

JACOB PERKINS.  
From the (Philadelphia) True American.

The London Journal of Arts and Sciences for April, 1827, furnishes an interesting article on Mr. Perkins' improved steam-engine. It appears from the Journal referred to, that Mr. P. has surmounted the many practical difficulties, with which he had to contend in the construction of his engine, and that on the first of April, it had been several days in successful operation. The engineers who had attentively witnessed the performance, were unable to detect any fallacy, in the application of principles or in the operation of the engine. We may now safely conclude, as conjecture and speculation must always give way to experiment, that the long controversy, respecting the actual power, perfect safety, and great economy of this engine, is soon to be settled forever. Consequently the character of Mr. Perkins as a mechanician will either rise with the tremendous power of his engine, or descend enveloped in the high steam of his new generator. Should Mr. Perkins' engine, however, possess only one of the qualifications alluded to; that of Absolute Safety, it must then be considered as one of the greatest discoveries that has marked this or any other age. When we consider that a great proportion of the travelling in this country as well as in Europe is performed by steam boat navigation, and that a large part of the machinery in different manufacturing establishments is also driven by steam, and that no form of the steam-engine hitherto constructed, either high pressure or low-pressure, has been exempt from those destructive explosions, by which too many valuable lives have already been destroyed; if Mr. Perkins has discovered the means of preventing the frequent recurrence of those awful and distressing scenes, resulting from the bursting of the boilers on board of steam-boats, and other works, it must be acknowledged that he will by this valuable invention, render service to the world on the very highest order, so far as the cause of humanity is considered.

Mr. P. has taken several orders for his high pressure safety engine, and guarantees the saving of half of the fuel, expended by the engines common in use, for any given power, the weight not to exceed one-third of the ordinary condensing engine, nor to occupy more than one-third of the bulk, and always secure from the dangerous effects of explosion.

RUSSIAN CARAVANS.

A French paper furnishes us with some statements concerning the overland trade carried on between Asiatic Russia, Central Asia and China. Within the first five months of the year 1826, three caravans left Petropaulowki for Kokand and the steppes of Kirgis. Kokand is a considerable town in independent Tartary. 101 camels and 362 carriages were embarked among these caravans; and the value of the merchandise transported, was more than 150,312 roubles, or about \$130,000.

In the beginning of June, another caravan arrived at Petropaulowki, from Asret, a town 315 leagues distant. It brought cotton, raw and spun, for the fair of Nisni Novogorod. A few days afterwards, another caravan made its appearance from Sennylark, in the country of the Kirgis, followed by 85 camels and 31 carriages, with furs for the same market, lamb skins for Kasan, and wool for Petropaulowki, where there is much trade in that article. An immense quantity of Prussian clothes were imported into Clatia, for transit, between 1817 and 1823.

N. Y. Daily Adv.

There exists, at present, in Prussia, according to the report of the physician Grafe, a remarkable instance of obesity in the person of a butcher named Tracher. Up to the age of 30 years he was thin, and at that time he was a great dancer. On his return from a journey which he made in Russia, he was seized with a devouring appetite, especially for animal food. He once gained a wager that he could eat a whole calf in 24 hours, merely cooked with water and salt. His voracity, seconded by extraordinary digestive powers, made him attain, at the age of 37, so excessive a fatness, that he could neither sit down nor stand upright. Dr. Grafe, whom he called in, found him in imminent danger of suffocation. Frequent bleedings, Goulard's lotion, extract of belladonna, repeated purgatives, and a rigidly vegetable diet, reduced him in six months, from 40 to 20 stones, the weight of this living column of fat, and he is now in a condition to attend to his ordinary business.

MISREPRESENTATION CORRECTED.

The following letter appeared in the National Intelligencer of June 5. Baltimore, June 1st, 1827.

To Messrs. Gales & Seaton: Gentlemen: On my arrival in this city, about an hour ago, I took up the National Intelligencer of yesterday, and with great surprise read the editorial article under the head of "Politics of the day." You say, that "two particulars are mentioned in the Baltimore papers relative to the late meeting of Delegates, in the State of Maryland, which deserve to be noticed, as among the incidents of the day."

"The first is, that the address, as reported by the committee, proposed to identify the cause of Mr. Calhoun, with that of Gen. Jackson, and to recommend him as a candidate for the Vice Presidency, to be run in connexion with General Jackson for the higher office."

"Not having seen the Baltimore papers, I know not what they contain on this subject, and therefore do not know what justification they may afford you for the above statement; but as I was a member of the committee who reported the address to the people of Maryland, I feel called upon by a sense of duty, to state, that no proposition was made in that address, nor by any member or of the convention, to identify the cause of Mr. Calhoun, with that of General Jackson, nor to recommend him as a candidate for the vice presidency, and of course none could be expunged. And as you have been pleased to allude to me by the flattering appellation of the "bosom friend" of Mr. Calhoun, it is proper that I should also add, that in the brief incidental debate which took place, not one word was uttered injurious to Mr. Calhoun, nor any thing that can justify the representations made in the Intelligencer on that subject. The Jackson convention shewed no disposition to "drop" Mr. Calhoun, as you are pleased to term it; nor did they take any steps to support him. They were appointed by the people for a single purpose; that is, to promote the election of General Jackson. They had no authority for any other object, and did not, therefore, interfere with any other.

I am gentlemen, your most obedient servant, V. MASTY.

PENNSYLVANIA.

From the American Sentinel. Philadelphia, May 30, 1827.

Messrs. Editors—the subjoined which was handed to me by a friend, appears, from its tenor, to be a copy of a letter from a warm friend of the administration of the general government in reply to Mr. Binns's circular. As I conceive it to be a pretty correct picture of political affairs in Pennsylvania, you may give it to the public.

"Dear Sir—I received your circular of last month, asking for information, and making certain inquiries, in relation to the state of public opinion on the Presidential question.

I have been for some time industriously occupied in collecting the information you require; but I fear the result will be equally unsatisfactory to you as it is to me. In truth, it is eminently calculated, not only to depress the spirits and to blight and blast the hopes of our party in the county in which I live, but from the community of feeling and sentiment that seems to exist in the neighbouring counties, we have no reason to hope for any thing propitious to our cause throughout this deluded state.

Indeed I have seriously thought, that rather than expose our weakness, and become the subjects of ridicule to our opponents, we had better abandon entirely the rash project of getting up an electoral ticket. This however is submitted, with great deference, to your better judgment; and as it regards our country, after giving you the facts, I shall hold myself subject to your direction.

I proceed now to answer, as well as my present means of information will enable me, your specific enquiries, in the order in which they are presented; and as you are aware how largely I participate in your patriotic feelings in favour of the present administration of the general government, you can have no reason to suspect that the facts or circumstances which may appear against us will be in any way exaggerated by me.

1st. What is the probable numerical strength of the friends of the administration and those of General Jackson in your county, of what politics are those parties made up, and in what proportions?

The numerical strength of the friends of the administration in our county amounts in the aggregate (in-

cluding some that are really doubtful) to about thirty-seven, twenty eight of whom, to our sorrow and confusion, are of the Federal order. Of course the residue of the population, with the exception of some few that are inert in politics, are immovably fixed for the military candidate. There are doubtless some federalists among them. They are however a very inconsiderable proportion of the mass, and all it is believed of the young stock; the ultras of ninety-eight, who supported the measures of the father, adhere pertinaciously to those of the son—we may with safety count upon them.

2d. What are the objections most strongly urged with the most effect against the administration and the re-election of Mr. Adams?

Among the objections urged with powerful effect against the administration in the manner and means employed by them to effect their own elevation to office against the declared will of the people, and in violation of the constitution. The people are continually ringing the changes of bargain, sale, intrigue, corruption and management. I have exhausted every argument I am master of, in the vain hope to convince them that every thing connected with the late presidential election was perfectly fair and honorable; but they still remain incurably obstinate in their attachment to Jackson, and impleadable in their refusal to what they term the present corrupt administration of the general government.

Facts, you know, are stubborn things, and disguise them as we may, appearances in relation to the fairness of the late presidential election are strongly against us. This is a precious confession, and of course only intended for the ears of our associates. The appointment of Henry Clay to the office of secretary of state is in the estimation of the people here, a damning evidence of the guilt of the parties.

I sincerely wish it had not taken place (at least for a time) that some sort of colour might have been given to the disinterestedness of his conduct. Even the plain and illiterate yeomanry, who, you would suppose, could not have two ideas on political matters, urge with great vehemence, that the appointment of Mr. Clay was the consummation of one of the most nefarious political bargains our country ever witnessed; and that his acceptance of the office was the receipt of the wages of his iniquity. You must furnish me with fresh arguments to rebut this; for I have exhausted my stock to no purpose.

The objection to the manner in which the administration came into office obtains too, with much force, against their continuance or re-election; in addition, to which, it is urged, that the whole course of their measures, whilst they have exhibited no extraordinary talents, has been characterized by a palpable and criminal neglect of their public duties; an indolent and overbearing temper towards one of our sister states, and a gross perversion of the patronage of government for electioneering purposes. To these charges I must also confess my inability to furnish the refutation, and earnestly solicit the aid of your inventive genius to extricate me from the political embarrassment into which I have been led by my own zeal in the cause.

3d. What are the characteristics of the administration that have taken deepest root on the public mind and have the most influence in favour of Mr. Adams?

To this inquiry, I am almost at a loss to furnish a reply. I have pressed upon the favourable consideration of the people every act that I thought would be likely to operate to their advantage; every measure that seemed calculated to excite popular applause; but, alas, without success. The favourable disposition which the administration has recently manifested towards the manufacturing interests of our country I desecrated, with peculiar force, and wish I could say, with effect. I thought this a powerful lever, by which the mulish multitude might be moved, to utter something in favour of our liege Sovereign; but so far from producing that effect, I was met with the cry of popularity-trap, stale electioneering trick, by which the honest yeomanry of Pennsylvania were not to be ejected out of their votes, or cheated into a belief that Mr. Adams, who was formerly known to be hostile to domestic manufactures, should have thus suddenly become their devoted friend and advocate.

4th. What objections are most effectively urged against, and what facts and arguments take the strongest hold of public opinion in favour of the election of General Jackson?

The old hackneyed and worn out arguments of the danger of electing

a Military Chieftain, the hanging of Ambrister and Arbuthnot, and the imprisonment of Judge Hall, are all urged, but with little effect. To the first they answer that the immortal Washington was a Military Chieftain; and as to the two latter charges (would you believe it) they not only refuse to censure, but absolutely justify him.

The facts that take the strongest hold of public opinion in favour of the election of General Jackson, are the many valuable services rendered his country, in the council and in the field, from the revolution down to the period of his retirement from the senate—his dignified deportment in every station, his capacious mind, his pure, unsophisticated republican principles and practices, and his unending integrity.

5th. You request my opinion as to the best mode of getting up an electoral ticket in favour of Mr. Adams, whether by general convention or by district meetings. Indeed, I despair of the practicability of getting up such a ticket in either way. The paucity of our numbers would render us truly ridiculous. I think we had better abandon the project, or by attempting it, the failure may damp the energies of our friends in other states.

6th. What are the political characters of the newspapers published in your congressional district?—There are three, two of which are finely devoted to the cause of the military candidate; the third, though inclined in favour of the administration, is kept neutral by the fear of utter ruin from the loss of subscribers, which would inevitably be the result of a public avowal of its real principles.

An administration paper could not live in our district, unless sustained by extraneous pecuniary resources, which perhaps might, if it were thought expedient, be drawn from the fund at Washington.

7th. What proportion of your population is made up of Germans and their descendants, and what are their feelings in relation to the presidential election?—About two thirds of our population are Germans & their descendants; the remaining third are Irish and their descendants. These materials, however discordant in other matters, to our chagrin and mortification, I am constrained to say, unite and harmonize most cordially in favour of Old Hickory, as they are pleased to denominate their candidate.

The formation of an association here, agreeably to your suggestion, would, for the reasons I have already adduced, be out of the question.

You might as well attempt to erect a Christian Church in the midst of the Turkish Empire, as to establish an Adams association in the midst of these outrageous Jacksonians. I agree with you perfectly as to the policy of forming our electoral ticket (should it be thought expedient to form one) entirely of respectable democrats; but the great, and, I think, insurmountable difficulty would be in obtaining the consent of such men to serve. I know not how it is with you, but here a respectable democrat would not risk his reputation on an issue so extremely doubtful as the approaching presidential election is conceived to be. The result of which, if in favour of Jackson, it is much feared, would draw the life of separation between democrat and federalist so strongly as to alienate from the democratic party all those who had in any way contributed to the support of Mr. Adams; and that the distinctive appellations would then be Jackson and Democracy, Adams and Federalism. These are my fears and apprehensions. I trust you will be able to prove them groundless. Consider this letter as confidential for the present.

VOICE OF PENNSYLVANIA.

We see numerous accounts in the administration prints, relative to the great changes in Pennsylvania in favour of Mr. Adams! and the probability of that gentleman receiving her vote at the next presidential election! These changes are said to have taken place in the western counties of the state; but our accounts from that quarter give a quite different complexion to the state of parties. General Jackson's popularity is increasing in the west. Carlisle Pa. Gazette.

A CHANGE.—The Bloomington (Ohio) Gazette, which, at the last presidential election, supported Mr. Adams, has come out in favour of Gen. Jackson. The editors give as a reason for their doing so, the fact, that "the voice of the people of Indiana, by a large majority, was ascertained to be for Jackson." The Jacksonians in Ohio, will have a state Convention at Columbus on the 8th of January next.

KENTUCKY.

At a meeting of 177 of the friends of General Jackson, at the town of Frankfort, Ky. General Christopher Lillard was appointed Chairman, and C. S. Bibb, esq. Secretary. A resolution was adopted in favour of the election of General Jackson to the presidency—another recommending the amendment of the constitution of the United States, so as to give the election of President and Vice-President immediately to the people; and a third, calling on the Jacksonians throughout the state to assemble in their respective counties, for the purpose of devising means to promote the election of the man of the people—General Jackson.

The editor of the Frankfort Argus, in whose paper is published the proceedings of the meeting, says—"The friends of Mr. Adams rallied in the evening, and held a meeting at the same place, and adopted resolutions. We understand they counted 152. They affect to exult that they were able to collect so respectable a minority, and considering their weakness in the county, they have reason."

At the request of many friends of Jackson, we invite and challenge them to a general meeting in this place, upon any convenient notice, for the purpose of testing the strength of Jackson and Adams, in Franklin and that part of Anderson which votes with us.

BEHOLD A SIGN.

Letters from Mercer announce the adoption of a preamble ending with the following resolutions, at five Battalion Musters in that county, by overwhelming majorities:

Resolved, That General Jackson is our choice as next President of the United States.

Resolved, That the constitution of the United States ought to be so amended as to give to the people the right of voting directly for President and Vice President, without the interposition of electors, or Congress, still maintaining the relative votes of the States, and their sovereign character, as at present provided for.

Resolved, That the hon. Thomas P. Moore faithfully represented our views and wishes when he voted for General Jackson to be President, and that we have the highest confidence in his integrity and patriotism.

At two or three of the musters there was a spirited discussion on both sides of the question. The vote was as follows:

Luce's Precinct,	173	1
New Providence,	205	1
Harrold-burg,	105	5
Doyle's Mill,	128	1
Perryville,	50	0
	665	8

At the last place the discussion continued to so late an hour, that there was much irregularity in taking the vote.

"The county of Mercer," says our correspondent, "was never more unanimous since the year 1798. New Court and Old Court all unite in favour of the Hero of New Orleans."

This county is in the centre of Kentucky, is the place of Mrs. Jackson's former residence, and where the "record" is kept, of which Hammond, Dana, &c. have made such infamous use. The world will now see what effect all the shameful attacks on the Herts, and his wife have with the people.

We have long believed that Jackson would get the undivided vote of Kentucky; but a majority so tremendous, in any county, was not expected. This expression from the people, taken in their neighbourhoods, inclines us to the belief that Mr. Adams has no party among the people of Kentucky, and that his strength consists almost entirely in a few noisy leaders.

INTOLERANCE.

Moses Myers, esq. we learn, has been appointed Collector of the Customs for this District, in the room of Gen. B. W. Prior, deceased. We feel ourselves imperatively called upon to announce contemporaneously with the above appointment, the fact that, upon the application of a distinguished member of this community for the above appointment, he was insultingly told by HENRY CLAY, Secretary of State of the United States, that none other than a "KNOWN FRIEND" to the Administration, would receive any appointment within its gift! Language proper to convey a just reprehension of such a declaration would be too indecorous for our columns. We leave the public to make its own commentary.

What will the neutrals in relation to the presidential question, say to this? Their keeping silent on the subject, it seems, is not enough for Mr. Clay; they must be the "known friends of the administration," or they need expect nothing from it, and will be reckoned amongst its adversaries.

THE SIX MILITIA MEN.

The Jackson Committee at Mobile, have published the following Certificate, which was addressed to their Chairman. While it explains the causes which led to the trial and execution of six mutinous militia men, it acquits General Jackson of all blame. As well might the administration prints charge every state Governor, who has signed the declaration of a convicted and sentenced malefactor, with unnecessarily shedding the blood of his fellow-citizens, as to make such a charge against General Jackson, because he barely approved of a sentence imposed by a military court.

Certificate of Col. Pipkin.

April 16, 1827. Dear Sir—I have been informed that Messrs. Buckner and Johnson, late members of Congress, have erroneously charged Gen. Jackson with having six militia men killed and executed, without necessity, and for crimes committed after the time of service had expired.

Believing that the six mentioned to were of my regiment, I deem a duty I owe to General Jackson, as well as the community at large, to make a full statement of the facts, circumstances connected with the arrest and execution. The regiment which I commanded was mustered into service under an act of Congress for a term of six months duty, on the 20th June, 1814, and ordered to garrison the different posts in the Creek Nation. In the latter end of August or the first of September, I discovered a mutinous disposition in my regiment, as well as at Fort Jackson, where I had established my headquarters, as at other posts; but I had no proof that would justify preferring charges, until a soldier by the name of Hunt, made a public declaration that he would go home at the expiration of three months or die in the attempt. I then wrote to Gen. Jackson, at Mobile, and requested him to order a court martial for the trial of said Hunt, which he did, but the order did not come in hand, until after the mutinous part of my regiment had released themselves from under guard, who, with him, deserted on the 20th September 1814. A short time previous to this, some party demolished the barracks house, destroyed the oven, and many other disorderly and mutinous acts. The day previous to their desertion, a large number paraded in arms, and marched towards the commissary stores. I ordered them to disperse, but my order was disregarded, and they forced the guard stationed for the protection of the stores. The commissary, anticipating their design, closed and locked the door; but that did not restrain them; for one of the men (who was afterwards shot by sentence of the court-martial) immediately snatched up a pick-axe, and cut through the hinges. They then entered the house, and took out eleven barrels of flour, and made proclamation to all who intended going home, to come forward and deliver rations, which they did. They afterwards proceeded to the bullock pen, and shot down two beavers, and the balance taking fright, broke the pen, and ran some distance, when they killed a third. They then returned to the fort, and completed their arrangements to start home, before stated, to the number of about 200. I immediately reported to Gen. Jackson the situation of the command, and the manner of proceeding. Shortly after, I received orders from the General, directing me, that if I had not already arrested them, to use every exertion in my power to do so, and to bring them back for trial. A party of them were arrested, and a court-martial ordered to be convened for their trial, by Lieut. Col. Arbuckle, acting under the orders of General Jackson, at Mobile, and to consist of five members, and two superintendents. Lt. Col. Perkins, of the Mississippi militia, was appointed president of the court, and Lieut. Robason, Judge Advocate. I was ordered to detail the balance of the court from the militia troops of the state of Tennessee, and to order the witnesses, for the trial of the prisoners of my regiment, to Mobile, also, to make out charges and specifications against them, which I did. On the 4th of December, I received notice from Col. Perkins, that the court-martial was organized, and commenced with the trial of Capt. Strother, and continued from that day until all the prisoners were tried. In all this business, Mr. Chairman, Gen. Jackson had but little to do than you had. It is true that at my request, he ordered a court-martial, and appointed the president and judge advocate, who were very respectable and intelligent men, but the balance of the court was

composed by me. Nor was General Jackson present, or even in Mobile, at the time when the prisoners were tried and executed; for I have always understood and believe, that he had reached the city of New-Orleans before the court was organized, there he remained until the restoration of peace.

On the 20th December, the term of service of my regiment expired, and on the 21st or 22d day, we broke up the line of march for Tennessee, and, as soon as we arrived there discharged.

Philip Pipkin.

State of Tennessee, Davidson County.

Personally appeared Philip Pipkin, before me, an acting Justice of the Peace, for said county, and he made oath that the foregoing facts and circumstances, as set forth, are true to the best of his knowledge and belief.

Subscribed and sworn to this 20th day of April, 1827. W. B. Lewis, J. P.

The U. S. frigate Java, Captain ... sailed from Boston on Tuesday morning the 5th inst. for the Mediterranean. She will take the place of the flag-ship North Carolina, Com. Rodgers.

COM. PORTER.—It is stated that Commodore Porter left Key West about the 9th of May, in the ship Hood, on a short trip to Vera Cruz. The Congresso Mexicano, formerly the Spanish line of battle ship Asia, and intended for Commodore Porter's flag ship, was to have left Vera Cruz last February for Vera Cruz, we may therefore look for her arrival immediately, and it is probable that Commodore Porter's visit to Vera Cruz is founded upon the belief of meeting her there.

CAPT. CLAPPERTON.

The Malta Gazette of the 7th of March says—"Letters from Tripoli of the 22d of February communicate the most favourable hopes of the safety of Major Laing. It is said that he met Capt. Clapperton at Timbuktoo, and that they were both proposed to be on their way to Tripoli, so that we may fairly encourage the expectation of hearing shortly most gratifying accounts of them."

GREECE.—The Editor of the Boston Palladium has received a letter from Smyrna of the 27th of March, confirming the account of the arrival of Lord Cochran, and the writer adds—"The Greeks are getting on as usual, and the campaign is as if it would be more decisive than the former ones; and from all appearances Russia does not care much for the Greeks—she will not interfere to make them an independent state—at least this is the opinion I have always taken of the subject. The Turks are exerting themselves in getting ready a strong fleet and sending off the new troops to the Morea. It is pretty well understood that the Porte will allow of the interference of no European powers, England alone has interfered in their behalf."

"Athens has been relieved by the Greeks, and some advantages gained. Gen. Karaiskaki has gained a decisive victory over Omar Vrionis, who is in a very bad situation. The Sultan has received a Tartar with this news.

WOLVES.—We learn from the Williamstown (Mass.) Advocate, that several wolves have made their appearance on the range of the mountains running west of that town, through the towns of New Ashford, Hancock and Lanesborough, in all which places they have done considerable mischief. In the three last mentioned towns, they have killed more than 400 sheep, and in Lanesborough alone, nearly 300. Preparations were making by the people to hunt after them and if possible to kill them.

ANECDOTE.—In a time of much religious excitement and consequent discussion, an honest old Dutch farmer, of the Mohawk, was asked his opinion as to which denomination of Christians were in the right way to heaven? "Vel den, (said he) ven I ride our wheat to Albany, some folks dis de peast road, and some say it is de post; but I don't tink it makes much difference which road I takes for when we get dare, dey never ask us which way we come—we is none of deir business—if we wheat pe good!"

At a dinner recently given in Louisville, Ky. there were present the gentlemen whose united height was thirty-two feet five inches! Their several heights were 6 feet 8, 6 feet 4, 6 feet 6, 6 feet 4-1-2, and 6 feet 4.

Bargle

AND THURSDAY

Candidates

ANN-BR Abner Linn Charles R. Robert W. William J. Christopher S. John S. V. John S. S. Robert W. Edward I. Stevens C. Joseph N.

To the Editor

Sir, A report different party candidate for a general Assembly pleased to contact paper; and I forming my am, and will dilate for their election.

A. A. Cour

It is stated pers, that three regiment of place, intend with a visit or next.

It is announced papers of cretary Clay, visit to Kentu

COURT OF

Monday, the day for the following: BUCHANAN, ARCHER and

After calling posing of the attorneys sent, the cou

Brown vs. B ten, (No. 49) Williams, (1) for the Appell gruder, for t

Alexander tus E. Admittat Tuesday, J. and STRIN

The case (No. 29,) of the Appellan the Appellee (No. 31.) on for the Appell the appella

J. S. et al. (No. 3) Magruder C. Dorsey derson's ex' was argued by the Appellan

for the Appell and Represe Riley's adm by F. S. der, for the sol argued F. B. 37,) was argu

for the argu for the & M. Neal argued by G

Wednesday, J. delivered in December 2 for the App son, for the Reversed.

He also the court in argued at J. and Mayer by Kenned Mitchell, ment Affir sented in p

livered. DORSET, of the cou ton & Bak last, by J. and by F. Judgment

The argu rs. Phelps dith for th by Moale ply.

The c State use argued by torney of Richar admitted