

TERMS.
For the Semi-Weekly Paper, \$5 per annum
For the Weekly Paper, \$3 per annum.

MISCELLANEOUS.

From Noah's Weekly Messenger.
DEAF SMITH.

THE CELEBRATED TEXAN SPY.
About two years after the Texan revolution, a difficulty occurred between the new government and a portion of the people, which threatened the most serious consequences—over the bloodshed and horrors of civil war. Briefly, the cause was this: The constitution had fixed the city of Austin as the permanent capital, where the public archives were to be kept, with the reservation, however, of a power in the president to order their temporary removal in case of danger from troops of a foreign enemy, or the force of a sudden insurrection.

Conceiving that the exceptional emergency had arrived, as the Camanches frequently committed ravages within sight of the capital itself, Houston, who then resided at Washington, on the Brazos, dispatched an order commanding his subordinate functionaries to send the state records to the latter place, which he declared to be, *pro tempore*, the seat of government.

It is impossible to describe the stormy excitement which the promulgation of this fiat raised in Austin. The keepers of hotels, boarding-houses, groceries, and furo-banks, were thunder-struck, maddened to frenzy; for the measure would be a death-blow to their property in business; and accordingly they determined at once to take the necessary steps to avert the danger, by opposing the execution of Houston's mandate. They called a mass meeting of the citizens and farmers of the surrounding country, who were all more or less interested in the question; and after many fiery speeches against the asserted tyranny of the administration, it was unanimously resolved to prevent the removal of the archives by open and armed resistance. To that end they organized a company of four hundred men, one moiety of whom, relieving the other at regular periods of duty, should keep constant guard around the state-house until the peril passed by. The commander of this force was one Colonel Morton, who had achieved considerable renown in the war for independence, and had still more recently displayed desperate bravery in two desperate duels, in both of which he had cut his antagonist nearly to pieces with the bowie knife. Indeed, from the notoriety of his character for revenge, as well as courage, it was thought that President Houston would renounce his purpose touching the archives, so soon as he should learn who was the leader of the opposition.

Morton, on his part, whose vanity fully equalled his personal prowess, encouraged and justified the prevailing opinion by his boastful threats. He swore that if the president did succeed in removing the records by the march of an overpowering force, he would then himself hunt him down like a wolf, and shoot him with little ceremony, or stab him in his bed, or waylay him in his walks of recreation. He even wrote the hero of San Jacinto to that effect. The latter replied in a note of laconic brevity:

"If the people of Austin do not send the archives, I shall certainly come and take them; and if Colonel Morton can kill me, he is welcome to my ear-cap."

On the reception of this answer, the guard was doubled around the state-house. Chosen sentinels were stationed along the road leading to the capital, the military paraded the streets from morning till night, and a select caucus held permanent session in the city hall. In short, everything betokened a coming tempest.

One day, while matters were in this precarious condition, the caucus at the city hall was surprised by the sudden appearance of a stranger, whose mode of entering was as extraordinary as his looks and dress. He did not knock at the closed door—did not seek admission there at all; but climbing unseen a small bushy-topped live oak, which grew beside the wall, he leaped without sound or warning through a lofty window. He was clothed altogether in buckskin, carried a long and very heavy rifle in his hand, wore at the button of his left suspender a large bowie knife, and had in his left hand a couple of pistols half the length of his gun. He was tall, straight as an arrow, active as a panther in his motions, with dark complexion and luxuriant jetty hair, with a severe, iron-like countenance, that seemed never to have known a smile, and eyes of intense, vivid black, wild and rolling, and piercing as the point of a dagger. His strange advent inspired a thrill of involuntary fear, and many present unconsciously grasped the handles of their side-arms.

"Who are you, that thus presumes to intrude among gentlemen, without invitation?" demanded Colonel Morton, ferociously essaying to crouch down the stranger with his eye. The latter returned his stare with compound interest, and laid his long, bony finger on his lip, as a sign—both of what the spectators could not imagine.

"Who are you? Speak! or I will cut an answer out of your heart!" shouted Morton, almost distracted with rage by the cool, sneering gaze of the other, who now removed his finger from his lip, and laid it on the hilt of his monstrous knife.

The very colonel then drew his dagger, and was in the act of advancing upon the stranger, when several caught him and held him back, remonstrating.

"Let him alone, Morton, for God's sake. Do you not perceive that he is crazy?" At the moment, Judge Webb, a man of shrewd intellect and courteous manners, stepped forward, and addressed the intruder in a most respectful manner.

"My good friend, I presume you have made a mistake in the house. This is a private meeting where none but members are admitted."

Judge Webb took the paper, and wrote a question. "Dear sir, will you be so obliging as to inform me what is your business with the present meeting?"

The other responded by delivering a letter inscribed on the back, "To the citizens of Austin." He broke the seal and read it aloud. It was from Houston, and showed the usual terse brevity of his style:

"FELLOW-CITIZENS:—Though in error, and deceived by the arts of traitors, I will give you three days more to decide whether you will surrender the public archives. At the end of that time you will please let me know your decision."

SAM. HOUSTON.

After the reading, the deaf man waited a few seconds, as if for a reply, and then turned and was about to leave the hall, when Colonel Morton interposed, and sternly beckoned him back to the table. The stranger obeyed, and Morton wrote: "You were brave enough to insult me by your threatening looks ten minutes ago; are you brave enough now to give me satisfaction?"

The stranger panned his reply: "I am at your service!"

Morton wrote again: "Who will be your second?"

The stranger rejoined: "I am too generous to seek an advantage; and too brave to fear any on the part of others; therefore I never need the aid of a second."

Morton penned: "Name your terms."

"The stranger traced, without a moment's hesitation: "Time, sunset this evening; place, the left bank of the Colorado, opposite Austin; weapons, rifles; and distance, a hundred yards. Do not fail to be in time!"

He then took three steps across the floor, and disappeared through the window as he had entered.

"What?" exclaimed Judge Webb, "is it possible, Colonel Morton, that you intend to fight that man? He is a mute, if not a positive maniac. Such a meeting, I fear, will sadly tarnish the lustre of your laurels."

"You are mistaken," replied Morton, with a smile; "that mute is a hero, whose fame stands in the records of a dozen battles, and at least half as many bloody duels. Besides, he is the favorite emissary and bosom friend of Houston. If I have the good fortune to kill him, I think it will tempt the President to retract his vow against venturing any more on the field of honor."

"You like the man, then. Who is he? Who is he?" asked some twenty voices together.

"Deaf Smith," answered Morton, coolly. "Why no; that cannot be. Deaf Smith was slain at San Jacinto," remarked Judge Webb.

"There, again, your honor is mistaken," said Morton. "The story of Smith's death was a mere fiction, got up by Houston to save the life of his favorite from the sworn vengeance of certain Texans, in whose conduct he had acted as a spy. I fathomed the artifice twelve months since."

"If what you say be true, you are a dead man yourself!" exclaimed Webb. "Deaf Smith was never known to miss his mark—He has often brought down ravens in their most rapid flight, and killed Camanches and Mexicans at a distance of two hundred and fifty yards!"

"Say no more," answered Colonel Morton in tones of deep determination; "the thing is already settled. I have already agreed to meet him. There can be no disgrace in falling before such a shot, and, if I succeed, my triumph will confer the greater glory!"

"Such was the general habit of thought and feeling prevalent throughout Texas at that period.

Towards evening a vast crowd assembled at the place appointed to witness the hostile meeting; and so great was the popular recklessness as to affairs of the sort, that numerous and considerable sums were wagered on the result. At length the red orb of the summer sun touched the curved rim of the western horizon, covering it all with crimson and gold, and filling the air with a flood of burning glory; and then the two mortal antagonists, armed with long, ponderous rifles, took their stations back to back, and at a preconcerted signal—the waving of a white handkerchief—walked slowly and steadily off in opposite directions, counting their steps off in opposite directions, counting their steps off in opposite directions, counting their steps off in opposite directions.

They both until each had measured fifty. They both completed the given number about the same instant, and when they wheeled, each to aim and fire when he chose. As the distance was great, both paused for some seconds—long enough for the beholders to flash their eyes from one to the other. The face of the striking contrast betwixt them. The face of Col. Morton was calm and smiling, but the smile in his face had a most murderous meaning. On the contrary, the countenance of Deaf Smith was stern and passionless as ever. A side-view of his features might have been mistaken for a profile done in cast-iron. The one, too, was dressed in the richest cloth, the other in smoke-tinted leather. But that made no difference in Texas then; for the heirs of heroic courage were all considered peers—the class of interiors embraced none but cowards.

Presently two rifles exploded with simultaneous roars. Colonel Morton gave a prodigious bound upwards, and dropped to the earth a corpse. Deaf Smith stood erect, and immediately began to reload his rifle; and then, having finished his brief task, he hauled away into the adjacent forest.

Three days afterwards General Houston, accompanied by Deaf Smith and ten more men, appeared in Austin, and without further opposition removed the state papers.

The history of the hero of the foregoing anecdote was one of the most extraordinary ever known in the West. He made his advent in Texas at an early period, and continued to reside there until his death, which happened some two years ago; but although he had many warm personal friends, no one could ever ascertain either the land of his birth, or a single gleam of his previous biography. When he was questioned on the subject, he laid his finger on his lip; and if pressed more urgently his brow wrinkled, and his dark eyes seemed to shoot sparks of livid fire! He could write with astonishing correctness and facility, considering his situation; and although denied the exquisite pleasure and priceless advantages of

the sense of hearing, nature had given him ample compensation, by an eye quick and far seeing as an eagle's, and a smell keen and incredible as that of a raven. He could discover objects moving miles away in the far-off prairie, when others could perceive nothing but earth and sky; and the rangers used to declare that he could catch the scent of a Mexican or Indian at as great a distance as a buzzard could distinguish the odor of a dead carcass.

It was these qualities which fitted him so well for a spy, in which capacity he rendered invaluable services to Houston's army during the war of independence. He always went alone, and generally obtained the information desired. His habits in private life were equally singular. He could never be persuaded to sleep under the roof of a house, or even to use a tent-cloth. Wrapped in his blanket he loved to lie out in the open air, under the blue canopy of pure ether, and count the stars, or gaze with a yearning look at the melancholy moon. When not employed as a spy or guide, he subsisted by hunting, being often absent on solitary excursions for weeks and even months together in the wilderness. He was a genuine son of nature, a grown up child of the woods and prairies, which he worshipped with a sort of Pagan adoration. Excluded by his infirmities from cordial fellowship with his kind, he made the inanimate things of the earth his friends, and entered by the heart's own adoption into brotherhood with the luminaries of heaven! Wherever there was land or water, barren mountains or tangled brakes of wild waving cane, there was Deaf Smith's home, and there he was happy; but in the streets of great cities, in all the great thoroughfares of men, wherever there was flattery or fawning, bias cunning or craven fear, there was Deaf Smith an alien and an exile.

Strange soul! he hath departed on the long journey, away among those high bright stars which were his night lamps; and he hath either solved or ceased to ponder the deep mystery of the magic word, "life!" He is dead; therefore let his errors rest in oblivion, and his virtues be remembered with hope.

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Walnut do do do 16.00 to 40.00
COTTAGE do do do 6.00 to 10.00
Mattresses at the low market rates.
SOFAS, CITY MANUFACTURE, \$20.00 to \$75.00
ROCKING CHAIRS, MAHOG. 6.00 to 15.00
Navy PARLOR CHAIRS (per doz) 50.00 to 75.00
Bureaus, Bed Tables, Washstands and Wardrobes of the finest qualities, and warranted equal to any in the market.

Particular attention paid to boxing and shipment of goods, which is done by most experienced hands. New York, March 5th, 1850. 19 3m

TO SPORTSMEN.

SPRING GOODS 1850. The Subscriber is opening his Spring Stock, at his old stand, of the latest importations and Domestic Manufactures, consisting of Staple and Fancy Dry Goods, Hats, Shoes, Crockery, Hardware, and Groceries.

AMONG THEM 100 Pieces Calicoes, various colors. 100 " Brown and Bleached Shirting and Sheet ing. Gingham, Lawn, Irish Linen, Holland's Cotton and Nails and Brads. Padded for children. Brown, Reined, Clarified, Crushed and Loaf Sugar. Java, Laguna and Rio Coffee, Gun Nails and Brads. California and other Hats for men and boys. All of which will be sold on reasonable terms for Cash, or to prompt customers on time.

J. BROWN No. 9, Fayetteville St. Raleigh, April 15, 1850. 31

SWAIN'S JUSTICE. THE North Carolina Justice, containing a summary statement of the Statutes and Common Law of the State, together with the Decisions of the Supreme Court, and all the most approved Forms and Precedents relating to the office and duty of a Justice of the Peace, and the Public Officers, according to modern practice, by Benjamin Swain. Second edition revised and corrected. Published at the North Carolina Book Store by H. D. TURNER Raleigh, April 15, 1850. 31