

The North Carolina Whig.

"Be true to God, to your Country, and to your Duty."

VOLUME 3.

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TERMS:

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Poetry.

[From the Journal of Commerce.]

Here on the loss of the Arctic.

Let the whole world weep

For the loss of the Arctic.

Even as the mournful, rolling deep

Laments their destiny.

The bark which bore them is no more;

Under the briny waves she lies.

If there be sea serpents, they shall peer

At the wreck of the Arctic.

For fate did never

From the western waves

Sink into ocean caves

As this bark, nor deliver

So many souls at once, with beauty grand

To the salt sea waves.

Let the winds sing no more,

Saving in mournful song—

And the sea looms their pity poor

Over the wreck of the Arctic.

For the Arctic was a noble ship,

Who risked her life for the Arctic.

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EVERY MAN HIS OWN LAWYER— SELF-DEFENCE TRIUMPHANT.

At the last term of the Orange Co. (N. Y.) Court, the following case was tried, upon which the jury was addressed by the defendant, who had concluded to appear in his own defence:

The People vs. James Allerton.—This was a very interesting case, rendered so from the fact that the defendant acted as "his own lawyer" on the trial, without having the advantage of being one of the legal fraternity. His "summing up," of which we are able to give nearly a verbatim report, with the exception of the "acting," was decidedly rich, and afforded much amusement for the legal gentlemen present.

The defendant, who is a small, red-haired, thin specimen of a Yankee, was indicted for an assault and battery on one Mr. Dodder. The facts, as divulged upon trial, are briefly as follows: The defendant is in the employ of the Mongon Valley, Forresterburg and Port Jervis Plank Road Company as a toll gatherer, and resides upon the road, some miles above Port Jervis. He and the complainant, Mr. Dodder, are near neighbors.

On a Sunday in February last, the defendant saw the complainant in the act of beating his (defendant's) cows along the highway, and as an inducement for him to quit, hurled a few stones at him, one of which, as the complainant testified, struck him on the back of the neck.

The testimony being concluded, the defendant addressed the jury as follows:

Gentlemen of the Jury: I don't know much about law, and since the trial has been going on I have concluded that I ought to know a little more. I ought to apologize perhaps for appearing in my own defence, and I will do so by telling you that I feed one lawyer, and hired another, in this case, but they both came up missing when I needed them most. I suppose I might have secured the services of some of these other "limbs of the law," that I see around me, but having been cheated by two of 'em, I concluded to go to my own book, and here I am! I want to tell you, gentlemen, before I go farther, that it is not my fault that this case is here, taking up the time of this honorable court. I think you will give me credit for telling the truth, when I say that it ought to have been tried before a Justice of the Peace, it being better adapted to the capacities of such a court than this one—

After this difficulty, Dodder did not get a warrant for me from Squire Cuddeback, even in Deerpark. He then charged that I had insulted him, but five or six months has frustrated his recollection, and he now says that I assaulted and battered him. I believe there is some difference between the two charges.

Dodder says he swore to the complaint before Squire Cuddeback, and I leave it for you to say whether he tells the truth now in saying that I battered him. I was taken by a constable before the Squire, and either because the Justice was ashamed of what he had already done, or hadn't time to attend to it, I don't know, which it went down. Two or three weeks after that I was arrested again, and my wife having been confined, I thought it best, as a dutiful husband, to ground him, so I got rid of it by giving security for my appearance to Court.

You know, gentlemen, that I am in the employ of the Mongon Valley, Forresterburg and Port Jervis Plank Road Company, as a gate keeper. This company, it seems, had sufficient confidence in my integrity and honesty to place me in that important station, and even if I should receive \$5000 and steal \$1500 of it, that's between me and the company, and it's none of Dodder's business. Now, when the company sent me up along this road to collect tolls, this Dodder was one of the inhabitants I found there in the woods, and I will say for him that he is a very fair specimen of the rest of the population. But there isn't any of them that seem to appreciate all the benefits of this plank road.

It let out to civilization a class of people who never before realized the idea that there was such a thing as civilized life, and this Dodder is one of them. It is a fact that soon after I moved there, a young woman 17 years old, came down one day, and said she had never been out before. She fairly seemed surprised to see a white man, and after asking a few questions went back into the woods. This Dodder was my nearest neighbor, and a good deal nearer than I wanted him, and I hadn't been there long, before I heard he had been lying about me to one of the Directors, and I soon found out that he wanted to get his son, who was sworn here against me, in my place. But he hasn't done it yet, and if you don't convict me, I reckon he won't try soon.

It won't take long to dispose of Dodder No. 2. He testifies that he saw me throw three stones at his father, and saw the "old man dodge." On his cross examination he says that he was in his own house in the woods, and had to look over a hill twenty feet high, and also over three slab fences and two stone walls. Well, if he tells the truth, all I wish is that I had young Dodder's eyes. He is certainly a remarkable boy and can't consistently deny his "father."

I am willing to admit that I done wrong to throw stones at Dodder, and I apologize to all the world and this county particularly, for it. The doctors tell us that there are two causes for all diseases, predisposition and excitability; I think it was the latter cause that moved me to stone Dodder. I therefore confess myself guilty of the assault, but the battery I deny, and if you find me guilty of the battery I will appeal from the decision to the Court of High Heaven itself before I will submit to it.

Now, gentlemen, you saw Mr. Dodder and heard him swear against me. I asked him a great many questions, and I was sorry to hear him answer as he did. I might have asked him if he didn't kill my cat, and if he didn't stone my chickens, because they trespassed in his woods, where actually the rocks are so thick that the brakes don't find their way through them; but then I knew he would deny it, and it would give me to hear him. He admits that he was driving my three cows up the road, and

that he struck at one of 'em, but says it was with a small switch. I have proved that this switch was a pole about ten feet long and about three inches across the butt end, and I have also proved that when he struck, the cow fell. It is true my witness couldn't swear that the stick hit her, he was so far off, but take the blow and the fall together, and we can guess the rest. If you, gentlemen, should see me point a gun at a man and pull the trigger, see this flash and hear the report, and at the same time see the man drop, I think you would say that I shot him, although you might not see the ball strike him.

Now, the fact is, gentlemen, that on Sunday, I was laying on my lounge in my house, when my wife said to me that Dodder was chasing my cows. I jumped up and pulled on my boots and went out of doors, and saw Dodder and the cows coming up the road. It is true he says he was not driving them, but says he and the cows were both going along the road in one direction, and this was as near as I could get him to the cows or the truth; but it is proved that the cows were going ahead of him, and he was following after them, striking at them, with this little switch, 10 feet long and 3 inches across the butt, and I reckon you'll think he was "driving" them. I sung out to him, "Dodder, stop!" but he didn't obey my order, and just threw a stone in that direction, which went about 10 feet over his head; at the same time going toward him, while he was coming toward me. He paid no attention, and I sung out again, "Dodder, stop!" still he didn't mind me, and then I just threw another stone; but on he came, and I went, and I threw the third stone, which he says hit him in the back of his neck, but which I think is rather strange, as we were going toward each other as fast as we could go. But he never slackened up, and by this time we were within about eight feet of each other. I halted and hollered at the top of my voice, "Dodder, why in— you stop!" about then he did stop, and raised this 10 foot switch, as if to strike me—I sang out, "Mr. Dodder, look out! You may wallopp my cows, but if you wallopp me with that switch, you'll wallopp an animal that'll look 'em!" [Here the orator made an appropriate gesture of the head, as in the act of hooking, which was followed with tumultuous shouts and laughter, that continued several minutes.]

Now, gentlemen, if you convict me, this Court can fine me \$500 and jug me for six months, and if you really think I ought to be convicted of this assault, say so, for I am in favor of living up to the laws, as long as they are laws, whether it is the Fugitive Slave Law, the Nebraska Bill or the Excise Laws. I will read you a little law, however, which I have just seen in a book I found here, the *Encyclopedia Britannica*, a law book, and read as follows: "Every man has a right to defend himself from personal violence." Now, I don't know whether that is law or not, but I find it in a law book, [a veteran member of the bar who was sitting near the speaker, remarked to him that it was good law.] Well, gentlemen, here is an old man, who looks as if he might know something, and he says this is good law— Now, if you will turn to Deerpark something, page 399, you'll find that the same doctrine is applied to cattle (great laughter). Therefore, I take it, I had a right to defend my cows against Dodder's 10 foot switch. Why, gentlemen, nearly all my wealth is invested in them cows, and you can't wonder that I became a little excited when I saw Dodder switching them with his 10 foot pole, consisting of a wife and six children, which I reckon is doing pretty well for as small a man as I am, and I could not afford to let Dodder kill my cows!

Now, gentlemen, I don't believe you'll convict me, after what I have said. But if you do, and this Court fines me \$500, I shall repudiate, because "can't pay." And I'll juggle for six months, why I'll do it, I will have it all their own way up there. But notwithstanding all this, I am willing to risk myself in your hands, and I will think I ought to have stood by and not done anything, when I saw Dodder hammering my cows, why then I am "gone in," toll gate and all.

It is true, I am a poor man, but not a *breton* one. The name of Allerton can be traced to the May Flowers; when the land of the pilgrims on Plymouth Rock, among the passengers was a widow, Mary Allerton, with four fatherless children, and I am descended from that Puritan stock; and from that day to this, there has never lived an Allerton who hadn't Yankee spirit enough to stop a Dodder for jolting his cows. *I'm done.* (Here the laughing and shouting were exceedingly boisterous, in which all participated, and it was several minutes, despite the repeated cries of "order, order," by the court, before order could be restored.)

My eloquent and usually unvanquishable District Attorney, fearing to cope with so formidable an antagonist, merely remarked: "It is a plain case, &c., and left it to the jury, who promptly brought in a verdict of 'Not Guilty.' Mr. Allerton certainly deserves judicial promotion, and we move that he be appointed clerk of the Court.)

JANUARY 1000.—It is said that Rev. Jackson J. Bushnell, Professor of Mathematics in Beloit College, Wisconsin, has lately given \$5,000 towards the endowment of his own Professorship. Prof. Bushnell is a native of Saybrook, and a graduate of Yale. He supported himself through College and had more money when he left than when he entered. While an officer in Western Reserve College he gave \$1,000 to that Institution. It is a blessed thing that there are some men with large hearts. Another minister has also given \$5,000 to the same institution.—*Dur West Express.*

ANTISEPTIC PAINT.—A preparation has been invented for the preservation of submerged timber, consisting of asphaltum, sulphur and arsenic. It is applied like a paint, when the wood is dry. A marine railway in California to which it was applied remains perfectly sound, while timber of the same species by its side has twice required renewal.

INDIGNITY REFUSED IN THE CASE OF CAPT. GIBSON.—A letter from the Hague announces that the Dutch government have assumed a high tone, and have refused any indemnity in the Gibson case. The minister of the interior, in announcing his determination adds: "We have given to the American government all the particulars relating to this matter, and have insisted on this axiom in the law of nations that when a foreigner on our territory violates our laws, his crime may justify his punishment, but certainly not his claim to indemnity."

THE CUBAN EXPEDITION.—According to the Washington correspondent of the New York Tribune, confidential agents of the Cuban expedition now fitting out under the command of General Quintana have recently been in Washington to ascertain how far the administration are favorable to the scheme and will tolerate its execution. Reported private interviews were had with the President and Secretaries, the result of which was not encouraging to the projectors. Secretary May declared himself inflexibly hostile to the whole undertaking, and the majority of the Cabinet are with him.

HENRY CLAY'S HOME AND GRAVE.

We made a promise some days ago to give an account of our visit to Ashland. We were not prepared to find the dwelling totally demolished, but all that remained of it was part of a brick wall; which had once served to divide the parlor from the library, and upon this some half dozen men were at work with crow-bar and pick-axe, leveling it to the ground. All therefore that remains of the old homestead of the Statesman, is a pile of bricks and rubbish. We are told that the present proprietor of the estate—a son of Henry Clay—is about to erect on the site of the old dwelling, a new edifice of the exact form and character. This will make some amends for the work of demolition he has completed, but it will hardly pardon it. The old house might have been repaired; it should not have been destroyed. It was one of those consecrated spots, those shrines of liberty, to which the pilgrim would retire to revive hope, and strengthen his love of country.

Aside from the interest fixed to the spot because of him who, for so many years, found therein his home, there is nothing remarkable about Ashland. The estate partakes of the general character of the lands in the neighborhood of Lexington, being rich and fruitful. There are many fine trees in the immediate locality where the dwelling stood, and we can scarcely imagine a more proper rural home than Ashland once was, for such a man as Henry Clay. But its glory has departed; Henry Clay's home is razed to the earth. It was with a mortified and disappointed spirit that we left Ashland, and directed our way towards the cemetery, which is on the other side of Lexington from Ashland, but near the closely inhabited part of the city. It is an exceedingly well selected spot, and contains many of the noblest monuments. Our chief desire, however, was to see the grave of the "Great Contender." We soon found it. It is marked by no stone or monument. The place of sepulture, however, is well selected. Henry Clay lies just where he ought to lie, in the heart of Kentucky. The spot is beautiful and quiet, and "he sleeps well." His grave is heaped up in the usual form, and covered with the green sward. It is contemplated to build his monument on the spot where he now rests.—*Cincinnati Gazette.*

EXCITEMENT ABOUT FEMALE EQUES-TRIANS.—An agricultural fair was held at Zanesville, Ohio, last week, and the society having offered a premium of a gold watch worth \$50 to the best female equestrian, six ladies entered as competitors. The judges, after much discussion, awarded the premium to Miss Eliza Graham, of Putnam, who entered on a beautiful dapple grey, dressed in a black skirt, bodice and a brown dress relieved by blue ribbons. The decision created a terrible hubbub, in fact almost a riot, and the excitement was only allayed by a subscription being taken upon the spot, and another gold watch, worth \$150, procured, which was awarded to Miss Saline Kitchin, to whom the excited crowd contended the first premium rightfully belonged. Another premium, a silver pitcher, worth \$20, was awarded to Mrs. Wm. Brooke.

INTERESTING EXPERIMENT.—At the London Polytechnic Institution a new experiment of a beautiful kind, the invention of a French philosopher, is now being exhibited. It consists in the illumination of the interior of a jet of water, emitted horizontally, and falling into a curve. The light, which is of great brilliancy, and produced by galvanic agency, is applied at the back of the jet. It seems to be wholly absorbed, and bent out of its lateral rectilinear direction by the falling stream of water, every part of which is rendered perfectly luminous. Even the glass vessel into which the stream falls is occasionally illuminated. By placing various colored glasses between the light and the water, the jet is made to assume the most beautiful hues.

WRITING ON GLASS.—Mr. Whipple, of Boston, has patented a method of engraving or printing on glass, which opens up a wide field for mechanical industry and ornamented taste, by reproducing rapidly and cheaply on the surface of glass vessels of any usual form, or even upon ordinary window glass, any device desired. Measures are now in progress to establish a manufactory for the production of glassware thus ornamented, in competition with the imperfect and feeble engraving heretofore only prepared by a tedious process of grinding, deceptively upon a revolving stone. Like the old process, this method of engraving is purely mechanical, no acid or other corroding agent being employed, except in the preparation of the patterns.

HOW TO DO UP SHIRT BOSOMS.—We often hear ladies expressing a desire to know by what process the glass on new lines, shirt bosoms, &c., is produced, and in order to gratify them we submit the following recipe: "Take two ounces of fine white gum arabic powder, put it in a pitcher and pour on a pint or more of water, according to the degree of strength you desire; and then, having covered it, let it set all night; in the morning pour it carefully from the dregs into a clean bottle, cork it, and keep for use. A tablespoonful of gum water stirred into a pint of starch made in the usual manner will give to laws, either white or printed, a look of newness, when nothing else can restore them after washing."

THE CONJURER OUT-CONJURED. The other morning, says the Revue, we were thinking of something infernal, when in walked Signor Blitz, looking us full in the face at the same time, from behind that shadowy cloud of hair and whiskers in which he envelops his satanic countenance. We were very good friends, instantly, spite of hoof or brimstone, and we were just about to surrender ourselves in wonder and admiration at the way in which the Signor conjured coin into our pockets, and more mysterious still, out of our pockets, when who should pop in but De Meyer, with his lion port and kid like courtesy. Here was another victim for the arch enemy, and accordingly Blitz began to play the devil with the musician, even as he had done with us. De Meyer stood it for some time, in high admiration, when he exclaimed: "Well I have surprised you, Signor Blitz, but you are not the only one who can do some conjuring, too. He forthwith tore a small strip from the margin of a newspaper which again he divided into six very small pieces and spread them out on the palm of his hand. Now Monsieur Blitz I wish to know if you can give me your (puff) six you must, and blow away all these little bits, except you don't I shall show you. The magician studied the problem closely, but to puff away at a breath, five of the pieces, without stirring the sixth, was enough to puzzle the devil himself, and as his spirit gave up, earnestly desiring to be informed as to the art of the matter. "Very well, I show you, said De Meyer. Now den, rat piece shall I keep on my hand or I puff? Blitz pointed out the very centre piece. Oh, that is him, good! Now, *regardez!* The impromptu conjurer deliberately laid his pencil point upon the bit of paper designated, gave a puff, and sure enough the other five pieces left his hand in a hurry! There was a great laugh at the expense of Blitz; he, however, immediately got rid of the bit of the scroll by disposing of it to our Senator who entered at the moment and who by the by is now in the market with it!

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CHOLERA CURED BY ACCIDENT. The following extraordinary narrative on an accidental cure of the case of cholera is given in the Paris Gazette des Hopitaux, of August 16: "We have nothing new to mention to-day respecting new modes of treating the cholera, unless it be a new given in several medical organs, the authenticity of which, owing to its singularity, we should have perhaps been inclined to doubt, had it not been certified to us by an honorable practitioner, whose word is beyond suspicion. The fact, which we borrow from the Bulletin de Therapeutique, is as follows: "Dr. Rager (de l'Orne) having been called in a few days since to attend a choleric patient, arrived at the *chambre*, and in a state leaving no hope of cure, thought it nevertheless, to order an extreme remedy. He was in a half of procaine powder to be administered in three doses, at intervals of half an hour. The French word for dose (*grain*) signifies also *grain*, and the person whose duty it was to administer the prescription interpreted the word *grain* according to the common acceptance as applicable to a pinch of snuff, and instead of giving the powder to the patient internally, he applied it to his nostrils. The consequence was a fit of sneezing so tremendous that every muscle of the respiratory organs was strained in a conclusive manner, and the reaction in the system was followed by a complete cure."

Will this curious mistake, the Gazette asks, lead to a new mode of treatment for cholera? In any event it is a curious case, and whether in cholera or any other analogous disease, it may suggest the propriety of giving a shock to the nervous respiratory system, and may call the attention of physicians to that class of therapeutic agents called *excitants* or *stercoratories*, "which were certainly used by the ancients, and have, in modern times fallen into desuetude."

ELECTION INCIDENT.—The Southern Rights Advocate tells the following good one: "We recently heard a 'good thing' on a certain distinguished gentleman of this State. He was a candidate, electioneering strongly, when at nightfall he came to a house where none but 'ladies' were present. The honorable gentleman was entertained kindly, and offered lodgings for the night, which he gladly accepted. About 10 o'clock he was roused by a modest request to bring a pail of water from the spring a few hundred yards off. His gallantry forbade any refusal on his part, and so taking the pail, he went. Going was easier than coming. His friend, not accustomed to carrying burdens on his head, soon 'slipped' the water over his face and head—thus unconsciously giving himself a shower bath! That wouldn't do, so he fills the pail again and places it under his arm. This experiment was more satisfactory than the preceding for a while, but soon he stumbled and out went the water again. Our friend's patience became exhausted, and the first thing he knew the old lady had him by the arm, yelling, '