

POETRY.

LAYS OF THE EARLY MARTYRS.

The Maiden to her Apostate Lover.

Live—if thou wilt deny thy God, Thy plighted bride betray, And from the path thy fathers trod, A recreant turn away; Yes—live—since for a few short years Of sorrow, toil, and care, Thou canst forget a mother's tears, A father's parting prayer. I scarce had wept to see thee bear The doom thy Sires have borne; To die the death—and dying hear The crowd's unfeeling scorn; Then but a few short hours were thine To bow beneath the rod, Till thou hadst won a wreath divine, And reached the throne of God. Live then—nor think of her who dies— Whose keenest pang must be, Though plighted thine by fondest ties, She may not die with thee! Yes—live—but not to feel thy breast With hopeless anguish riven; Live, that thy guilt may be confessed, Repented, and forgiven.

HISTORICAL.

BATTLE AT RAMSOURS.

FOUGHT ON THE 20TH JUNE, 1780. (CONCLUDED.)

In pursuance of the orders given to colonel Locke and other officers at Mallard's creek on the 14th, they severally collected as many men as they could; and on the morning of the 18th, major Wilson, with 65 men, passed the Catawba at Tool's ford, and joined major McDowell, with 25 men. They passed up the river at right angles with the position of the Tories, to join the detachment of the friends who were assembling at the upper fords. At McEwen's ford being joined by captain Falls, with forty men under his command, they continued their march up the east side of Mountain creek; and on Monday, the 19th, they joined colonel Locke, captain Brandon, and other officers, with two hundred and seventy men. The whole force united amounted to four hundred. They encamped on Mountain creek, sixteen miles from Ramsour's. The officers met in council, and they were unanimous in the opinion, that it would be unsafe to remain in that position, as the Tories could attack them after a march of a few hours, and from the inferiority of their force, they had no doubt the Tories would march on them as soon as they learned where they were.

It was first proposed that they should recross the Catawba at Sherrill's ford, six miles in their rear, and wait for reinforcements, believing that with their force they could prevent the Tories from crossing. To this it was objected, that a retrograde movement would embolden the Tories, whose numbers were increasing as fast as probably their own numbers would increase after they had recrossed the river, and no additional security could therefore be obtained by such a movement.

It was next proposed, that they should march directly down the river and join general Rutherford, who was then distant from them about thirty-five miles. It was said this movement could be made without risk, as in making it, they would not be nearer to Ramsour's than they were. To this prudent proposition it was objected that nearly all the effective whigs of that section of the country were from home, either with them or general Rutherford, and such a movement would leave their families unprotected and their houses exposed to pillage; that it would be also a dangerous movement to themselves, as the Tories might be in motion, and they might encounter them in their march. It was insinuated that these propositions proceeded, if not from fear, at least from an unwillingness to meet the Tories, and therefore,

A third proposition was made, which was, that notwithstanding their disparity of force, they should march during the night and attack the Tories in their camp early next morning. It was said that the Tories, being ignorant of their force and suddenly attacked, could be easily routed. The more prudent members of the council could not brook the insinuation of cowardice, and trusting to that fortune which sometimes crowns even rashness with success, it was unanimously resolved immediately to march, and at day-

break attack the Tories. Colonel Johnston being well acquainted with the country, was instantly despatched to apprise general Rutherford of this resolution.

Late in the evening they commenced their march from Mountain creek, and passing down the south side of the mountain, they halted at the west end of it about an hour in the night, and the officers convened to determine on the plan of attack. It was agreed that the companies commanded by captains Falls, McDowell, and Brandon, should act on horseback and go in front; no other arrangements were made, and it was left to the officers to be governed by circumstances after they should reach the enemy. They resumed their march, and arrived within a mile of the enemy's camp at day-break.

The Tories were encamped on a hill, three hundred yards east of Ramsour's mill, and half a mile north of the present flourishing village of Lincolnton. The ridge stretched nearly to the east on the south-side of the mill pond, and the road leading to the Tuckasege ford by the mill, crosses the point of the ridge in a north western direction. The Tories occupied an excellent position on the summit of the ridge; their right on the road fronting the south. The ridge has a very gentle slope, and was then interspersed with only a few trees, and the fire of the Tories had full rake in front for more than two hundred yards. The foot of the ridge was bounded by a glade, the side of which was covered with bushes. The road passed the western end of the glade, at right angles; opposite the centre of the line and on this road a fence extended from the glade to a point opposite the right of the line—the picquet guard, twelve in number, were stationed on the road, two hundred and fifty yards south of the glade, and six hundred yards from the encampment.

The companies of captains Falls, McDowell, and Brandon, being mounted; the other troops under colonel Locke, were arranged in the road, two deep, behind them, and without any other organization or orders, they were marched to battle. When the horsemen came within sight of the picquet, they plainly perceived that their approach had not been anticipated. The picquet fired and fled towards their camp. The horsemen pursued, and turning to the right out of the road, they rode up within thirty steps of the line and fired at the Tories, who being in confusion, had not completely formed their line; but seeing only a few men assailing them, they quickly recovered from their panic and poured in a destructive fire, which obliged the horsemen to retreat. They retreated in disorder, passing through the infantry, who were advancing; several of the infantry joined them and never came into action. At a convenient distance the greater part of the horsemen rallied, and returning to the light, exerted themselves with spirit during its continuance. The infantry hurried to keep near the horsemen in pursuit of the picquet, and their movements being very irregular, their files were opened six or eight steps, and when the front approached the Tories, the rear was eighty paces back.

The Tories seeing the effect of their fire, came down the hill a little distance and were in fair view. The infantry of the whigs kept the road to the point between the glade and the corner of the fence, opposite the centre of the Tories. Here the action was renewed; the front fired several times before the rear came up. The Tories being on their left, they deployed to the right in front of the glade, and came into action without order or system. In some places they were crowded together in each other's way; in other places there were none. As the rear came up they occupied those places, and the line gradually extending the action became general and obstinate on both sides. In a few minutes the Tories began to retire to their position on the top of the ridge, and soon fell back a little behind the ridge to shelter part of their bodies from the fire of the whigs who were fairly exposed to their fire. In this situation their fire became so destructive, that the whigs fell back to the bushes near the glade, and the Tories leaving their safe position, pursued them half way down the ridge. At this moment captain Harden led a party of whigs into the

field, and under cover of the fence kept up a galling fire on the right flank of the Tories; and some of the whigs discovering that the ground on their right was more favorable to protect them from the fire of the Tories, obliqued in that direction towards the east end of the glade. This movement gave their line the proper extension. They continued to oblique until they turned the left flank of the Tories; and the contest being well maintained in the centre, the Tories began to retreat up the ridge. They found part of their position occupied by the whigs. In that quarter the action became close, and the parties mixed together in two instances, and having no bayonets, they struck at each other with the butts of their guns. In this strange contest several of the Tories were taken prisoners, and others of them divesting themselves of their mark of distinction, (which was a twig of green pine top stuck in their hats) intermixed with the whigs, and all being in their common dress, they escaped unnoticed.

The Tories finding the left of their position in possession of the whigs, and their centre being closely pressed, retreated down the ridge towards the mill, exposed to the fire of the centre, and of captain Hardin's company behind the fences. The whigs pursued until they got entire possession of the ridge, when they perceived to their astonishment that the Tories had collected in force on the other side of the creek, beyond the mill. They expected the fight would be renewed and attempted to form a line; but only eighty-six men could be paraded. Some were scattered during the action, others were attending to their wounded friends, and after repeated efforts not more than an hundred and ten could be collected.

In this perilous situation of things, it was resolved that major Wilson and captain William Alexander, of Rowan, should hasten to general Rutherford and urge him to press forward to their assistance. Rutherford had marched early in the morning, and at the distance of six or seven miles from Ramsour's, was met by Wilson and Alexander. Major Davis' cavalry were started at full gallop, and colonel Davidson's infantry were ordered to hasten on with all possible speed. At the end of two miles they were met by others from the battle, who informed them that the Tories had retreated. The march was continued, and the troops arrived on the ground two hours after the battle had closed. The dead and most of the wounded were still lying where they fell.

As soon as the action began, those of the Tories who had no arms, and several who had returned across the creek. They were joined by others when they were first beaten back up the ridge, and by two hundred that were well armed, who had arrived two days before from Lower creek, in Burke county, under captains Whiston and Murray. Col. Moore and major Welch soon joined them, and those of the Tories who continued the fight to the last, crossed the creek and joined them as soon as the whigs got possession of the ridge. Believing that they were completely beaten, they formed a stratagem to secure their retreat. About the time that Wilson and Alexander were despatched to general Rutherford, they sent in a flag under a pretence of proposing a suspension of hostilities, to make arrangements for taking care of the wounded and burying the dead. To prevent the flag officer from perceiving their small number, major James Rutherford and another officer were ordered to meet him a short distance in front of the line. The proposition being made, maj. Rutherford demanded that the Tories should surrender as prisoners within ten minutes, and then the arrangements should be made which were requested. In the meantime Moore and Welch gave orders, that such of their men as were on foot, or had inferior horses, should move off singly.

A German, in the ranks of the Tories, meeting close with an acquaintance before he discovered him, exclaimed, "Hey, Billy! why are you here? well, I would not hurt one hair on your head, because I have never known any harm of you, only that you was a Rebel." Billy, who was not quite so generous, and whose gun was empty, made a stroke at his head with the butt of a, but missed him—"Hoh," said his antagonist, "ston—ston—ston—I ish not a going to stand still and be kil, like a dem fool, noider," and made a blow at Billy, which he dodged, but his comrade, whose gun was loaded, clapped his muzzle close to him, and killed the poor Dutchman.

Son of the general. He was killed at the battle of the Eutaws.

as fast as they could; and when the flag returned, not more than fifty remained. They immediately fled. Moore with thirty men reached the British army at Camden, when he was threatened with a trial by a court martial for disobedience of orders, in attempting to embody the royalists before the time appointed by the commander in chief. He was treated with disrespect by the British officers, and held in a state of disagreeable suspense; but it was at length deemed impolitic to order him before a court martial.

As there was no organization of either party, nor regular returns made after the action, the loss could not be ascertained with correctness. Fifty-six lay dead on the side of the ridge where the heat of the action prevailed; many lay scattered on the flanks, and over the ridge towards the mill. It is believed that seventy were killed, and that the loss on each side was nearly equal. About an hundred men on each side were wounded, and fifty Tories were taken prisoners. The men had no uniform and it could not be told to which party many of the dead belonged. Most of the whigs wore a piece of white paper on their hats in front, and many of the men on each side being excellent riflemen, this paper was a mark at which the Tories often fired, and several of the whigs were shot in the head. The trees behind which both whigs and Tories occasionally took shelter, were grazed by the balls; and one tree in particular, on the left of the Tory line, at the root of which two brothers lay dead, was grazed by three balls one side, and by two on the other.

In this battle neighbors, near relations, and personal friends fought against each other, and as the smoke would from time to time blow off, they could recognise each other. In the evening, and on the next day, the relations and friends of the dead and wounded came in, and a scene was witnessed truly afflicting to the feelings of humanity.

After the action commenced, scarcely any orders were given by the officers. They fought like common soldiers and animated their men by their example, and they suffered severely. Captains Falls, Dobson, Smith, Bowman and Armstrong were killed; and captains Houston and McKissick wounded. Of the Tories captains Cumberland, Murray and Worlock were killed; and captain Carpenter wounded. Few either of the officers or men had ever been in battle before.

FROM A LATE LONDON PAPER.

CURIOS LEGAL FACT.

We do not recollect a more striking instance than the following, of unscrupulousness, (if we may use such a word,) assurance and ingenuity in an advocate.

About seventy years ago the celebrated "Counsellor" Costello was in his zenith at the Irish Bar, where he was unrivalled for wit, acuteness, and propensity of brogue. His practice lay considerably in the criminal Courts, where by his ingenuity he enabled many deserving culprits to evade the well earned punishment of the law. He was one day summoned to Newgate in a great hurry, and in a case of great emergency. The safe or strong box of the bank of Glendow & Co. had been plundered to an immense amount. Suspicion had fallen upon the deputy cashier, who was in consequence arrested and sent to prison, inside of the walls of which he had not been ten minutes, before he was advised by his fellow prisoner (whom on his entrance he had conciliated by "coming down" handsomely) to send for "Counsellor" Costello, who would, if any man could, save his life. It was in obedience to this summons that the "Counsellor" repaired to Newgate—a practice not very general here, perhaps, but not at all unusual in Dublin.

"I am told you are committed for purloining 10,000 guineas, my dear?" said the Counsellor as he entered the cell.

"I am." "Are you guilty?" "Sir?" "Have you the *are green* witness?" "I don't understand you." "Did you do the thing?" "Sir, you insult me by your suspicions." "Then by J—s you'll be hanged!" and the Counsellor took his hat. "Hold, Sir," said the prisoner—who after a little hesitation confessed that he was able to pay the Counsellor a thousand guineas if he should procure his acquittal—the bargain was struck and the Counsellor took his leave.

Costello immediately repaired to the Crown Office, in Dublin, from which

his client had been committed. The Sitting Magistrate was still on the Bench.

"Good-morrow, Mr. Alderman," said the Counsellor, as he entered—"is there any thing new to-day—any thing stirring in my way?"

"Yes, a most extraordinary case has occurred. One of Glendow's clerks has abstracted from the strong box of the bank ten bags, each containing ten guineas in gold. He was arrested this morning; some of the property was found on him, and has been sworn to. I sent him to Newgate about half an hour since, and he'll certainly swing after the next commission." (Old Bailey Sessions.)

"The property sworn to! Why, Zounds, how can that be? One guinea is like another, and—"

"True, true; but with the guineas the fellow stole some foreign gold coins, one of which, a broad Dutch piece, was found on him when he was arrested; it has been identified by the chief cashier; so you will admit he has no chance of escape. Here it is," and he handed the coin to the Counsellor.

Costello took the piece of money into his hands, looked at it most attentively, turned it in his hand, and, after considering it with the air of a virtuoso, returned it to the Alderman, with "Upon my conscience, as clear a case as ever I met." After some unimportant conversation he withdrew, went home, and by the packer, which sailed that night, he despatched a trusty messenger to Amsterdam, with certain instructions, and a strict injunction to be back in Dublin within three weeks, at the end of which the Commission of Oyer and Terminer was to commence.—The man succeeded in the object of his mission, and returned to Dublin on the very morning of the day appointed for the trial of his master's client.

The prisoner was put upon trial.—The principal Cashier of Glendow and Co. proved the circumstances of the robbery as narrated by the Alderman to Costello, adding that the robber (who could be none but the prisoner) had substituted ten bags of halfpence for those of gold which he had stolen.—The Dutch piece was then handed to the witness by the Counsel for the prosecution; he identified it as the property of his employers.—This evidence was deemed conclusive—the prisoner's countenance changed—the Jury indicated by their gestures that they were satisfied; the witness was descending from the table, when Costello exclaimed—

"Stop, young man, a word with you. I will thank for that gold piece, Mr.— (to the Counsel for the prosecution, who handed it to him) he looked at it, rubbed it on the sleeve of his well worn coat, and then, turning to the witness, said, holding the piece of money in his fingers—"and you positively swear this is the identical piece of gold which was in the strong box of Glendow & Co.?"

"I do." "Have a care, young man, look at it again," said Costello, offering it to the witness, but, letting it fall into his hat, which lay before him on the table. "I beg your pardon," said he, taking up and handing the coin to the witness—"You are sure that it is the identical piece of money?"

"I am." "You are positive? Look at it again." "I do; and swear it is the identical piece."

"And this?" said the Counsellor, taking another and a similar piece from his hat—

The witness was petrified. Costello had at the Crown Office impressed upon his mind the date and pedigrees of the gold piece shown him, and it was to procure some similar coins that he had sent to Holland.

"And this?" continued he—"and this—and this?" taking a fresh piece from his hat at each question.

The witness was struck dumb. The prisoner was immediately acquitted.

The witnesses in the Irish Courts give their evidence from the table on which they stand, and not from witness boxes as in this country.

Burns was never in Greenock but once, and that was when about to take his passage to the West Indies. On that occasion, however, his satirical spirit gave birth to one caustic remark, which is too good to be lost, and has not yet, as far as we recollect, appeared elsewhere. Having gone down to the harbor, to view the ship which he had destined to carry him from his native shores, he arrived just as a gentleman, going on board on the same evening, had the misfortune to stumble, and fall into the water between the ship's side and the quay. By the intrepidity and exertions of a seaman, who instantly plunged in after him, he was saved from drowning and brought on board with no other injury save a sound ducking. The rescue, however, demanded a signal display of his liberality towards his preserver, and turning round, he, with no small ostentation, tendered him the mighty sum of *sixpence*, as the reward of his courage and humanity. The by-standers were astonished, and inveighed loudly against such unparalleled meanness. Burns alone remained silent, but when pressed to give his opinion of the act—"Why," said he, "the gentleman is surely the best judge of the value of his own life."

Greenock Advertiser.