say the sentence would be against an innocent man. [Here he paused.] You pass sentence on a man convicted on false testimony. His counsel had pleaded for him eloquently, and done their duty; he believed the Jury had intended to do him justice, but had been misled. “But thank Heaven,” said he, “there is a higher Court, before which I shall appear, and where false testimony will not avail; at that Court I shall meet the witnesses on whose testimony I am condemned. I shall wait patiently till that time comes; choosing my lot rather than that of one, who, even now, may be within the hearing of my voice. I may hereafter reveal what I know, and commit it to paper. I now bid you all an affectionate farewell.”

The Attorney General now moved that sentence be passed.

Mr. Evans asked for a postponement. He had learned since the case went to the Jury, that important letters from Dr. Potter to the prisoner had been improperly taken from the prisoner, and suppressed by the government—letters relative to experiments with prussic acid and understood to account for the fact of Dr. Coolidge sending for acid of the strongest kind. Mr. E. before moving an arrest of judgment, said he wished to ask the Attorney General if such letters were not in his possession. Mr. B. said he thought there were among the papers some letters from a Mr. Potter, but he was not aware that they contained any such thing as represented. He was not aware that there was anything among the papers, which he might not consistently with his duty submit to prisoner's counsel.

Mr. Evans proceeded to remark with considerable earnestness on the impropriety of withholding from prisoner the personal papers necessary to his own defence, and intimating that there were such papers in the possession of the Atty. Gen.

Mr. Blake said that after the imputation, cruel and undesired as he considered, upon his predecessor, he should withdraw his offer to submit the papers to the prisoner's counsel.

After further consultation by Counsel and Court as to what time was wanted, Mr. Evans asked that he might have till to-morrow. The Court suggested that if his witnesses were present he might take them to a room below, see what they would testify to, and make up his motion. After some time he returned, and made his motion for arrest of sentence, with the affidavit of J. B. Norris, that when he arrested Coolidge he took the papers on his person, and that among them was one relating to a remedy for diseased eyes.

Mr. Evans now asked for a longer time than to-morrow. The testimony of Dr. Hill, who had seen these letters, might be obtained to-morrow perhaps, but he wished to hear from Dr. Potter himself.

After numerous remarks between the Court and Counsel, the Court finally gave notice that the sentence would be deferred till to-morrow, and the Court was adjourned to to-morrow, at 9 o'clock.

While Mr. Evans was out preparing his motion the Atty. Gen. presented to the Court a letter addressed to the foreman of the jury, which had been picked up, evidently intended to bias the jury in favor of the prisoner. The letter was handed to the foreman, who said it had not been before the jury—that it was anonymous, dated at Augusta &c. The Court put it in the hands of the Atty. Gen. with instructions to endeavor to ascertain the author, with a view to prosecution according to law.—[The letter is understood to be in a female hand.]

FRIDAY MORNING, MARCH 24. The Court met at 9 o'clock.

Mr. Evans was asked if he had anything further to say in regard to his motion. He replied that he had not. He had not been able to procure definite proof as to the contents of the letters. Dr. Hill's recollection was not sufficiently distinct.

The Attorney General said he had supposed the letters were taken from the office of the prisoner; but he now understood that they were taken from his person by the officer; and of course he had always been acquainted with their contents, and his counsel could have had notice of them at any time. He now held them in his hand; he had not been able to examine them fully, but was advised that their contents had little bearing upon the case. He was also advised that they did contain reflections upon some of the most respectable people of Waterville, and by giving publicity to them much injury might be done. He would however place them in the hands of the prisoner's counsel, to be used as they saw fit.

[He then laid the letters upon the table before Messrs. Evans and Noyes, by whom, however, they were not taken up.]

Mr. Evans said they had hoped to be placed in possession of them in season for a careful examination. They preferred their own judgment as to the weight of the evidence the letters might contain. They had hoped for a postponement of sentence until the next court; but as the wish would probably be of little avail, they should decline any further proceedings upon the letters at the present time.

The Court. Then the motion is withdrawn? Mr. Evans. Not so; we place it on file. The Court then said that as the motion was unsupported, it must be overruled.

THE SENTENCE. Judge Whitman then rose, the prisoner was directed to be standing, and was addressed as follows by the Chief Justice:

done. We must therefore deem your guilt to be legally established. A duty thereupon devolves upon us to award against you the sentence which the law has prescribed.

We have understood that you have been duly admitted a member of one of the learned professions; that for a few years you have been a practicing physician; and in that profession that you have been successful beyond what has often fallen to the lot of men of your age. That the charges upon your book have, in the space of about four years, amounted to the sum of \$8000.

We have understood further that you are unincumbered with a family to support, and so far as appears, could not have been under any pressing necessity to become indebted for borrowing money to any considerable amount; yet at the time of the fatal catastrophe, you had in the course of three or four years become so indebted nearly to the amount of quite \$5000, and were still pressing for further large loans; and we cannot see reason to doubt that on the evening of the 30th September last you had made arrangements with EDWARD MATHEWS, the deceased, whereby he was to procure for you a considerable sum of money, and for the purpose of furnishing you with it, and taking security therefor, he had entered your office not many moments before the fatal deed was done. And for what was it done? We are constrained to believe it was done to afford you an opportunity to rifle him of whatever of value you could find upon his person. How inadequate the temptation! How awful the deed! And how astonishing is it that you, with the flattering prospects before you, should have perpetrated it! It is a case unparalleled in the history of crime! and affords us a woful instance of the frailty of human nature.

But our statute in reference to those thus convicted is conceived in mercy. You are not to be hurried at once from Time into Eternity. You cannot be executed short of a year from this time, and that space it may be hoped, will be devoted to the contemplation of your former condition. And may contrition and sincere repentance make you a fit subject for the mercy of an offended God, and render it consistent with His eternal goodness, at last to admit you to the society of just men made perfect.

The sentence we are compelled to pronounce is—

That you be hanged by the neck until you be dead; and for this purpose that you be conveyed to the State Prison, situate in Thomaston, in the County of Lincoln. And until this sentence of death shall be inflicted upon you, that you there be put to hard labor in solitary confinement.



WATERVILLE, MAR. 30.

THE TRIAL. We publish to-day the remaining matters of interest connected with the trial of Dr. Coolidge. Our reporter left on the morning after the case went to the jury; and for what took place afterwards we are indebted to our Augusta neighbors.

The charge to the jury is a clear, simple and strong document, characteristic, we believe, of its author. The reporter thinks he has taken it nearly verbatim.

The substance of the argument of Mr. Blake, counsel for the State, will be found below. It seems to be a general opinion that the distinguished counsel, on both sides, acquitted themselves with much credit; and as a whole, the trial seems to have been conducted to its satisfactory result, with great propriety, and with no small degree of forbearance towards the prisoner, and the more prominent witnesses.—Some of the latter occupied positions which peculiarly exposed them to legal severity. They probably felt the lash; but with such “kindly dealing” as tended to excite gratitude rather than anger. This seems to have been the case with Mr. Flint. He was doubtless fully conscious of the disadvantages under which his testimony was presented, and seems to have trusted rather to a plain and simple statement of facts, than to any ingenuity in their arrangement or delivery. It must be gratifying, to all who have confidence in his testimony, to witness indications of more generous sentiments towards him since the trial, than appeared to exist before. His story was less vulnerable, and more directly and completely sustained by other testimony, than the public had been led to suppose. The strong evidence presented of sincere and deep repentance for yielding to a temptation such as seldom falls to the lot of man to encounter, seems to have wrought its legitimate effect upon the public mind. Those who still remain unforgiving have great need to pray, “lead us not into temptation.”

The argument of Mr. Blake, which follows, was unavoidably deferred from our last:

MONDAY, 5 o'clock P. M.

Mr. Blake commenced by saying that he should forbear to speak of his feelings at being compelled to perform so unpleasant a duty, but should enter immediately upon the examination of the facts which have been disclosed; reminding the jury that eloquence and declamation were very well in their place, but should have nothing to do with facts.

He told them that with him, as counsel for the government, rested the responsibility of making out a case against the prisoner. That upon him was the burden of connecting the chain of evidence and making conviction positive.

He laid out his case into three propositions, which it was the province of the government to establish; the first of which was— That Edward Mathews is dead. Secondly, that he came to his death by the hand of violence.

The third question to be decided was— Who was his murderer?

For evidence of the first of these, he presented to their notice the afflicted brother of the deceased, who sat by his side, and who reached Waterville just in season to see him in his coffin.

The second was made evident by the circumstances of finding the body, bruised and mangled, with the pockets rifled.

In order to prove the third, he commenced by considering where that murder was committed, irrespective of the testimony of Flint. He contended that facts combined to show that it was committed in the building where Dr.

C.'s office is. He argued this from the position of the body, lying inside doors eighteen inches apart. That the boots and clothes were clean, is no certain evidence that the body was carried from the Dr.'s but it goes to show that he was not knocked down in the street. He held up to view the improbability of the body being put through these doors in the condition in which it was found, for it was the nature of such poisons to make the victim stiff immediately, and by Hasty's testimony the wool had to be removed in order to get the body out. Again, strangers could not have murdered him, because they could not have disposed of his money and watch. Then, if by citizens, who were they? They must have carried the body through the public yard of Mr. Williams's Tavern, or else through the thoroughfare near Water-st., in sight of the windows of private houses. In either case, they must have been with the body a long time, and exposed to the sight of all in that brick block. Hence, Mr. Blake admitted the possibility, but not the probability, of the body being carried there from without: This being proved, there is all reasonable probability that the murder was committed from within.

He now passed from this view of the case to the question whether there was poison in the body of the deceased, when it was found on the morning of Friday, Oct. 1. With a view to answer this, he gave the history of the body from the time it was found till the contents of the stomach were given to Prof. Loomis; related his disposition of them, and argued from these circumstances that nothing could have been put into them. For, in the first place, no man could have had any motive for mingling poison with those contents.

He next spoke in a very handsome manner of the scientific skill and ability of Professor Loomis, and detailed the experiments which he entered into, thus showing that by three reliable tests the presence of prussic acid was proved. The fact that the jury know nothing of these tests was no proof that they did not exist. If they would believe nothing but the evidence of their own senses, they would believe but very little in this world. Mr. B. then referred to the corroborating testimony of Drs. Hubbard and Hill. He stated that Professor Loomis performed experiments on plain brandy and water, and upon the same ingredients with acid in them, and confirmed his experiments on the contents of the stomach; and explained to the jury, by some very simple illustrations, the way in which such proof might be positive.

At this point the court adjourned for the evening.

TUESDAY, March 21. After order was restored, Mr. Blake continued his argument by remarking that he was last evening commenting upon the examination of the stomach.

He would then pass to some other evidence of his position, that there was prussic acid in the body when found. In the post mortem examination, it was shown that the lungs were gorged with blood, the brain softened, the blood had gone from the arteries into the veins, the stomach had in it a dark purple spot. On the brain and lungs was a bluish appearance, which was peculiar. Drs. Hubbard and Hill testify that they should expect similar appearances from the effect of prussic acid. The various medical men before mentioned have since experimented upon animals, and find similar results.

There is another test which may be depended upon, which is, that Dr. Noyes detected the odor of prussic acid in the contents of the stomach, and also in the brain and thorax. Dr. Plaisted did the same. Drs. Thayer and Boutelle, friends of the prisoner, were present, and yet they were not called to contradict this fact. Prof. Loomis also discovered an odor, similar to that which he obtained from some prussic acid of his own manufacture. Dr. Hubbard thinks the odor is as sure as any other test of the existence of this acid.

Mr. Blake now remarked upon the position of the other side, that the acid was generated in the stomach. Mr. Evans had endeavored to show that the heat which the Professor applied might have generated the acid. But this heat was not applied to the vegetable substances, but to the liquid contained. Drs. Hubbard and Hill state that no prussic acid can be generated in that way.

Assuming, then, that there was poison there, and enough to occasion death, then “by whom was that poison administered?”

It was proved that the prisoner had a vial containing hydrocyanic acid, by those who had seen it in the office and by the order which the Dr. sent to Boston. What did the prisoner want of the acid? This was not the acid commonly used as a medicine, but a much stronger kind. He had more than he could have used in his whole lifetime, and enough to have killed all the animals and men in the town of Waterville.

Mr. Blake then related again the occurrence of Thursday night, showing that the last which was heard of the deceased he was in Dr. C.'s office, with eighteen hundred dollars in his pocket, and was next found dead, with evidences of prussic acid in his stomach. And when, on Friday afternoon, Samuel Doolittle asked the prisoner if the contents ought not to be analyzed, he exclaimed, “Have they been preserved? It is probably too late.” How did he know that it was too late? If it had been arsenic, it could have been analyzed ten years afterwards and found, for arsenic is a mineral substance. The same is the case with very many other poisonous substances. How, then, did he know it was too late? And again, when the contents were given to Mr. Williams, the Dr. said it had better be taken out, for it would sear the room.

All these circumstances tend to point to the prisoner at the bar as the guilty man. Circumstances are less likely to err, in such representations, than direct testimony, because they cannot be affected by motives to represent falsely. No man would commit murder in the presence of witnesses, and hence no conviction could take place unless circumstantial evidence was received. He here gave some instances to show the strength of circumstantial evidence, and referred to Sager's case as parallel; saying that we found our hopes of salvation upon circumstantial testimony.

That Mr. Evans went upon circumstantial evidence to prove the improbability of Flint's testimony, and that men act in all their daily pursuits upon circumstantial testimony. He referred to a story told by Mr. Evans, respecting positive circumstantial testimony, and showed that there was in this one equal testimony from circumstances, besides additional from a witness to the act itself.

Flint's account of the matter was then recapitulated, and its apparent truthfulness dwelt upon to a considerable extent. Now, he said, is the testimony of Flint entitled to credit? Are there any circumstances tending to show that you should not place confidence in his story? Here are some sixty or more witnesses, all testifying to various things connected with this affair, and among all these what is there which goes to contradict his testimony in a material point? He referred to the examples of Mr. Evans, where the persons supposed to be murdered were not dead, and showed that the

cases were not parallel.

He next spoke of the appearance of Flint on the stand, and his past character, against which no testimony had been brought; commenting upon his conduct on the evening of the murder, when considered in connection with his relation to the prisoner, and his ignorance of the full extent of his guilt. Before the coroner's inquest he only made one false affirmative statement, and answered that he knew nothing more. In this he committed perjury. But Dingley did the same thing; he first said he had told all he knew, and then, when called again, made additional statements. He showed that under Flint's trying circumstances, it was not strange that he acted as he did. That he could have had no possible motive for testifying falsely, for there could be no suspicion resting on Flint, with regard to the murder, since he was proved to be absent from the office while Mathews was there.

What would have been the conduct of Flint, if he designed to implicate Coolidge in the murder unjustly? Why could he not have said that the Dr. disclosed the murder on Saturday night, and thus escaped the imputation of perjury on Friday? On the contrary, Flint states no confession of the prisoner before he knew of the facts himself. He told the whole truth, and it is evident, from his actions, that he was advised to do this by his father.

Mr. B. now took up the testimony of Daniel Baker, and handled it very severely.

He next referred to the argument on the other side, with regard to testimony of accomplices, and showed that the law only required that their testimony should be supported. That Flint was not an accomplice, and his testimony was supported.

He next took up some isolated matters, the first of which was the letter in the store, which Edward Mathews read to his cousin. The next was the note for \$1500, sworn to by John and Charles Mathews. It was not in evidence who this money was for, but the exclamation of John Mathews, upon seeing the body, was evidence that he thought the money transaction had something to do with the prisoner. Mr. B. then detailed the circumstances of Mathews going from the Parker House and directing his course towards the Dr.'s office, with the Dr.'s subsequent account of the matter. Alluded to the conversation about the obtaining of a ‘subject’ in Clinton, and the probable design of the prisoner to put Mathews's body in place of the one he spoke of.

The actions and expressions of the prisoner, after the murder, as testified to by Messrs. Tobey, Gray, and Gilman, were then presented to the notice of the jury. The remarks upon these subjects were the same in substance as have been before reported. He dwelt upon the circumstances and presented to their minds the evidences of his guilt as manifested in them.

He next noticed the testimony of the counsel for the prisoner, with regard to character, by producing instances of eminent men who have fallen when enjoying a high reputation.

Mr. B. now adverted to the general tenor of his opponent's argument, and observed that this was the first criminal trial in which the defence brought forward no hypothesis to account for the act. After a few further remarks upon some minor points, and suggestions of duty to the jury, the Attorney General closed.

[Five hours were occupied by Mr. Blake in the delivery of this argument, so you will see that this brief synopsis will give your readers but a poor idea of it. The only apology is my want of ability, and your probable want of room, for a verbatim report.]

FACTS IN THE COOLIDGE CASE. We were permitted to copy the following letter which was in the hands of the Counsel for the Government, but was not admissible or offered in evidence in the Coolidge case.

We were informed that Coolidge had not previously been on very good terms with Mr. Mann, or Dr. Mann to whom the following note was written, and had refused to meet him in consultation, as not a physician in regular standing. But Mr. Mann not unfrequently had money, and it is now supposed that this fact explains the case of Coolidge's writing the following note:—

WATERVILLE, Sept. 12th, 1847.

DEAR MANN, Dear Sir,—I wish you to call at my office, at 9 o'clock this evening. I wish to have some conversation with you.

For various reasons I wish you would keep it secret. Respectfully yours, V. P. COOLIDGE.

In answer to his order on Mr. Burnett for acid, Coolidge received a letter, from which the following is an extract:—

“The Hydrocyanic Acid is of the strongest kind— that is, 4 times as strong as the official (U. S. P.) Great care should be taken in administering it.”

The following is a copy of the commencement of a mortgage by Mathews in Charles K. Mathews bookstore, on the afternoon prior to his murder, and torn off to commence another:—

“Know all men by these presents, that I of Waterville in the County of Kennebec and State of Maine, Physician, for and in consideration of Nineteen Hundred Dollars paid by Edward Mathews of Clinton in the County of Kennebec, Merchant, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Edward Mathews, his heirs and assigns forever.”

These extracts were not in evidence at the trial, but we see no impropriety in publishing them now that it is over and a verdict rendered. [Portland Advertiser.]

The Hallowell Gazette, in speaking of the trial of Dr. COOLIDGE, says—

“Crowds have attended, and the large meeting house of Dr. Tappan has been crowded to overflowing. Many ladies have attended, and we are sorry to say, some of them have exhibited not the most lady-like demeanor. The ladies will probably not be again admitted as spectators at a trial for murder in this county.”

THURSDAY, MARCH 23. In the Senate, Mr. Moor proposed a motion that the Committee on Finance should consider the expediency of admitting lumber, cut in Maine and manufactured in New Brunswick, into our ports free of duty, which was agreed to.

return having started the force pump for the purpose of filling it. The building, which is of brick, about 70 feet long 50 wide, and one and a half story high, is owned by Ammi C. Lombard, Esq., of this city. Boston Atlas.

NIAGARA SUSPENSION BRIDGE. Extract from a letter from the engineer to one of the stockholders in New York:—“On Saturday I raised my first incipient wire cable across the river—suspending it in two small frames some twenty-five feet above the crests of the brow or cliffs. This morning I tightened up and crossed over into Canada and back again, suspended in an iron basket, attached by wire cords to pulleys which traverse the cables.

“It is a curious and beautiful feat, and will work admirably, giving me the means of communicating between the forces on the opposite sides of the river with great expedition. “I was received on the Canada side by ex-consul Buchanan and a large concourse.” N. Y. Com. Adv.

FIRE IN BRISTOL. The large building in Bristol (Maine) known as the Berce Mill, was on Friday last destroyed by fire with nearly all its contents, says the Bath Times. The building was four stories high; and was occupied for a saw mill, grist mill, shingle mill, and various other kinds of machinery. The loss was probably about \$2000, and principally upon Mr. John Berce, who owned the mill and upon Mr. Farmer Berce who owned a part of the stock and machinery. No insurance.

TEN REGIMENTS BILL. A letter from Washington, to the New York Tribune, frightens the editor of that paper by stating that much apprehension is entertained of the passage in the House of the Ten Regiments Bill. “I have heard of three whigs who intend, or say they intend, to vote in its favor, on the ground that such a vote will be grateful to their constituents.”

INCENDIARIES. A fire occurred in Milk (corner of Theatre Alley) Street, Boston, on Friday Evening, which is set down as the work of incendiaries. It appears to have been communicated to some package boxes between two stores. Some of the stores and contents were a good deal injured. The front stores, which were occupied, the first on the corner of the Alley by the Ballard Vale Company and George Blackburn & Co., the second by Rawson, Brigham & Pratt, and Cook & Company and the third by S. F. Morse & Co., were scorched and injured, but the extent of the damage could not be ascertained in the confusion of the time.

RUM TRAGEDY.—In Oppenheim, N. Y. during the night of the 4th inst., the log dwelling of Samuel Allen, basket maker, (the intemperate head of a large family,) was destroyed by fire, and two of his children perished. Allen, it appears, was absent on a drinking excursion, when Elijah Snell called early in the evening with a jug of whiskey; but his friend not coming to partake with him, composed himself to sleep upon the hearth with his contents; and Mrs. Allen, after waiting for her husband till toward midnight, went to bed. She was awakened by the screams of the children and the cracking of the blazing roof, and wrapping two girls of two and four years old in a blanket, rushed with them through the flames into the street; but the youngest, falling on the way, was burnt to a cinder, while the other wandered in a snow drift and was found frozen to death! Mean while the other four or five children escaped through a window for their lives. One of the boys was badly wounded with the broken glass, and the unhappy mother, in attempts to save her offspring, is said to be dangerously burned. A daughter of fourteen ran through the driving snow storm nearly half a mile, in nothing but her night-dress.—[Herk. Freeman.]

THE LAW OF NEWSPAPERS.—For the information of the newspaper reading public, the decisions of the higher Courts, relative to the publishers and receivers of newspapers, will be useful. Some may be profited by giving a little attention to the following, viz:—

1. Subscribers who do not give express notice to the contrary, are considered as wishing to continue their subscription. 2. If subscribers order the discontinuance of their papers, the publisher may continue to send them till all arrearages are paid. 3. If subscribers neglect or refuse to take their papers from the office to which they are directed, they are held responsible until they have settled their bills, and ordered their paper discontinued. 4. If subscribers move to other places without informing the publishers, and their paper is sent to the former direction, they are held responsible. 5. The courts have decided that refusing to take a paper or periodical from the office, or removing, and leaving it uncollected for, is prima facie evidence of intentional fraud.

MOST HORRIBLE.—We have this morning, says the Maysville (Kentucky) Eagle of 11th, the particulars of one of the most singular and horrible murders ever committed in the West—the deliberate butchery of an infant by a lunatic. About 2 o'clock yesterday afternoon, Mrs. Evans, the wife of Mr. Volney Evans, of Aberdeen, Ohio, left her house to visit a neighbor for a few minutes, leaving a beautiful little daughter, about three years old, asleep in her cradle, and a boarder in the family, Strother B. Read, sitting by the fire reading the bible.

She had been gone but a few minutes when Read went into the yard and procured a board, which he laid on the floor, and stepping up to the cradle, jerked from it the little innocent with such violence as to force the arm from its socket, and laying her on the board deliberately chopped it with a broad-axe in five different places.

After the deed was done, Read walked to the kitchen and called the attention of the servant woman to the horrid spectacle, who instantly ran to the neighbors and gave the alarm. When the house was reached Read was again seated by the fire intently reading his bible. The little sufferer went to sleep in death, four hours after the death blows fell upon its innocent head. The poor lunatic gave as a reason for killing the little girl, that she had been commanded to do so, and she lay there tempting him!

EAST MACHIAS, March 18, 1848.—A son of Mr. Gilbert Howe, of this town, was shot Friday evening, by the accidental discharge of a gun in the hands of another young man, who was snapping it, not knowing it was loaded.

DREADFUL LOSS OF LIFE.—The Omega, a British ship 1300 tons burthen, from Liverpool to New York, with 327 passengers, met with such stress of weather that her passengers were taken off by several vessels—sixty of them died on board of one vessel, and another, the Barbara, went down with 115 of them on board. The captain of the Barbara was among the lost. Thirty-five got ashore. This occurred in Petty Harbor, (N. F.)

RAILROAD ACCIDENT.—About nine o'clock on Tuesday morning, the train of cars, that left

AGRICULTURE.

Man has not learned the golden rule To which the gospel leads...

RECLAIMING WASTE LANDS.

This was the subject of a late meeting of the Mass. Legislative Agricultural Society.

Mr. Clark, of Walpole, explained his method of reclaiming waste meadow lands. His plan was to cut his drains about three feet wide at the top...

Mr. Hamilton, of Brookfield, thought it best to stone up the ditches, cover them and sod them over, especially if the lands was liable to be washed...

He had found an incidental advantage secured to adjoining land, by draining low land, in cutting off the cold springs which were sometimes found in uplands...

Mr. Brooks, of Princeton, detailed his experience of nine years in reclaiming waste lands. The land to begin with, was not worth more than \$20 an acre...

Mr. Denny, of Westbrook, said that in reclaiming waste land his method was, to remove all the stumps, fallen timber, &c. if any there were...

Dr. Smith, of Boston, made some remarks illustrative of the peculiar nutritious qualities of some of the prairie grasses of the West...

Mr. Lawton, of Great Barrington, had reclaimed a piece of land that was entirely covered with water, by cutting ditches about two rods apart...

Mr. Clark, of Franklin, had reclaimed a piece of waste land some ten years ago, which now yielded one-third more grass than the best land which he had before on his farm...

THE RULING PASSION STRONG IN POVERTY.—The celebrated dancing master, Marcel, in his old age, became very poor...

Did I teach you to give any thing in that manner? Now take up the paper and hand it properly to me—then I will take it.

The poor girl, who had anticipated a very different reception for her gift, took up the paper, and with much humility reached it to the old man...

Very well! exclaimed the dancing master, I will take it and thank you for it, although your elbow should have been a little more rounded.

THE GREATEST INDUCEMENTS ever yet offered in Boston.

GREAT SALE CONTINUED! Account of Stock taken! Over \$100,000 worth of Clothing to be sold and closed up immediately at

Oak Hall!!!

PRICES OF CLOTHING MARKED DOWN 25 PER CENT.

In consequence of the very mild weather of the season, thus far, and the Great Quantities of Garments made up by the undersigned this Fall for

WINTER WEAR, it has become necessary that his vast stock of GENTLEMEN'S WINTER CLOTHING

and FURNISHING MATERIALS Should be closed up immediately!

THE FOLLOWING EXTRAORDINARY INDUCEMENTS are therefore offered to the public—Read this and call at

OAK HALL.

This will pay to take a trip to BOSTON.

The Sales will continue until every article is sold

During this period, every article of the enormous stock of GENTLEMEN'S OAK HALL will be MARKED DOWN twenty-five per cent. below the very lowest prices now current at this Great Clothing Mart.

GENTLEMEN'S & BOYS' Clothing

ever collected together in any one establishment in this or any other country. Those who want

THICK CLOTHING at an enormous discount will do well to call, for these goods must be disposed of, as I have determined, whatever may be the sacrifice, that this great stock of

HEAVY WINTER CLOTHING SHALL BE SOLD.

Examine the following Low Prices, reduced one-fourth and bring this advertisement with you.

BELOW IS THE LIST.

- 300 Blue Pilot Overcoats, velvet collars, at \$6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 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