

# THE DEMOCRAT.



T. McDONALD, Editor.

PLYMOUTH, IND.  
Thursday Morning, June 18th, 1857.

## Wild Cats.

The bills on the "Bank of Plymouth" are becoming quite plenty among our farmers, and if some of them don't get their fingers burnt before twelve months roll around, we have guessed wrong.

The managers of the concern are gentlemanly appearing men, but they are comparatively strangers among us, and we understand that they had no assets to give in to the Assessor, belonging to the Bank, that were liable to taxation. We can look or such institutions only as swindling concerns, and the less the people have to do with them, the better.

The "Plymouth Bank Road" bills belong to the same category—not worth a cent, only at Mr. Walker's option. The road is not worth anything, and there is nothing else pledged for the redemption of the bills and were Mr. Walker to die, his administrator could not redeem a single bill of the Plymouth Bank Road; at least this is our opinion. He has a controlling influence in a branch of the Bank of the State, at this place, and receives and pays out this plank road paper, which gives the people some confidence in the "Red Dog." But the safe way is to refuse "wild cat" concerns, with which the city is flooded.

A few of our citizens speak highly of the paper issued by the "Plymouth Bank" and use their best exertions to circulate it throughout the county, and there is no doubt but they are handsomely rewarded for all the influence they use in order that the unsuspecting may be imposed upon by those pretending to do a banking business, but who have no capital.

## Utah.

The latest news from Washington says that a Governor for Utah will be appointed in a few days. The situation has been tendered to several prominent men, but they have respectfully declined the honor.

It seems to be the policy of the administration to avoid, if possible, any difficulty with Gov. Brigham, and his deluded followers. But the laws of the United States must be obeyed. 2,500 troops have been ordered to the frontier Forts, and no doubt, will accompany the government officers to Salt Lake. Should those troops be insufficient to prevent the laws of the U. S. from being trampled under foot, more will be forwarded.

## Township Assessors.

At the session of the Board of Commissioners of Marshall county held on the 1st inst., the assessors of the different townships, charged, and were allowed the sums opposite their names, for their services as such, to-wit:

|                                  |         |
|----------------------------------|---------|
| Union.....James Brooke.....      | \$36.00 |
| Center.....Elias Jacoby.....     | 75.00   |
| Green.....Orin Maxon.....        | 42.00   |
| Bourbon.....Robert Cornwell..... | 51.00   |
| Tiptecanoe, J. H. Shatto.....    | 33.75   |
| German.....Peter Schorb.....     | 54.00   |
| North.....Joseph Trwbridge.....  | 33.75   |
| Polk.....John Snyder.....        | 34.50   |
| West.....John W. Cleveland.....  | 31.50   |

Total \$391.50

The law requires the Assessor to keep an accurate account of the time they necessarily spend in the discharge of their duties, and to be sworn to the same. The Commissioners allowed the Assessors each \$1.50 per day, which foots up the nice little sum of \$391.50.

The law authorizes the Commissioners to allow a sum not less than \$1.50, nor more than \$2.00 per day, to each Assessor.

## Election News.

Some of the Republican papers have been exulting over the late election in Minnesota. In this instance as in many others, they have been slightly too fast. The latest news gives the Democrats 35 delegates and the Republicans 11. The Democrats have at least an equal chance for the balance.

## Buffalo.

At the late municipal election in Buffalo the Republicans and Know Nothings had a union ticket, but the Democrats elected their Mayor by 1,300 majority, a sad ten out of the thirteen councilmen by about 1,000 majority. "We are fatigued with victory."

The prospect for fruit was never better in this county (except Peaches) than now.—M. C. Dem.

Wherein thunder is "Peaches"—M. C. Rep.

It is said that "cock critics magnify small errors."

Large sums of money have been sent from Detroit and other places, to save the inhabitants of some of the northern counties of Michigan from a death of starvation.

Mr. Editor:—Agreeable to promise, having lived in Eldora one year, I take pen in hand to give you and your worthy readers, a brief sketch of Iowa at large, Hardin county in general and Eldora in particular. It is necessary that an individual should summer and winter, in a country before he can form any just opinion of its advantages and disadvantages.

I have lived through the heat and cold of one year have seen its storms and pleasant weather—have seen seed time and harvest, and shall endeavor to give an unprejudiced account of the same.

The beautiful region comprehended by the State of Iowa, is one of the finest in the United States. It has immense crystalline rivers, and beautiful rolling prairie. It is rich in minerals and its agricultural resources are unparalleled.

Nature has bestowed upon it her treasures with a lavish hand. It is a rapid growth in population and all the elements of a high civilization is without a parallel.

A few years ago it was seldom trodden except by the wild Indian in pursuit of game. Now it is like a productive garden; contains large cities and opulent villages, numerous Rail roads in operation and many now under construction.

That this state is destined to be among the most populous, wealthy, and influential of the confederacy, there can be no doubt. Its population in 1836, was 10,531, and it can now boast of a population of 509,685.

Its most populous county is Leo, its most healthy is Hardin.

It has 2,043,958 acres of improved land, and 6,515,479 acres unimproved.

It has only 132 paupers, and 120 insane persons in the whole state.

In this young state of the west are gathered the young, the active, the enterprising, the industrious, from the Granite and the Green Mountain State; from the Empire and the Buckeye; from the Hoosier State and from Suckerdom; from brave old Scotia, and from sunny France, from musical Italy, and from chivalrous Germany, here they settle and find a free, a happy and a quiet home.

Hardin county is situated near the centre of the state and contains a population of 4,500. It is 120 miles west of the Missouri, and 130 miles east of the Mississippi. It was first settled in 1851, and organized in 1853: has an area of 576 square miles it is well timbered containing about one acre of timbered to seven of prairie, and contains some of the most beautiful rolling prairie to be found in the west; its richness of soil is unsurpassed. It is well watered by the Iowa river, which is one of the most beautiful and attractive to be found in the west, running clear as crystal over a bed of solid rock.

Abundant mill privileges are found on this stream, which are being improved as fast as the demand of the country requires.

Several tributaries winding in from the prairies, pour their waters into the parent stream, thus supplying abundance of water for the agriculturists.

Good water can be obtained by digging from 10 to 30 feet.

No marshes and stagnant pools, receptacles of putrid vegetation producing ague and fever, are to be found in this county; consequently we are free from that great scourge of the west, the ague. It finds no foothold on these rolling prairies, fanned by the pure breezes of the northern zone. Grave yards are seldom seen and Doctors are obliged to engage in other business in order to make a living. Still there are objections to this country; we have recently passed through a very cold winter intermingled with storms and disagreeable winds; in fact the principal objection to this country are the winds which in cold weather make the cold doubly keen. But their beauty in summer fully compensates us for their rigor in winter. We are seldom in summer without a gentle breeze, resembling much the balmy sea breeze to be found on the shores of the rolling Atlantic.

We have in this county no less than 16 regular laid out towns, the principal of which is Eldora the county seat. A trial being made at the April election to move the county seat to a small village by the name of Berlin, the people of the county placed their seal of condemnation upon such a move, and methinks will ever continue to do so, if the people of Eldora do as they have promised. Iowa Falls, the second in size, possesses a beautiful site, and bids fair to be one of the finest villages in the country; its population are refined industrious and intelligent. Steamboat Rock is likewise a flourishing village, and has many natural advantages. Hardin City, New Providence, Mount Pleasant, and Quebec, are all flourishing villages, the last of which like its namesake "is pretty well up in the world." But easier "stormed" in these days when it rains and blows eight days in every week, then its illustrious namesake when the brave Wolfe lost his life. Coal of the canal kind has been discovered in various places in this county, and no doubt now exists, that the valley of the Iowa river is one large coal field in Eldora and various points along the river many banks have been opened and the coal now being used is equal to the canal coal of Western Pennsylvania, and far superior to the Illinois coal. Iron ore of a very pure quality, has been discovered in rock specimens and regular veins, establishing the certainty of an abundance of iron.

Limestone, marble, and good building stone, are found in abundance. There are in this county now in operation, sixteen saw mills, propelled by water power; eleven steam saw mills, and two flouring mills and many others now being built.

This is the country for the rich man—Here property increases in value much faster than in older counties; land that was bought three years ago in this county at one dollar and twenty-five cents per acre has been sold near town without any improvement on it, for two per acre. I bought lots two years ago last June for \$100 Dollars that sold last fall for \$100

This is likewise the country for the poor man; here he can put his plow into the prairie, and the same year raise a good crop of corn or potatoes. All his hay consists of the gathering, and his cattle and horses can walk in grass all summer. Kneedeep.

I arrived in this town the 8th day of last May; broke the prairie, and raised some good corn, excellent potatoes, fine garden sauce, and the best lot of melons I ever saw, and this spring I have plowed, harrowed, and planted, and no mellow or better land can be found in Marshall county.

Public Schools and religious organizations exist in almost every district; and society is as moral and refined, as in many of the older states, Indiana not excepted.—Hardin County possesses, combined with a fertile soil, plenty of timber, good water, and mineral and agricultural resources, which will place it in the first rank with the wealthy counties of the State.

But enough of Hardin County, a look at Eldora and I am done.

Eldora the place of our adoption, is a delightful village, situated on a high prairie about a half a mile west of the Iowa River, close to timber, stone, and stone coal; has a population of about 600 inhabitants—is situated near the centre of the county, North and South, and about seven miles from the centre East and West. The growth of Eldora during the past year, was very rapid over 50 good buildings were erected and probably over twice that number will be erected this season.

Eldora contains two good Hotels, called the Eastern House, and Eldora Hotel.—Five general variety Stores, two Drug Stores, and Store and Tin shop, one Grocery and Provision store, and three Blacksmith shops One Tailor shop, boot and Shoe shop, (A harness maker wanted.)

There are organized Religious Societies, Baptist, Presbyterian, Methodists, and Catholics. One Lodge of I. O. O. F., called Eldora Lodge, No. 77; and one Lodge of the Sons of Temperance.

No Liquor shops can be found in this town; they cannot exist here, I feel proud in saying that I have not seen a drunken man in Eldora since I came into it, (I am sorry to learn that Plymouth has become such an essential whiskey market. It was not so "years ago.") Eldora can likewise boast of one of the ablest conducted papers in Northern Iowa, called the Hardin County Sentinel, Edited and Published by Jas Spears and Co. The most of the citizens of Eldora are Eastern people, and all are enterprising public spirited, and intelligent.

Public Schools and Religious organizations are considered the main pillars of good society, and are liberally supported.

Now Mr. Editor I have endeavored to give you a brief sketch of Iowa as it is, and if any of you think you can better your circumstances by moving towards sun-down we extend to you a welcome hand. Here, by a little industry, you may soon become independent and be surrounded by all the elegancies and refinement of civilized life. Be exempt from the Sheriff's process, and enjoy the fruits of your industry and excellent judgment, and be enabled to walk down the decline of life with a calm and peaceful mind, undisturbed by the pressing demands of stern necessity.

If you will not come, then plod along, spend forty years of your life in cleaning up a farm, and dig among the stumps the balance of your life, shake fourteen months in every year with the ague, till you look like sepulchral spectres.

Plod on, you tolling sons of Eastern Cobble Hills, and Storm washed Mountains; use your guns for Plow and Harrow, and shoot in your grain between the rocks, Plod on, you Buckeye, and carry your stick along to scrape off the mud when you cannot plod longer. Plod on you ague shaken liver bound Indian, pile on your "Bushwhacking" clothes to keep you warm, bid adieu to red cheeks and healthy looks.

But Newspaper laws of brevity remind me that I have written too lengthily already, so with my best wishes for your prosperity and the prosperity of the Marshall County Democrat, I make my bow.

Yours truly  
W. J. MOIR.

Eldora June, 8, 1857.

P. S. Do not forget to remember me to those old scholars especially the girls.

BILL.

A person looking at some skeletons the other day, asked a young doctor present where he got them. He replied, "We raised them."

Too much pleasure and too much sun are both for women and flowers.

## Arrival of the Arago.

NEW YORK, June 11.  
The British screw steamer Arago arrived here to-day, from Bremen May 31, and Southampton May 30. She brings upwards of 450 passengers. She spoke on the 29th the steamer Herman, in lat. 44 deg. 23 min. lon. 10 deg. 41 min.

The U. S. steamer Susquehanna arrived at Cowes on the 28th May, from Lisbon.—She is to assist in laying down the ocean telegraph cable.

The Kangaroo, from this port, arrived at Liverpool on the 13th.

The Latest.—LONDON, Saturday, May 30.—The French Journal has the following statement respecting the affair: "An English brig, the John Edwards, bound from Bordeaux to Liverpool, was compelled, by contrary winds, to anchor in the roadstead of Belleisle. As she had no colors hoisted to show her nationality, the State schooner Armate, fired a black cartridge to remind the vessel of the omission. A second was equally unheeded to, when a third cartridge with ball was discharged, and the shot killed one of the crew named Williams. The Captain of the brig acknowledged his not showing colors by saying his signal halyards had been carried away and he could not replace them. The case is under investigation by the authorities."

## Further by the George Law.

NEW YORK, June 12.  
The George Law connected at the Ishmish with the Sonora, which brought down nearly \$2,500,000. She passed the Golden Gate on the 24th, bound up, with the New York passengers of the 25th May; and June 2d, passed the Golden Gate, with the mails of the 21st.

The Geo. Law left Aspinwall on the evening of the 31 of June. The U. S. ships Decatur and St. Marys were off Panama, and the Wabash and Cyane off Aspinwall.

Intelligence from San Juan del Norte states that over 1,000 of Walker's men are at that place, destitute and sick.

The British steamer Satellite had sailed for California.

Affairs in other South American states generally tranquil.

The Panama Star expresses fears that Gen. Walker, in conformity with threats made by him after his capitulation, will return with more filibusters to the Isthmus, and regrets that Gen. Mora did not bind him and his officers, in the terms of capitulation, never again to put foot in Central America.

The news from California is of no importance.

The papers give details of the massacre by the Mexicans of Col. Crabbe and party. It seems to have been attended by incidents of unusual cruelty. Crabbe himself was led out alone, tied with his arms above his head, and then riddled with one hundred bullets.

Boston, June 12.

The New Hampshire Legislature, on joint ballot, elected Daniel Clark, of Manchester, republican, to the U. S. Senate, by 190 votes, to 125 for J. S. Wells, democrat.

A WARNING.—The Alton Courier warns the public against eating, as greens, the tops of pie plant or rhubarb. Within the last few days a number of instances have occurred, in which their use has severely poisoned those who eat of them. The symptoms were violent purging and vomiting.

The Washington "Star" says that the "Camel experiment" is succeeding well. Those imported first are in use in carrying supplies between San Antonio, Texas, and Camp Verde. Young "colt" camels have been born and are doing well, from which it is judged that the accumulation of the stock is certain, without further importations.

A renowned clergyman, not a thousand miles from this city, lately preached rather a long sermon from the text, "Thou art weighed, and found wanting." After the congregation had listened above and hour, others soon follow: J. greatly to the annoyance of the minister. Another person started, whereupon the parson stopped in his sermon, and said: "That is right, gentlemen as fast as you are weighed pass out." He continued his sermon at some length after that, but no one disturbed him by leaving.

Grand Jurors.

The following named persons were selected as grand jurors, for the August term, 1857, of the Marshall Circuit Court, to-wit: James Tipton, John Cook, Wm. E. Walker, James Brooke, Jacob Johnson, Daniel Fetter, Wm. Garrison, Soy Belangee, Hugh Jackson, Adam Fisher, Abraham Johnson and Jacob Beller.

Poll mankind to-morrow as to which of the two they would sooner be, 'a knave or a fool?' and the majority would at least two to one in favor of the knave!

An Irish P.D. complained the other day, of the harsh treatment received from his father. "He treats me," said he, mournfully, "as if I was his son by another father and mother."

"I am thy father's spirit," as the bottle said to the boy, when he found it hid in the wood-pile, and wondered what it was.

A woman will cling to the chosen object of her affections like a possum to a gum tree, and you cannot separate her without snapping strings no art can mend, and leaving a portion of her soul upon the upper-leather of her affections. She will sometimes see something to love, where others see nothing even to admire; and when her fondness is once fastened on a fellow, it sticks like glue and molasses to a nigger's wooly sconce. This duality is a curious institution.

IMPORTANT FROM UTAH.—One of the most flagrant peices of lawlessness we have lately been called upon to record, is that the interesting details of which are narrated in our letter from Great Salt Lake City, published this morning. The satellites of Brigham Young—not so satisfied, as in the past, with the perversion of justice by corrupting its fountain and parking juries to find verdicts according to Mormon edicts rather than the law and the facts,—have invaded the temple itself, threatened and intimidated the Judge with the ermine upon his shoulders, and broken up and dispersed the Court by force. That this was done with Young's connivance, if not by his express orders, must be apparent to those who peruse the narrative of our correspondent; for, when asked if he would, as Governor, sustain the Judge in an attempt to execute the laws of the United States, he positively declined, upon the ground that the Court had given him trouble enough already.—N. Y. Times, Monday.

It is stated, in an exchange, that a miner in California, recently extracted a chunk of gold from among the rocks in the northern mountains, as large as a stone.

## New Advertisements.

**BROOKE & BRO.,**  
DEALERS IN  
DRUGS  
MEDICINES,  
Chemicals, Paints, Oils,  
VARNISH,  
TURPENTINE,  
WINDOW GLASS,  
DYE STUFFS,  
FANCY ARTICLES,  
PERFUMERY, &c., &c.

Have just opened, and will constantly keep on hand a well selected assortment of such articles as are enumerated above, and all others usually kept in a

DRUG STORE!  
which we will sell at the lowest current cash prices.

Particular attention will be paid to filling Physicians' orders, and putting up prescriptions, family compounds, and preparations of all kinds.

We invite those wishing articles in our line, to call, as we feel assured we can make it to their interest to purchase of us.

N. B.—Every article sold by us is warranted PURE, FRESH & GENUINE.

Those fond of a good CIGAR, cannot fail to find an article to suit them at

BROOKE & BRO'S.

BALM Thousand Flowers, at (June 13-31) BROOKE & BRO'S.

ROSE Hair Oil, Genuine Bear's Oil, Roberts' Hair Regenerator, (31) BROOKE & BRO'S.

TOILET Soap, a fine assortment, at (31) BROOKE & BRO'S.

ILLY White, Meen Fun, Pink Sauces, Carmine, Infant Powder, Powder, Puffs, at (31) BROOKE & BRO'S.

BY STATE AUTHORITY!

Choice First Class Insurance, by the

**ETNA**  
Insurance Company,  
OF HARTFORD, CONN.

Incorporated 1819—Charter Perpetual.

**FIRE AND INLAND**  
Navigation Insurance.

Calls the attention of its friends, patrons, and the public generally, to the following facts: of its having

**A Cash Capital of \$500,000!**  
with assets amounting to

**\$1,307,903.42!!**

Has transacted business successfully 38 years, and continues to progress in health, wealth and vitality. Paid an aggregate loss of over \$10,000,000.

Is organized on a National basis, with local agencies in all principal places, under a Mercantile system; founded on a cash standard, with an enviable reputation alike the same on the banks of the Hudson, or the Mississippi, the Gulf of Mexico, or the Northern Lakes; presenting a powerful organization as a conservator of public good and bond of integrity; equal to all emergencies. It undertakes, worthy of the stability and dignity of an

**Eminent AMERICAN Corporation?**  
ON MERIT ALONE.

Founding its claims to patronage and favor, upon superior facilities and security in matters of insurance—commercial, mechanical, mercantile, or rural, while ranking for importance and public service the first of

**FIRE INSURANCE COMPANIES**  
OF AMERICA.

Insures at rates and rules as liberal as the risks assumed permit for solvency and fair profit.

SPECIAL ATTENTION GIVEN TO THE INSURANCE OF DWELLINGS AND CONTENTS, FOR A PERIOD OF FROM ONE TO

Losses equitably adjusted & promptly paid. Policies issued without delay by

C. H. REEVE, Agent  
June 13-31m3.

STATE OF INDIANA,  
MARSHALL COUNTY.

In the Common Pleas Court, July Term, 1857.

Estate of  
Enos S. Tuttle, Adm'r.

Notice is hereby given, that accounts current will be presented to the court at its July Term, 1857, for examination and final settlement of the estate of Enos Tuttle, deceased.

ATTEST: NEWTON R. PACKARD, Clerk  
June 13-31m3.

## STATE OF INDIANA.

MARSHALL COUNTY:  
In the Common Pleas Court, July Term, 1857.

Estate of  
John P. Wexler, Adm'r.

Notice is hereby given, that a petition has been filed in my office, and that the same will be presented to the court at its July Term, 1857, asking an order to settle said estate as insolvent, the assets in the hands of the Administrator being insufficient to pay the debts.

ATTEST: NEWTON R. PACKARD, Clerk  
June 13-31m3.

STATE OF INDIANA,  
MARSHALL COUNTY.

In the Common Pleas Court July Term, 1857.

Estate of  
Casper Grube, Adm'r.

Notice is hereby given, that a petition has been filed in my office, and that the same will be presented to the court at its July Term, 1857, for the sale of certain real estate being insolvent to said decedent, the personal estate being insufficient to pay the debts.

ATTEST: NEWTON R. PACKARD, Clerk  
June 13-31m3.

STATE OF INDIANA,  
MARSHALL COUNTY.

In the Common Pleas Court, July Term, 1857.

Estate of  
John H. Hupp, Adm'r.

Notice is hereby given, that a petition has been filed in my office, and that the same will be presented to the court at its July Term, 1857, asking an order to settle said estate as insolvent, the assets in the hands of the Administrator being insufficient to pay the debts.

ATTEST: NEWTON R. PACKARD, Clerk  
June 13-31m3.

STATE OF INDIANA,  
MARSHALL COUNTY.

In the Common Pleas Court, July Term, 1857.

Eliza Hupp, vs.  
William J. Hupp, Philip Hupp, Louisa Hupp, Harriett Hupp, Franklin P. Hupp, and Jacob K. Hupp.

Partition.

The plaintiff in the above entitled cause, by A. C. Capron, her attorney, has filed in my office her complaint for partition, and it appearing by affidavit that the defendants, William J. Hupp and Philip Hupp, are non-residents of the State of Indiana; they are therefore notified of the filing and pendency of said complaint, and that the same will be heard at the next term of the Common Pleas court, on the third Monday of July 1857, and unless they appear, plead, answer or demur thereto, the same will be heard and determined in their absence.

ATTEST: NEWTON R. PACKARD, Clerk  
June 13-31m3.

STATE OF INDIANA,  
MARSHALL COUNTY, SS:

In the Marshall Circuit Court, August Term, 1857.

Ellen M. Murphy, vs.  
Edward Murphy.

Complaint for Divorce.

The plaintiff in the above entitled cause, by D. R. Sample, her attorney, has filed in my office her complaint for Divorce, and it appearing by affidavit that the defendant, Edward Murphy, is a non-resident of the State of Indiana; he is therefore notified of the filing and pendency of said complaint, and that the same will be heard at the next term of the Marshall circuit court, on the second Monday of August, 1857, and unless he appear, plead, answer or demur thereto, the same will be heard and determined in his absence.

ATTEST: NEWTON R. PACKARD, Clerk  
June 13-31m3.

WHO WANTS MONEY?

Notice is hereby given to holders of County Orders of Marshall Co., with numbers corresponding with numbers below, of dates 1848, '49, '50 & '51, that upon presentation to the County Treasurer, at his office, they will be redeemed:

1044, 1054, 1177, 1431, 1783, 2025, 2099, 2153, 2248, 2428, 2447, 2456, 2472, 2478, 2479, 2479, 2544, 2580, 2583, 2588, 2623, 2112, 2254, 2440, 2572, 2592, 2674, 2682, 2686, 2693, 2716, 3730, 3749, 3748, 3751, 3628, 2816.

D. VINNEDGE,  
T. M. C. I.

ESTRAY.

Came to the residence of the subscriber, living in Union township, Marshall county, Indiana, between the 15th and 31st of March, 1857, a RED COW, with white in both flanks, and some white between the fore legs; no other marks perceivable; supposed to be five years old. She has a calf five weeks old. Any person, by bringing satisfactory proof, can have the same.

ATTEST: W. D. THOMPSON,  
June 13-31m3.

SHERIFF'S SALE.

By virtue of a vendition expensis, to me directed, from the Clerk of the Marshall county pleas court, I will expose for sale at public auction at the court house door in Plymouth, Marshall county, Indiana, on the 11th day of July, 1857, between the hours of 10 o'clock a. m. and 4 o'clock p. m. of said day, the following described property, to-wit:

The rents and profits for a term of years not to exceed seven; of the following real estate, situated in Marshall county, Indiana, to-wit: commencing at the south-west corner of lots 2 and 3 of section 8, in township 33 north, of range one east of the 6th meridian, and containing 80 rods, thence east 80 rods, thence north 80 rods, thence west 80 rods, thence south 80 rods to the place of beginning, containing 40 acres—except the privilege of a mill site not to exceed one acre of ground on the south side of said tract, and some of the cutting of timber from the Lake to said mill site.