# THE EASTON GAZETTE.

WHERE THE PRESS IS FREE—"Literature well or ill-conducted is the Great Engine by which all Popular States must ultimately be supported or overthrown—RELIGION purifies the Heart and teaches us our Duty—Morality refines the Manners—Agriculture makes us Rich, and Politics provides for the enjoyment of all."

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COURTSHIP AND DISAPPOINTMENT.

Miss Sukey Smith had flaxen hair,
Her daddy had the pewter,
Her eyes were grey, and looked serene
Upon her favorite suitor.

The suitor was a jolly youth,
So nimble, blithe and brawny,
The yellow fever took him off
One day to California.

And when I heard that he was gone,
"It's now," said I, "or never!"
I shaved myself and greased my shoes,
And tried to look quite clever.

I rigged myself from tip to toe,
And caught and mounted Robin;
But all the way I rode along,
My heart it kept a throbbin'.

And when I reached her daddy's door,
It still kept on a thumpin';
But when I saw that heavenly maid
It kinder stopped a jumpin'.

'Twas half past ten when at her feet
I knelt; and yet ere dinner,
With honied speech and winning ways,
I had contrived to win her.

Some months elapsed—to set the day
I now began to press her:
I urged, entreated, plead in vain—
In vain did I caress her.

While matters were thus cross'd and pil'd,
My clothes all growing seedy;
My rival from the mines returned,
Still for my Sukey greedy.

I saw him kinder sidle up,
And slipped his arms around her,
When, heavens and earth! she let him kiss
Those precious lips! Confound her!

I told her that I was surprised—
My eyes had sure deceived me—
And asked her to renew her vows,
And from suspense relieve me.

When don't you think, the tarnal gal,
Her thumb upon her smeller;
Her finger wriggled as she said—
"Can't come it, little feller!"

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LEST some incredulous reader should assume that the subjoined letter is a fabrication, we beg leave expressly to declare that it is a veritable production, printed from the original, without the slightest variation, in word, letter or punctuation. It was sent to an enterprising publishing firm in Auburn, New York, who had announced "The New York Justice," a legal publication, as "in press." The letter, upon inquiry, was found to be entirely authentic, the writer living then as now in a certain town in the county of Ontario. His name we suppress, with the exception of the initials:

"Mr. D—— and M——: I Seed in a little Book the other day an account of a book Cald the-au yorke gustu-e which yu sa is in *pres*. I would like to know when you will git thru presen on it I want one of them books most orfully I were elected Square last Spring to our town Meten to take efect the first of januery my friends told me that the County clerk would qualifi me I Called on him the first of jan to be qualifide and he said he Culd not du that thing he could sware me in and I must du the other my Selfe here I am green as Cattle never sude any body—never was sude; witness never but once on a gurie twiste and at that time never thout of bein Squre please write me when you will have that book pressed I will give you your prise if you wont take any less.

"Yours &c

D. D S—, Square,"

Mr. "D. D S," *Square*, is a fine specimen of a "Gustis of Peace" in one of the noblest of our midland counties, isn't he? It would have been a rich treat to hear him "lay down the law" to his less informed auditory!

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NEWS FROM EUROPE IN FIVE DAYS.—The authorities of Newfoundland have granted to Mr. H. B. Tibbatts and associates, of New York, the exclusive right to construct and use the magnetic telegraph across that island for the period of thirty years. The grant is designed to facilitate Mr. Tibbatts in his scheme for the establishment of steam and telegraphic communication between New York and Liverpool or London in five days. The telegraph is to extend from New York to St. Johns, from whence a line of steamers is to run to Galway, where another line of telegraph is to commence, extending to London.—This latter line will, it is said, be completed during the current year. The distance from St. Johns to Galway is 1,647 miles, or about five days' sail.

[COMMUNICATED.]

It seems that Osceola has aroused, the second time, the spiteful wrath of Jeems, by exposing his conceit, quackery and ignorance to himself—to others they were long ago familiar; and he puts forth, thro' the Easton Star, another column of his customary low words and metaphors, heard nowhere except among stable-boys and witlings. Let not your readers suffer a moment through fear that a quotation even for criticism, from his fish-market language shall pollute the columns of the Gazette.—To the Star is left the sole duty and decency of obtruding the *elegant* literature before the public. Osceola repeats that he will not fight, but foil, Jeems; for he could retain but little self respect were he to condescend to engage in a controversy with an opponent who, judging from his language, was raised at the Five-points, or in similar associations. Apostacy from good morals can never be charged upon this Jeems, for morality he evidently never knew. It is said by the knowing, that there is a way to prevent the mephitic *foumart* from ejecting upon his adversaries, the not over-aromatic fluid with which nature has armed him for defence; that way is to hold him up by the tail: I think it is wiser to avoid such disagreeable proximity.

Jeems opens his attack with the gratuitous falsehood, that Osceola's animadversion upon an editorial in the Star was 'uncalled for and malicious.' He is silly to bring the charge before those that have read the editorial. The editor of the Star justly provoked the critique by denouncing the community in which he resides, as dull,' 'spiritless,' &c, and 'too straight-breasted for balls and quadrilles.' If the criticism was severe, the severity lay in its truth, and not in malice, or vulgarity.

Next, with characteristic *modesty*, Jeems rules out Noah Webster, whom Osceola quoted to justify the ending of certain sentences with prepositions, and pedantically introduces Messrs. Murray and Brown to establish the following proposition, viz: 'It is generally ungraceful to end a sentence with a preposition.' Now Mr. Jeems, if you possessed a moderate degree of perception, you might understand that the authors you have quoted, in saying that it is *generally* ungraceful to end a sentence with a preposition, say that *sometimes* it is *not* ungraceful to so end one. Messrs. Murray and Brown agree with Mr. Webster, and sustain Osceola. Your quotation is proof that you have read them, but have not understood them. Moreover you make *elegance* a test of correctness: if this rule is to work, it must work you and your two late communications to Osceola, out of the press. But I will give you some sentences to construct *without* ending them with prepositions; first premising that Murray and Brown instruct us to use the pronoun *that* in preference to *who* in the four cases following: 1st, After an adjective of the superlative degree; 2d, After the word *same;* 3d, After the interrogative *who;* 4th, After the expletive *it*. Now come the sentences: 'It is the oldest *that I said it to;*' 'It is the same *that I said it to;*' 'Who is it *that I said it to?*' 'It is the one *that I said it to.*' Please go to work, Mr. No-sentence ending-with-a-preposition Jeems, and construct the above sentences without ending each with a preposition, or 'end' your attempts at criticism. Thus: (or any way you please,) 'It is the oldest *to that I said it,*' &c. You cannot substitute the pronoun *whom* for *that;* your authors forbid you. The tail of the fox is caught again in the plank which he was trying to saw.

Before I leave this part of the argument, I will introduce a sentence which even your petticoat ally, Miss Sophia, will insist shall end with a preposition; it is this: 'These are the cloths to wipe the dishes *with*.'—Osceola is sorry to cause discord between a couple apparently so well matched, but he believes the 'authority' of Miss S. might 'clear away' the obtusity of her friend.

Jeems next disinters Osceola's old critique on the editorial of the Star, to have another snap at it. But in this case, as in the other three cases, the viper bites a file. With ridiculous pedantry he parades the opinions of Messrs. Lowth, Smith, Brown, Johnson, Kirkham and other distinguished writers,' to establish the rule in grammar, 'that a verb which implies doubt and futurity, should have the *conjunctive form;* that is, the omission of the personal termination, as, 'If he *ride* out his health will improve,' and adds: 'Osceola turns in utter contempt from these old philologists, and writes thus: If the Star's bantling *survives* his nursing of the 10th, he need not fear,' &c. Commenting, he says: 'Here doubt *and futurity* are evidently implied, and yet Osceola expresses *it* in the indicative form!' Expresses *what* in the indicative form?—*Doubt* and *futurity?* Would you, Mr. Jeems, make the singular pronoun *it* represent joint nouns? But I pass to your assertion that the verb 'survives' implies futurity. Osceola said, 'If the bantling survives,' or does survive, or is surviving now, to-day, at this time, (the 28th,) the effect of *previous* treatment, (of the 10th) he need not fear, &c. In the name of common sense, is futurity implied? By no means. Supply the auxiliary shall or should, thus: "if it *shall* survive *now*, &c., and we make nonsense. The fact to be expressed is a *present uncertainty*, and *not* a *future contingency*, and the verb should be written with the personal termination, thus: if it survives, or does survive. No one but a coxcomb would write it thus, if it survive, that is, shall or should survive. Take notice, the authors that Jeems quoted, require the conjunctive form of the verb when it implies both doubt and futurity—to this rule no exception is taken: the numskull has quoted good authority, but misapplied it; it is not 'the law in the case.' It would not do for you, Mr. Jeems, to be prosecutor unless you understand the laws of the State better than you do those of grammar, for you would arrest a party, frame your indictment for murder, impannel the jury, and proceed with your argument, (very abusive) while the 'murdered' man was alive and unhurt. Jeems, feeling, it may be presumed, a little delicacy in ruling out Noah Webster's opinions on syntax, prefaces his action with the following modest sentiments: 'I never read Noah Webster's grammar, and, until it is forthcoming, I cannot believe that Osceola there received instruction to run counter to good taste and common sense.' Well, Mr. W.'s grammar has 'forthcome,' and is in the Gazette office; and in the book, on the pages referred to, is to be seen the authority quoted. Of course Mr. Jeems now believes that Mr. Webster gives instruction 'counter to good taste and common sense.' Well it is, for the rest of the illustrious scholar, that his ashes had mingled with the lowly earth, before this startling New Light appeared to eclipse him in the fields of philology. Next week, (or so soon as this prodigiously learned critic shall have examined Mr. Webster's grammar) we shall look for his disclaimer. Modest, no doubt, he will appear, perhaps 'almost afraid to differ from the distinguished Linguist,' giving him 'great credit for his opinions which were formed in the course of a long and studious life,' 'and from a knowledge of something like eighty different languages, especially of those out of which has arisen our present English tongue;' yet he will really be all the more weighty and crushing from his apparent reluctance to bear down. Mr. Webster goes to the wall.—Unfortunately for Jeems the authors that he has quoted agree with Mr. Webster, and he is under the necessity of turning them all down: this, though no slight task, he will doubtless easily accomplish.

But, Mr Jeems, I will change my style; I have shown you by your own authors, that every sentence which you have condemned as false, is correct construction. I have compelled you to give in evidence to the teeth and forehead, stupidity and quackery. Your flicks you counted before they were struck.' You *thought* you had struck them; you said so; and you wrote a great many vulgar words and similes about them; you said also that you 'wrote precisely as you felt.' Did you feel as you wrote? There is no doubt of it, and your feeling, and thinking, and writing are indubitable evidence of your ignorance, self-conceit and vulgarity. As a *critic* you have signally failed to sustain a single charge you have made; as a *wit* you are silly, pointless, stale; but as a blackguard you 'can take the cakes.' Failing in your attempts to disgrace others, you disgrace yourself; every abusive epithet is turned back upon the abuser; after your vain display of authors, and your bold, boastful pretentions to learning which you have conclusively shown yourself not to possess, with what stultifying effect does your invocation of 'the mightiest of humbugs' recoil upon yourself. If your chastisement is excoriating, recollect it is merited, and receive it with patience and profit.—You should read the dying confessions of the penitent crab, that was seized while strolling upon the shore, and devoured.—'I suffer justly,' said the expiring Cancer, 'for I who was born in another element, should have been contented to walk there alone.' In conclusion, Osceola may kill a musketo, crush the worm that bites him, or even take a reptile by the tail and snap off its head, but he is incapable of feeling *malice* towards the editor of the Star or his *double*.

OSCEOLA.

P. S.—The pugnacity, and its effect, exhibited by Jeems in battering away on Osceola's syntax, is aptly illustrated by the story of the rampant sheep, which commenced an attack upon a boundary stone in one corner of the field. The puissant stupid, bruised and maddened by the hardness of the stone, continued the butting process till, not the stone, but his *head* and *carcass* were butted entirely away, and the last of him that was seen was a portion of his tail about ten inches in length, and as wide as a man's hand, still doubling itself up, backing and filling, and faintly delivering the licks.

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A SINGULAR trial is going on in the town of New Berlin, Chenango county, New York. It seems that two spirit-rappers or mediums settled in the town and offered their services in transmitting despatches to and from the spirit world A gentleman who sought their good offices, in company with several others, required to be told of the condition of his deceased paternal ancestor, and the answer was given that his father was quite happy in the sphere beyond, and felt no regret at parting with the outer world; for in his mundane existence he had suffered cruel treatment at the hands of his son, (the questioner,) who had beaten and chained him and practiced other afflicting indignities upon him. The gentleman denied the impeachment, declared himself slandered, and sought redress at the hands of the Courts, by bringing an action of libel against the offending mediums. The case is still pending, but the Chenango Telegraph says there are reports that the testimony elicited at the primary investigation rather tended to confirm the offensive despatch. The mediums were held to bail to answer the charge of libel.

**Our New York Correspondence.**

NEW YORK, April 12, 1852.

MR. EDITOR:—

Saturday was the end of "Holy Week," or "Passion Week," and the last day of Lent. The services in the Roman Churches of this city were peculiarly impressive, during the week. On "Holy Thursday," the altars divested of their rich coverings, and costly ornaments, the uncarpeted sanctuary, the whole church dressed in black, and the mourning vestments of the officiating clergymen, contributed to give to everything an aspect of grief and desolation. From that day, the bells were silent until Saturday, when the "Resurrection of Christ from the Grave" was celebrated, and the altars were re-ornamented and illumined with what is called a "new fire. The bells were sounded again, and everything presented an appearance of gladness and rejoicing.

The wet and frigid Spring has played the mischief with the retail trade, and the fine weather will come too late, I fear, to more than partially repair the evil. Spring hats, dress-goods, and all the styles, modes, and fabrics appropriate to the season, will be barred out of the market by Fashion's statute of limitations, unless the weather warms up, at once. Spring, after all, is little better in its latitude, than an almanac supposition unwarranted by the general facts.

Kossuth is expected in this city, during the present week, whence he will go by invitation to Boston. I see that he was well received in New Orleans and Mobile, but that, in Charleston, S. C., no preparations whatever were made for giving him a public reception.

To Charleston belongs the credit of sending out the first steamer that ever left a Southern port for Europe; the screw steamship, *South Carolina*—the pioneer of the line recently established between Charleston and Liverpool—departed from the former port on her maiden voyage, on the 7th inst. There is a very good prospect of the line being a profitable one for the projectors, as the trade between Charleston and Liverpool is of a large annual amount. The number of visitors to Europe from the Southern States is also yearly increasing; and persons preferring steam travelling, will naturally patronize this line, and thus save the expense and trouble incidental to embarking at Philadelphia or this port. The *South Carolina* took out, on this trip, 2,398 bales of cotton, and a large quantity of rice—the whole valued at $79,915. I shall be glad to see the time, when each of the large Southern ports will not only have its own line of steamships to Europe, but will also be able to build its own craft. The *South Carolina* was built in this city.

Farmers, as a class, appear to be the last persons to adopt improvements. Inventors all say so; and I am further inclined to the belief, from the fact that, in looking over country newspapers, I seldom or never see the advertisement of a farmer Surely they have quite as much need as other people of the facilities of the Press for making their wants known. I have sometimes seen a farmer in the Western portion of this State put to great inconvenience for several months, for the want of a man or a young woman, either of whom could have been obtained at an expense of only fifty cents or a dollar, by inserting an advertisement in the paper of the nearest village. I have also known it to be the case, that speculators in apples, peaches, potatoes, cheese, grain, &c., have actually rode by the door of a farmer who wanted to sell, when they would have stopped and paid him a higher price than he had hoped for, if their attention had been called to him by a well-timed advertisement. It is not an uncommon thing for a farmer to waste several days, besides the time of a horse and wagon, in going among his neighbors for miles round, to find a girl to assist his wife in her household duties, while a single advertisement in a village-paper would bring him a dozen applications.

I heard an old gentleman say, in the Astor House, this morning, that he would never consent to allow his daughter to marry a man that did not advertise. This appeared a little strong, at first; but the gentleman, who has himself become a millionaire by extensive advertising and close attention to business, explained himself by saying that his experience had taught him that the chances are not one in a hundred that a man will succeed in N. York, now a-days, without advertising.—Perhaps we carry the thing farther in N. York than any other people. Doctors, Lawyers, Clergymen, and the most eminent and successful men of all stations, advertise habitually. Silas C Herring, the maker of the celebrated Salamander Safes, was present at the conversation, above alluded to, and stated that, whenever he has any more money than he wants to use immediately, he at once invests it in the advertising columns of a newspaper; and, added he, "it is mainly by advertising, that I now carry on a business from which over a thousand persons draw their support, and which enables me to supply the four quarters of the globe with my safes. For my part, I *cannot* waste money by advertising. The more I advertise, the more money I make; and I advise you all to beware of endorsing for a man who does not advertise, and who has not got one of 'Herring's Salamander Safes.' Such a man is necessarily careless and improvident." This last remark of Herring about his safes created a good deal of laughter.

The motion to confiscate the property of the "Art Union," because of its immorality in the sight of James Gordon Bennett, came up on Saturday, before Judge Edmonds; but that learned personage, not liking to take the responsibility of a decision, with the certainty of its being appealed from, recommended the parties to consent to remit the case to the 'General Term.'

There is a suit now pending in one of the Courts of this city, the costs of which already amount to *three hundred dollars*, while the original sum in dispute is only sixty-eight cents! The defendant, whom I know well, is a celebrated wealthy shipowner, and the plaintiff, with whom I have no personal acquaintance, is also reputed to be rich, which I think quite likely, or he would not be able to indulge in such expensive pleasures The suit is now as far from being settled as it was when first commenced. I hardly know what to think of a man who resorts to law to gain sixty-eight cents, or of a man who defends an action involving such a miserable sum of money. It is out of such nonsensical obstinacy that lawyers pluck the means of building handsome dwellings and riding in their own carriages.

The miniature edition of the late World's Fair, to be held in Reservoir Place, in this city, will, I think, be a failure. The "Crystal Palace" in which it is designed to be held, and which was to have been opened on the Fourth of July next, has not yet been commenced. Subscriptions come in slowly. The cost is estimated at $200,000, while the cash in hand does not reach one-sixth of that amount. By the way, I see that the French Government has made a proposal to purchase the English "Crystal Palace." If the offer is accepted, the structure will be removed to the *Champ de Mars*, and will probably become the scene of another "World's Fair" in 1854.

The "operations" of the New York *chevaliers d'industrie* are just now characterized by an audaciousness which throws the efforts of all European competitors quite into the shade. Last night an enterprising gentleman, of acquisitive propensities, boldly entered the house of one of our oldest police officers, near my own dwelling, and stole fifteen dollars in cash, a gold watch, and several small articles of jewelry. This makes the *fifth time* the same officer has had his house similarly entered, during the last twelve months; and, what is more remarkable, his house is exactly opposite the principal entrance of the police station, distant from it under a dozen yards, and the victimized policeman himself was in the office at the very time of the burglary! Of course this proof of deficient vigilance has been kept out of the "reports," but the "nabbing (or *napping*) fraternity" are keeping a bright look-out for the offender. Yours truly, YORK.

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HARD TO PLEASE.—It is difficult to please some of the letter writers in Washington city—for, let the administration move which way it will it is sure to be condemned. When the Galphin claim was paid, the cry of robbery was raised—and a similar charge was made when the commissioners allowed Dr. Gardiner's claim of some hundred thousand of dollars.—But, in the latter case the money was seized by Government, and proceedings instituted to prove that Dr. Gardiner had been guilty of fraud. And now the administration is accused of harshness, bribery, and the like; in order to convict the doctor.—So far as we have seen, we believe that both claims were just, and properly paid In the case of Gardiner the administration has pursued a course to test the validity of the claim; and lest it should be accused of remissness, measures perhaps rather too stringent have been adopted. Evidence has been sought in Mexico, and the trial postponed from time to time, much to the inconvenience and injury of the doctor, that there might be no charge of want of vigilance. We believe that the award of the commissioners will be finally confirmed; and then, we suppose that those who are loudest in their outcries against the persecutions of Dr. Gardiner by the administration, will change their tune, and charge that a fraudulent claim has been allowed. These are the tricks of politicians, who expect to profit by detraction, and consider everything fair which can make for their own advantage.—*Balt. Clipper*

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FARMERS, LOOK AT THIS!—The opponents of American industry—for such is the name which must be given to those who are opposed to giving it that protection and support which are necessary to its development—the opponents of America are in the habit of alleging that their policy is favorable to the farming interests of the country. If there be any who have been misled by this specious plea let them read the following article from the Boston Courier, and correct the error:

We request our National Legislators to look at the agricultural interest, and mark how it has suffered under the operation of the present tariff. The subjoined table shows the decline in the exportation of breadstuffs since the tariff went into effect:

| | |
|---|---|
| 1846-47 | $27,000,000 |
| 1847-48 | 19,500,000 |
| 1848-49 | 23,700,000 |
| 1849-50 | 12,200,000 |
| 1850-51 | 8,100,000 |

It is quite unavailing for the advocates of Free Trade any longer to call in question the fact the tariff of 1846 has completely falsified the predictions of its authors. These men assured us that it was made for the benefit of the American farmers.—Its practical operation has been for the benefit of foreign laborers. We may import foreign manufactures, foreign luxuries, and foreign superfluities as much as we please, but Europe will take nothing but our hard cash for them, except on extreme compulsion. Famine alone rendered flour and corn more acceptable to Great Britain than Gold and silver for a short time. The famine over, she calls for our gold again, and she gets it. Let our legislators look at it, and estimate how long it will be before the cheap labor of Europe, encouraged by an anti-American tariff in America, will break down the manufacturing enterprise of our country, and drain it of the metal which constitutes the basis of its monetary system.

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INSPECTION OF GUANO.—The April No. of the American Farmer contains an interesting article on the subject of the inspection of Guano, published in connection with a communication from Mr. T. W. Riley, the General Agent of the Peruvian Government for the sale of guano in the U. States. Mr. Riley refers to the late report of the State Agricultural Chemist, in which it is stated that the cargoes of Peruvian guano sent to Maryland vary greatly in quality and in fertilizing effect, and the passage of a law requiring its sale by analysis is recommended. He contends that the Chemist has erred in this statement, and asserts that all the guano brought from the Chinca Islands, the only place from whence the Peruvian article is exported, is of the same general quality, and cannot be otherwise, from the fact that the deposites are situated on elevated, rocky islands, free from any mixture with sand or contact with water, as rain never falls on the islands. Should the law called for by the Chemist be passed, it will have the effect, it is alleged, of greatly curtailing the sale of this valuable article in Maryland, as the agent would not send cargoes of it to Baltimore under the uncertainty as to what would be the result of a partial analysis, and our farmers would have to procure their supplies at extra expense, and without any additional security, from New York and other ports. He denies that there is any difference in the quality of the article sent to this country from that sent to England, as the vessels destined for either country are loaded indiscriminately from the same banks as their turns arrive.

The Editor of the Farmer, in the remarks with which he accompanies the communication of Mr. Riley, takes ground against the laws both for the inspection of guano and lime, which in his opinion furnish no security to the farmer from imposition, whilst they subject him to an onerous tax in the increased price he has to pay for these articles. No system of inspections which could be adopted would, in his opinion, afford the least protection to the farming interest, and the repeal of the existing law is urged as the best service the Legislature can confer upon the agricultural community. The Agricultural Society of Virginia at its late meeting in Richmond, recommended a similar abolishment of laws for the inspection of guano and plaster in that State.—*Balt. American.*

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THE following bill has passed the Legislature, and as it is of importance to all business men, we give it an insertion:

A BILL entitled an Act prescribing the Process in Civil actions in the courts and before Justices of the Peace.

SECTION 1. Be it enacted by the General Assembly of Maryland, That in all civil suits or actions at law in the several courts of this State, the process to compel the appearance of defendants shall be a summons, instead of the *capias ad respondendem* formerly used, and such summons shall state the purpose for which the party is summoned, in the manner in which it was heretofore stated in the *capias*.

Sec. 2. And be it enacted, That when the summons is returned "summoned," if the defendant or defendants therein named and so returned summoned do not appear, the court shall on the second day of the term to which the summons is returnable, enter the appearance of any defendant so summoned and failing to appear, and the suit or action shall proceed in the same manner as if the party defendant had appeared in person or by attorney.

Sec. 3. And be it enacted, That the process to be issued by justices of the peace in civil cases shall be a summons, instead of the warrant heretofore used, and if the summons shall be returned "summoned," and the defendant shall fail to appear on the return day of such summons, then the justice shall fix a day of trial, not less than six days nor more than fourteen days from the return day, and proceed to try such case *exparte*, the defendant to have the right to appear at any time before judgment, and make any defence he may have, as if he had appeared at the return day of the summons.

Sec. 4. And be it enacted, That where there is more than one defendant, and some shall appear and the other or others has or have been duly summoned shall fail to appear, then in cases before the courts of this State, those who fail to appear shall have an appearance entered for them, and the same proceedings shall be pursued as if all had regularly appeared; and in cases before justices of the peace the justice shall proceed to try the case *exparte*.

Sec. 5. And be it enacted, that there shall be the same right of appeal on judgments entered pursuant to this act, as is now provided by law on other judgments rendered in the courts of law or by justices of the peace.

Sec. 6. And be it enacted, That this act shall take effect on its passage.

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