

ELECTIVE JUDICIARY.

The N. Y. Commercial Advertiser, in alluding to some remarks which it recently offered on the apparent political decadence of the country, as manifested in the increase and prevalence of certain popular distempers, which we traced in part to the degradation of the Judiciary under the present elective system, gives the following development and expansion to the thought in terms equally just and elegant:—Nat. Int.

Our Washington contemporary seems to connect this growing disregard for law and order with a system of electing our judiciary, and to regard it as the result of the introduction of that system into various States. The intimate connection of the two is undeniable, but we apprehend that the change of system was an indication of an already widely diffused deterioration of the popular feeling in this respect and of the gradual decay of that existed when our Government was formed, and upon which the framers of it relied. We have always regarded the change to an elective judiciary as a sign of a sad social deterioration already effected in the character of the people. It was an evil itself and has produced only evil. But in the production of those evils the press has had more to do than the people, and is chiefly responsible. The press unquestionably had the power to apply constantly a corrective of the evil. But it has done much to feed and foster it.

It has become habitual with some journals to charge partisanship or incompetence upon every judge whose legal decisions are not in accordance with their opinions and interests, and to hold over the head of such judicial functionaries the terrors of popular disapproval. So common, in fact, has this become, that practised newspaper readers are accustomed to say, "The — will denounce Judge — for that decision;" and "The — will be in ecstasies over Judge —'s decision," just as the journal and the judge dissent or agree in political sentiment. The surest way to make the judiciary political or partisan is to assume that they are so, and laud or denounce them for being so. And in this mischievous work, though we grieve to say it, the press has taken a prominent part. The probabilities of a reform here are not very strong; and in proportion as our hopes are feeble in that direction, so is the encouragement small for that general improvement in the popular estimation of the authority and supremacy of the law, without which, it is greatly to be feared, our social and political condition must grow worse rather than better.

Utah.—We believe we are not premature in announcing this morning that Col. Cummings, of Missouri, has been appointed governor of Utah, and that he intends to remove his family thither with the view of making that Territory his permanent residence. Col. Cummings is a gentleman of tried official integrity and of large experience in frontier life. Possessing great personal courage, of a conciliatory nature, yet prompt and energetic in the discharge of duty, he will bring to the important responsibilities which he has assumed the most essential qualities for success in the delicate and even dangerous mission which has been confided to him.

The difficulties to be encountered in Utah are more numerous and complicated than is generally supposed. Among them may be incidentally mentioned that Brigham Young claims a title to all the lands in the Territory, and has never recognized the United States surveys. None of his followers have purchased lands in accordance with our laws. Hence, one of the delicate duties of the federal courts of the Territory will be to establish and maintain the rights of those who may hereafter purchase in accordance with our laws. Not an individual in all Utah now holds a foot of land the title of which is derived from the United States, and it follows, under this strange condition of things, that all parts of the Territory are at the present time open to pre-emption.—Washington Union.

For the Bite of a Mad Dog.—A subscriber in Canada, of whose personal respectability we can bear most cheerful testimony, sends us the following recipe for the bite of a mad dog, of the efficacy of which he speaks in strong terms, adding that "the patient will find it extremely difficult to eat these cakes without food to take with them, but under no circumstances should food or drink be taken at the time, or within six hours after, however thirsty the patient may be." Recipe for the Bite of a Mad Dog. Take oyster shells, burnt to a lime, pulverize and sift through a piece of gauze; take two heaped table spoonfuls of the sifted lime and mix with eggs to the consistency of butter or cream; fry this in a pan with a piece of fresh butter or some sweet oil. This cake to be eaten in the morning, and nothing of food or drink to be taken for six hours afterwards. These such cakes as above to be eaten on three alternate mornings for an adult to be diminished for a child according to age.

N. Y. Commercial Advertiser. Two little boys named Saville were recently drowned by the giving way of a pier in Black River, Michigan. The oldest was between ten and eleven years old and the other about six years. When found by the mother, they were in the water, clasping each other around the waist in the embrace of death.

A Harsh Boy.—General Sir Charles J. Napier tells the following story of his childhood: "There was in Limerick a great coarse woman, wife of Dr. Murphy. When she heard of my misfortune she said, 'Poor boy! suppose a fly kicked his spindly shanks.' Being a little fellow then, though now, he is known, five feet seven inches and a half high, this offended me greatly; and as the Lord would have it, she broke her own leg just as I was getting well. Going to her house with an appearance of concern, I told the servant how sorry I was to hear that a bullock had kicked Mrs. Murphy and hurt its leg very much, and that I had forgave me." This is a very characteristic opening of a long life passed in public and private warfare.

A Queer Decision.—In Marion county, Ohio, a few days ago, a man sued another for rent of a house. On the day of trial evidence was adduced that the house was haunted, and the jury decided that the defendant should be paid \$15 as damages, instead of paying rent.

Romantic Wedding.—A pair of Mississippi lovers, living in the vicinity of Friar's Creek, a few days since betrothed themselves of getting married. Having procured a license, they set out on horseback. They soon came up to a person "setting" on a fence—it seems he did something occasionally at farming—and requested him "to solemnize the sacred rites of matrimony at once." The person finally consented, and he "setting" on the fence, and they on their horses, the sacred rite was "solemnized," after which they went on their way rejoicing.

From the New York Commercial. NOTICES OF BOOKS. Nothing to Wear.—An Episode of City Life. Illustrated by Hoppin. New York—Rudd & Carleton.

"How sweet an Ovid is to Murray lost," says Pope of the celebrated Lord Mansfield, whose early years had afforded evidences of a taste for poetry and poetizing. The author of this little poem is a member of the bar of this city (Wm. Allen Butler, Esq.) who, amid the engrossing cares of a professional life and after a day passed in the bustle of the Courts, occasionally steals a few hours from the night for the pleasant pursuit of literature. A number of Mr. Butler's former pungent and brilliant articles in verse have had as wide-spread a popularity as the present, but with a modestly highly creditable to him as a young author, and affording an example to others of far less merit, he has avoided writing over his own name or even under the scanty disguise of a non de plume. One of these described the cunning device of the sexton of a fashionable church up town who had forgotten to have fires made one cold morning, and remedied the evil by the immersion of the church thermometer in warm water just before service commenced. It afforded a subject for mirth to the town, and was in fact a first rate notice for the Napoleon of sextons therein select "Digory Pink."

It is well known to those who are in turn well known to Stewart, and who stand on his books rated A No. 1, for the length of their bills, for the fitting out a young lady now a day, for a Winter season in town, or a Summer season at a watering place, assimilates more nearly to preparing a vessel for a voyage around the world than any other analogous undertaking. It even exceeds in importance the latter enterprise, for, to ride the severest gales, in every variety of climate, the most prudent navigator requires but two or three sets of sails, while the reader probably knows, in his own limited circle, a score of fair dames who never launch their frail barks on the Summer sea without at least two score of dresses with laces and ermine to match. It is a delightful trait in the character of Alfred Jingle (in the Pickwick Papers) that while he had forty coats of his own in packing cases coming abroad by sea, he consigned to travel with his personal luggage in a brown paper parcel, and when happening upon an unexpected merry making, with "continuing to wear," he adapted himself to circumstances and borrowed another man's coat.—Miss Flora McFlimsey, the heroine of this little episode, was made of sterner stuff, and incapable of so monstrous a breach of the conventionalities of society. She had thrice made the modern grand tour by spending with her friends in Paris.

"Six consecutive weeks without stopping. In one continuous round of shopping. Shopping alone and shopping together. At all hours of the day, and in all sorts of weather. For all manner of things that a woman can put On the crown of her head or the sole of her foot. Or wrap round her shoulders, or fit round her waist. Or that can be sewed on, or pinned, or laced. Or tied on with a string, or stitched on with a bow. In front or behind, above or below. For bonnets, mantillas, capes, collars, and shawls. Dresses for breakfast, and dinner, and ball. Dresses to sit in, and stand in, and walk in. Dresses to dance in, and flirt in, and talk in. Dresses in which to do nothing at all. Dresses for winter, spring, summer, and fall. All of them different in color and pattern. Silk, muslin and lace, crape, velvet, and satin, Brocade, and broadcloth, and other material. Quite as expensive and much more varied. Or suitable for all things that could ever be thought of. In short, madras or tradesman's bought of. From ten thousand frames robes to twenty-four frills, in all quarters of Paris, and to every store. While Mr. Flimsey in vain stormed, scolded, and swore. They footed the streets, and he footed the bill."

The poet gives a graphic description of such an artificial and badly educated young lady of fashion, and depicts a character which is fast becoming the type of a class far better fitted to be the patrons of haberdashery than the wives and mothers of useful citizens. With all the humor and good taste with which the poem abounds, Mr. Butler points a moral, which, if only successful in attracting the attention of parents, may possibly tend to check one of the growing evils of the day for which they are accountable. It is to be feared that many a reader while glancing over these pages will find the smile fading from his lip, as he realizes the truthful depiction of his own domestic annoyances, and the secret of pecuniary embarrassments and insufficient means. Such little works as this do more to strike at the roots of the evil of over-dressing and extravagance than graver homilies. The illustrations are excellent.

LEUCORRHOEA OF THE APPEARANCE OF A COMET IN 1712.

As every body is on the *qu* *vise* in regard to the Comet, and as all sorts of ideas are "arousing" in regard to it, we give the following amusing sketch gleaned from an old paper:—"In the year 1712 Mr. Whiston, having calculated the return of a comet which was to make its appearance on Wednesday, the 14th of October, at five minutes after five in the morning, gave notice to the public accordingly, with a terrifying addition that a total dissolution of the world by fire was to take place on the Friday following. The reputation Mr. Whiston had long maintained in England, both as a divine and a philosopher, left little or no doubt with the populace of the truth of his prediction. "Several ludicrous events took place. A number of persons in and about London seized all the barges and boats they could by their hands on the Thames, very rationally concluding that when the conflagration took place there would be the most safety on the water. A gentleman who had neglected family prayer for better than five years informed his wife that it was his determination to resume that laudable practice the same evening; but his wife, having engaged a ball at her house persuaded her husband to put it off till she saw whether the comet appeared or not. The South Sea stock immediately fell 5 per cent, and the India to 11; and the captain of a Dutch ship threw all his powder into the river that the ship might not be endangered. "The next morning, however, the comet appeared according to the predictions, and before noon the belief was universal that the Day of Judgement was at hand. About this time three hundred and twenty-three clergymen were ferried over to Lambeth, it was said, to petition that a short prayer might be penned and ordered, there being none in the Church service on that occasion. Three maids of honor burnt their collection of novels and plays, and sent to the booksellers to buy each of them a Bible and Bishop Taylor's 'Holy Living and Dying.' The run upon the bank was so prodigious that all hands were employed from morning till night in discounting notes and handing out specie. On Thursday considerably more than 7,000 kept mistresses were legally married in the face of several congregations. And, to crown the whole farce, Sir Gilbert Heathcote, head Director of the Bank, issued orders to all the fire officers in London requiring them to 'keep a good look-out and have a particular eye on the Back of England.'"

PERILOUS BALLOON ASCENTION—THE AERONAUT DROPPED INTO LAKE ERIE.

On Thursday morning, a man ascended from Erie in a balloon, with the intention of crossing over to Canada. He had made about sixty miles of his aerial journey, and had reached within six miles of Grand River on the Canada side, when the wind veered round and blew him down the lake and towards the American shore. When about twenty miles distant from Long Point he saw the propeller Marie Stuart, and let out the gas in order that he might board the propeller. The unlucky aeronaut was soon immersed up to his middle in the water, from which position he was rescued by the boat of the Marie Stuart. The balloon was made fast to the boat that it might be towed to the propeller and preserved, but the "machine" began to fill again, and the wind freshening, the position of the boat and the balloon was changed, and the sailors found themselves flying through the water at the tail of this new-fangled cruiser. The ropes were quickly cut, and the balloon soon scudded out of sight. The propeller took the aeronaut into Detroit.

The excessive speculation raging in Western lands is pretty well shown up by a correspondent of the Ohio State Journal, who writes from Omaha, Nebraska Territory, whither he had journeyed through Iowa. He says that Iowa is a grand theatre of speculation; that the towns are all from 10 to 100 years ahead of the country; that they are mere paper inflations blown up by shrewd operators, and that this spring there is more emigration from Iowa than immigration to it. Lots in the town of Fort des Moines the capital of Iowa, are offering for higher rates than lots in Columbus, the capital of Ohio; yet the latter is a large city, and has railroads and canals, whereas Fort des Moines is a small place without any such facilities. The writer says that his journey westward was in search of a location for business, and that in pursuit of it he went even out into Nebraska, thinking of locating a claim there for pre-emption, but after a diligent search he found the whole country "claimed" back from the Missouri river, as far as the land is worth having. Of Nebraska, he says that all the country on the Missouri river, from north to south, is laid out in towns, and sometimes they are for ten or fifteen miles at a stretch. Omaha and Florence are twenty miles apart, and the whole distance between them is laid out in building lots.—Phil. N. American.

Solemn and Tragical Death.—During the height of the storm on Sunday evening a scene occurred at a house in Green street of a character to render it indelible upon the mind of a spectator. The moral that it teaches is fearful. A family was seated around a table engaged in ordinary conversation when a dispute among some of the children and young people took place. Words grew high, and the mother attempted to quell the disturbance. In turn she was made the object of their anger, and while the heated blood was finding vent in words the parent arose from her seat and once more interposed. It was of no avail, and the parties nearly came to blows. At that moment, while from her own children coats of mental fire were being heaped upon the mother, she suddenly sunk down dead, and her last breath was drowned by the angry voices of her offspring. The feelings of those present no words can adequately describe, but on their minds for years to come we should imagine that an impress would remain of the angry group, the little room, and the dying mother reviled by her own children. Philadelphia Evening Journal.

The summer heats are now prevailing, although to-day is sufficiently pleasant for the season, and the periodical migration of a number of our people, in quest of health and pleasure, has commenced and will continue, until we of the east get away club will be left in undisturbed possession of the streets and environs to enjoy ourselves as best we may, and keep the town healthy and in good order, until the long-trailing shadows of Autumn, when our fugitive friends will hurry back to their old haunts and occupations. In other words, Summer is now upon us and those of our people who have been accustomed to visit the Springs, or other places of fashionable resort during this dull season, have begun to leave to be followed by many others with whom the desire for travel has heretofore been, perhaps, a desire ungratified. We are pleased to notice a marked change for the better in the routes and places selected for the summer campaign. That the tide of travel which, in former years, rushed directly onward toward the North, now seeks our own Western bounds, or the pleasant resorts which the mountains of Virginia afford. This is something worthy of praise. While we have been abusing the North for its disregard of constitutional obligations, and its fierce feeling of sectional animosity displayed in these latter days towards the people of the South, we have reciprocated the delicate attentions, against which we complain, in a way best calculated to please our Northern allies (? and to engender very strong doubts of the sincerity of our declarations. We have heretofore been too happy "to spend our money free" at Northern hotels, in Northern cities, at fashionable watering places, where sometimes the accommodation is none of the best, the charges are exorbitant, and the servants impudent. We have somehow, apparently, forgotten, that in our own State we have the grandest of scenery, and health-restoring retreats, which the invalid might visit with pleasure and profit. Mountains lifting their dark summits to the skies—valleys of surpassing beauty, in which the traveller can catch glimpses of the sublime and beautiful, as his eye rests upon the rocky gorge, and the changing character of the scenery. A delightful atmosphere—accommodation for visitors every year improving,—water cold as ice. These advantages, however, are too homespun, so to speak, for us. They are not sufficiently distant,—they are right here at home,—and we do not appreciate the blessings we enjoy, but underrate them in proportion as we over-estimate the comforts that are not ours, we turn our backs upon the hills and dales of our western retreats, and take up the line of march for more Northern latitudes.

As we have before remarked however, there is a change for the better this season; and many of those who heretofore have pursued the grand Northern tour, have gone off to the mountains and springs of Virginia, where they can probably spend the summer as pleasantly and as healthfully as among our Northern brethren; and have at least the consolation of knowing that their money is spent among friends, and not among those who seem determined to cultivate a feeling of hostility toward the South.—Wil. Herald.

The Comet.—The St. Louis News, of Saturday evening, says the comet is in sight at last. "There is no doubt about it, as many of our citizens who have seen it can testify. It may be seen about the hour of 3 o'clock in the morning in the east, or rather a little north of east, a few degrees above the horizon; occupying, relatively, an upright position. It could even be seen this morning through a light cloud, and may be distinctly observed by any one who has curiosity enough to draw him from bed at the inconvenient hour when it is in sight.

COMMUNICATIONS.

FOR THE OBSERVER. NORTH CAROLINA ILLUSTRATED, BY PORTE CRAYON OF HARPER'S MAGAZINE.

OR, THE BATTLE-FIELDS OF NORTH CAROLINA DESCRIBED—NORTH CAROLINA VILIFIED—AND VIRGINIA VALOR MAGNIFIED—BY PORTE CRAYON—A VIRGINIAN.

Messrs. E. J. Hale & Sons—GENTLEMEN:—So long as Porte Crayon, of Harper's Magazine, confined his genius to a caricature of the State in general, and a delineation of low life such as he specially met with, his efforts merited and received silence and contempt. Nor would we have felt at liberty to notice his attempted sneers at Canova's Statue of Washington, and praise of Houdon's Statue of the same great Chief, or his picture from Turner's Almanac of the Capitol of the State, or the pictures copied from Lossing's Field Book of the Revolution, illustrative of North Carolina—and yet not one of them prostrated a North Carolina face, except that of a caricatured North Carolina woman. These things we could and would have laughed at. But when he visits the North Carolina battlefield of Guilford Court House—the first battlefield of the South on which Cornwallis met with even nominal defeat—a battle from which dates a reaction in favor of American Liberty, that resulted in the defeat of Kewdon at the South, and Clinton at the North, and in six months after it was fought led to the surrender of Cornwallis at Yorktown and the establishment of peace between the Colonies and Britain—When such an one visits such a battlefield, and charges North Carolina Militia with rank unmitigated cowardice, and magnifies the valor of Virginia's raw recruits, at the expense of truth, justice to the dead demands that the slander should not pass unretired in "Harper's North Carolina Illustrated," "compiled from the best authorities."

Porte Crayon says, "Greene's force was posted on a wooded hill, drawn up in three lines, the two first composed of militia, and the third of the Continentals, consisting of four regiments from Virginia and Maryland.

"No sooner had the British column deployed and commenced marching to the attack than the militia forming the left of the front line were seized with a panic, and fled, before a man of them had been either killed or wounded. Many of them did not even discharge their guns, but left them loaded, sticking between the rails of the fence behind which they were posted. In vain did their officers attempt to rally this terror-stricken herd; in vain did Lee threaten to fall upon them with his dragons, and cut them to pieces. The panic was complete and final. The gap thus ignominiously left was immediately seized by the enemy, giving him a powerful advantage at the commencement of the onset, and throwing the flanking legion out of combination with the rest of the army. But this suspicious beginning did not give to the enemy the speedy triumph it seemed to promise. The Virginia militia fought with extraordinary courage and obstinacy, and did every thing that raw troops could do against the highly-disciplined and indomitable valor of their adversaries.

"The hills are again crowned with armed battalions. The rolling of drums, the startling bugle call, the voice of command, break the silence of the budding forest. There, swarming in the thicket, near the edge of the woods and behind the protecting fences, are the unskillful militia, valiant in hot horses but unreliable in the field, harkening, with fainting hearts, to the mingled threats and encouragement of their leaders, ready to fire and run away at the first burst of battle.

"Manœuvring on either flank are the snorting squadrons of Washington and Lee, whose flashing sabres have already tasted blood. In the distance are seen the serried lines of the grim Continentals, men of reliable mettle, who can hear the battle going on around them and bide their time; who, unmoved and scornful, see the panic-stricken herds of friends fly past them, and then rush gallantly to meet the bayonets of their enemies.

"Hark! the rolling of the English drums! Like an electric shock it shakes the thousands that stand expectant upon the embattled hill! Now the coward's cheek blanches, as with impotent and trembling haste he fumbles his musket lock. Now the warm blood rushes to the brow of the brave, and with fierce eagerness he grasps his sword hilt. The head of the advancing column is already in sight. The sun's rays glance upon their burnished arms.

"The American lines are broken, and the tide of war rolls on until intrepid assailants meet, in the Continental line, foes more worthy of their steel.

"The war which for a space did fall, Now, trebly thundering, swelled the gale."

"Then, then Virginia, it was a joy, that even defeat and disaster can not blight, to see that haughty battalion of Guards flying in wild disorder from the wood while thy fiery horsemen, with hoof and sabre, trampled them in the dust!"

The author has not had the manliness to state what is well known—that it was the North Carolina militia that was stationed in the front line. He simply calls them militia, and doubtless hopes to escape censure by pleading his delicate forbearance to call them by name. Be that as it may, and let his motives be what they were, we proceed to vindicate the truth of history, and enter a formal charge that the North Carolina militia acted cowardly in the battle of Guilford Court House. The British forces consisted of the "German Regiment," "71st or Fraser's Highlanders," "33d Regiment," "2d Battalion of Guards, German Yagers, and Cavalry. In all about 2500 men—regiments that had been mustered into service by the gallant Wolfe, and on every battlefield in the American Revolution had acquired distinction and fame. Greene's army consisted of Huger's brigade of Virginia Continentals, 775, Virginia Militia 1635, North Carolina Militia 1050, Maryland and Delaware Brigade 630, Lee's Legion 82, Lee's Dragoons 75, Washington's Dragoons 86, Cavalry 101, and Continental Regulars 1490. In all 4243 men. Or, stated thus, Virginians 2875—more than one half. Maryland and Delaware 630—about one seventh. U. S. Continentals 1490—more than one fourth. The Virginia, Maryland, Delaware, and Continental, the Legion, Dragoons, and Cavalry, had all more or less seen service, and were offered by veteran commanders—commanders whose reputations had been earned on many a well-contested battle field, and whose command their men were accustomed to hear and obey. Of the 1000 men of the North Carolina Militia, it is not known that one ever had been in battle, and none ever had ranked higher than Captain. The fighting heroes of the Old North State were freely shedding their blood North and South, and by their intrepidity and valor were acquiring honor and fame for adjacent States. The North Carolina Militia were mustered into service on an emergency, and on the morning of the battle one of its Captains, Forbis, was appointed Colonel. In this untrained and untried condition they were placed in the front of the

fight, on the Western brow of the hill, where for a mile they had a commanding view of the advancing enemy. Three hundred yards in their rear and beyond the point of immediate danger, the Virginia troops were stationed; and still further in their rear, towards the descending hill near the Court House, Greene had planted his other troops.

The order to the North Carolina Militia was to stand till the enemy advanced within hailing distance, then to fire once or twice, and fall back or retreat.

Did they stand, fire, and retreat? Or did they, through panic, cowardice or fear, leave their guns un-fired in the cracks of the fence, and in terror flee? This brings us to the point in controversy. Stedman, the British historian of the campaign, says:—"At the distance of 140 yards they [the British] received the enemy's first fire. When arrived at a nearer and more convenient distance, they delivered their own fire and rapidly charged with the bayonet."

And Tarleton, in his campaign, says:—"The order and coolness of that part of Webster's brigade which advanced across the open ground, exposed to the enemy's fire, cannot be sufficiently extolled. The militia allowed the front line to approach within 150 yards before they gave their fire. The front line continued to move on; the Americans sent back their cannon, and part of them repeated their fire. The King's troops threw up their fire and charged rapidly with their bayonets. The shock was not waited for by the militia, who retreated behind their second line."

Stedman and Tarleton were eye-witnesses of the event of which they write. They agree in admitting a first fire from the North Carolina militia, and that part of them repeated the fire; and both say that the British charged with their bayonets. Both admit receiving the fire in the open field. None but the North Carolina militia was so stationed as to give that fire,—the other troops being 300 and 600 yards in the rear, in the thicket towards the old Court House, in the second and third lines. Behind the second one of which Tarleton says the North Carolina militia retreated.

This view of the case is strengthened by a letter from Capt. Dugald Stewart of the 71st regiment, dated Ballachulish, Argyshire, Scotland, Oct. 25th, 1825, where he says, "In the advance we received a very deadly fire from their marksmen lying on the ground behind a rail fence! One-half of the Highlanders dropped on that spot. There ought to be a pretty large tumulus where our men (71st) were buried." Again, Brown, in his "History of the Highland Clans," speaking in reference to the 71st regiment at Guilford says,—"The Americans, covered by the fence in their front, reserved their fire till the British were within thirty or forty paces, at which distance they opened a most destructive fire, which annihilated nearly ONE-THIRD of Col. Webster's brigade."

"It is also known that a great many of the British were buried in that field, and near the place where their front line was when the first fire was given. Of this there is no doubt, for it is well attested by people in the neighborhood, who were on the ground the next day after the battle, and saw them burying their dead."—SEE CARUTHERS' LIFE OF CALDWELL, page 226.

From these various historical sources, the fact is established beyond controversy, that the North Carolina militia obeyed orders, stood, fired,—a most destructive fire,—and then retreated strictly in conformity to orders. The traditional history of North Carolina is to the same effect, and the State owes a debt of gratitude to Dr. Caruthers for embodying the evidence of the fact in his interesting work, "The Old North State in 1776, second series." That book must have been within the reach of Porte Crayon, while in Greensborough. Does he consult that as among the authorities who constitute the "best authorities"? No, indeed; for there he would have read, that William Montgomery, one of four of Capt. Forbis's Company who stood by him on the battlefield to the last, had said, that after the North Carolina militia fired, "the part of the British lines at which they aimed looked like the scattering stalks in a wheatfield when the harvest man has passed over it with his cradle." In the same book too he could have read the testimony of two Guilford men, who on the day after the battle passed over the ground where the British were fired on by the North Carolina militia, and who say, it appeared they could have walked fifty yards on dead and wounded men without touching the ground.

There too he might have read, that Capt. Forbis (Colonel of the day in the front line,) was outflanked by the British, and that he and his company fought like heroes until he and his company were overpowered.

There too he might have read the testimony of two others, who state that the British buried their dead west of Mr. Hoskins's house—the very spot at which they were fired on by the North Carolina militia, and where British historians say they sustained the greatest loss.

There too he would have read that Capt. Forbis's company fired twice, and did not give way until the British were upon them. There also he would have read that Nathaniel Slade fired once, and in attempting to reload broke his ramrod and borrowed another, but before he was ready to fire he beheld the British bayonets at hand. In that same book of Caruthers, he might have found, that the war is carried into Africa—an example which Porte Crayon cannot induce me to imitate, beyond saying, that the fact is established that Col. Forbis, commander of one of the North Carolina brigades, lay 48 hours upon the field of battle, wounded; consequently could make no return of his men to Adjutant Williams: that this fact accounts for the Adjutant having reported them as missing and gone home. And then, when this fact is borne in mind, and the actual number of the North Carolinians killed and wounded is compared with the Virginians, the mortality was greater in the troops of the Old North State, despite Porte Crayon's shout over the valor of the Virginians.

The mass of testimony we have adduced establishes, beyond question, that the North Carolina militia in the first fire killed and wounded more than one-half of the 71st, and more than one-third of Webster's brigade.

I did not commence this letter to assail Maryland, Delaware, Virginia, or Gen. Greene, but to defend North Carolina from the unjust aspersions of Harper. The material, thanks to Dr. Caruthers, exists to carry the war into Africa, but it is not congenial to the feelings of the right thinking and proper minded. But we must be indulged in asking Porte Crayon one or two questions: If the Virginians were as valiant as you represent them, and stationed 300 yards in the rear of the North Carolinians, and numbering as they did more than one-half of the American force, and numbering as many men as the British, why did not the Virginians whip the British? or why did not the Virginians whip the British? or why did not the second and third lines retreat through the thicket, down the hill some 7 or 800 yards towards Martinsville? There were no North Carolinians in the second and third lines, yet they both retreated—numbering over 3000 men. The first line did the same, numbering 1000 men. Now

if it was criminal cowardice in the first line, it was trebly criminal cowardice in the second and third lines. This is meeting Porte Crayon on his own ground—which we do merely for the purpose of showing his injustice.

The position is not ours—we disown it, and assert our opinion that the Battle of Guilford Court House, was an American triumph,—a victory of which North Carolina and the Union should be proud. A victory achieved over the best troops England ever planted on a battle-field. The elite, the experienced, and the accomplished soldiers, an extraordinary degree, fought at Guilford Court House under the eye of Cornwallis. The brother of the distinguished Statesman Charles James Fox, inspired his men to deeds of noble daring. Tarleton and Webster from the onset to the close fought as if their watchword was *do or die*. While in the remnant of the 71st Regiment alone, five of its officers lived to attain the rank of Lieut. General in the British army, one that of Lieut. General in the British army, one that of others the rank of Major. In all which offices and commands, they signified themselves in many a well-contested battle in the Peninsula war. Facts which of themselves demonstrated, that at the Battle of Guilford Court House Greene met foemen worthy of his steel—foemen who were fighting for an outlet to which they would have agreed was a friendly portion of the State—the Scotch Settlement of North Carolina. Tarleton, in Wilmington, thence to York Town, where their capture was complete.

In this article I have used freely facts stated in a Communication in the Observer dated Greensborough, Nov. 5, 1855—facts which have since been embodied in Caruthers's History, which I hope may circulate until the people of the State resolve to celebrate the victory of Guilford Court House and rank it with Moore's Creek and Kings Mountain.

June 27, 1857.

FOR THE OBSERVER.

The Fourth of July will be celebrated at Guilford Church. An Oration will be delivered by HAMILTON McMICHAEL, Esq.

FOR THE OBSERVER.

TO FANNIE.

Fair and rosy,—happy, pretty,— All own thou art; And I love thee as my duty To one so fair and full of beauty, With all my heart. The common fire, chill age, still come. Thy charms will flee. But as the needle to the pole On icy zones, or warm, my soul Will constant be. Different names both the changing year. For youth said age: "Tis Spring when birds and flowers crowd—" 'Tis Winter when our Spring's snow shroud— The wild winds rage. Then take, O take thy lover's name! And 'neath its shade Let youth and beauty glide away, Let age creep on with its decay,— All but love decay. Thy maiden name should not be put Upon the stone; I and Hymen fondly claim it, Nor death nor tomb should ever name it.— O take my own!

NORTH CAROLINIANS.

The last Central Presbyterian contains a very favorable notice of the late Commencement at Hampton Sidney College. Each of the Literary Societies presents annually a prize medal to its best orator.

It is a noticeable fact that last year, one of these medals was won by Mr. Joseph H. Speed, of Granville, N. C.; and that both medals were awarded this year to North Carolinians; one to Mr. J. H. Tilligust, of Fayetteville, and the other to Mr. H. J. Hill, of Milton.

The true metal of our people is best appreciated, when they are in competition with those of the other States; and if we have no great men, we certainly have many great boys. If Young America does not run over himself, he will be an honor to his progenitors. By the way, there is both truth and patriotism in the following observations of Dr. Haws, on the 143d page of his History of N. Carolina:—"The old State is not quite 'this paradise of the world'; but it is a country to which the affections of its children, wherever they may be scattered, cling with wonderful tenacity. We have met North Carolinians in many and widely separated regions of our common country; we have encountered few whose hearts did not beat with fond affection for their native land. In these exceptions there was a cause. The men were such as their countrymen could neither respect nor esteem. God made them very little; they thought themselves very great; and their countrymen, with pious reverence, acquiesced in the decree of heaven. The men hated tamely accordingly."—Raleigh Christian Advocate.

Good Books.—An Incident of Spirituality.—A long-bearded customer recently entered a spiritual book store in this city and applied for an agency. He proposed to take a large quantity of books to his part of the country, "away out West," where he represented that he could sell them, as he was assured by the "divinities." The enterprising bookseller was of course delighted with this prospect of a sale; but his long-bearded gentleman remarked that he had no money, and wanted the books entirely upon credit.

"Are you responsible?" was the natural inquiry of the merchant. "Perfectly." "What evidence of your reliability can you furnish?" "I have the best of backers, men whose names you know well." The merchant's countenance brightened. "Well," said he, "let us see your papers."

Thereupon the customer presented the following document:—"To whom it may concern: We, the undersigned, having been acquainted spiritually with Mr. _____, of _____, Wisconsin, for many years, recommend him as perfectly reliable, and would not be afraid to trust him to any amount." GEORGE WASHINGTON. THOMAS JEFFERSON. HENRY CLAY. THOMAS PAINE. JOHN MILTON, and others.

"Through Jane E. _____, medium." The bookseller remarked that the backers were good if the medium was reliable; but he thought on the whole, he would prefer to keep the books. The customer hereupon denounced the bookseller as an impostor, telling him that he did not believe in his own doctrines, and that the spirits would expose his duplicity to the world. Of this him assured by the spirit of prophecy within him. The bookseller was not convinced.—N. Y. Post. A boy, at a recent examination in an English school, was asked who discovered America? "I wish I may die," says a British editor, "if he didn't answer—Yankee Doodle!"