



LITERATURE.

VILLAGE COURTSHIP.

There is an exquisite domestic beauty about the following bit of poetry; a kind of familiar romance that exists in the experience of all, and which, thus recalled, can scarcely fail to excite pleasurable emotions.—Sears' Family Visitor.

Tapping at the window,
Peeping o'er the blind;—
'Tis really most surprising,
He never learns to mind!
'Twas only yesterday evening,
As in the dark we sat,
My mother ask'd me sharply—
"Pray, Mary, who is that?"
Who's that indeed!—you're certain
How much she made me start;
Men seem to lose their wisdom
Whene'er they lose their heart!

Yes—there he is—I see him;
The lamp his shadow throws
Across the curtain'd window,
He's stepping on his toes!
He'll never think of tapping,
Or making any din;
A knock, though e'en the slightest,
Is worse than looking in!
Tap! tap!—would any think it?
He never learns to mind;
'Tis surely most surprising—
He thinks my mother blind!

'Tis plain I must go to him;
It's no use now to cough—
I'll open the door just softly,
If but to send him off!
'Tis well if from the door-step
He be not shortly hurled—
Oh, men, there ne'er was trouble
Till ye came in the world!
Tapping at the window,
And peeping o'er the blind;
Oh, man, but you're trouble,
And that we maidens find!

THE VOLUNTEER COUNSEL.

A TALE OF JOHN TAYLOR.

We copy the following from the New York Sunday Times. The subject of it, John Taylor, was licensed when a youth of twenty-one, to practice at the bar of this city. He was poor, but well educated, and possessed extraordinary genius. The graces of his person, combined with the superiority of his intellect, enabled him to win the hand of a fashionable beauty. Twelve months afterwards the husband was employed by a wealthy firm of the city to go on a mission as land-agent to the West. As a heavy salary was offered, Taylor bid farewell to his wife and infant son. He wrote back every week, but received not a line in answer. Six months elapsed, when the husband received a letter from his employers that explained all. Shortly after his departure for the West, the wife and her father removed to Mississippi. There she immediately obtained a divorce by an act of the Legislature, married again forthwith, and, to complete the climax of cruelty and wrong, had the name of Taylor's son changed to Marks—that of her second matrimonial partner! This perfidy nearly drove Taylor insane. His career, from that period, became eccentric in the last degree; sometimes he preached, sometimes he pleaded at the bar; until, at last, a fever carried him off at a comparatively early age.—Philadelphia Bulletin.

At an early hour on the 19th of April, 1840, the Court House in Clarksville, Texas, was crowded to overflowing. Save in the war-times past, there had never been witnessed such a gathering in Red River County, while the strong feeling, apparent on every flushed face throughout the assembly, betokened some great occasion. A concise narrative of facts will sufficiently explain the matter.

About the close of 1839, George Hopkins, one of the wealthiest planters and influential men of Northern Texas, offered a great insult to Mary Elliston, the young and beautiful wife of the chief overseer. The husband threatened to chastise him for the outrage, whereupon Hopkins loaded his gun and went to Elliston's and shot him in his own door. The murderer was arrested, and bailed to answer the charge. This occurrence produced intense excitement; and Hopkins, in order to turn the tide of popular opinion, or at least to mitigate the general wrath, which at first was violent against him, circulated reports infamously prejudicial to the character of the woman who had already suffered such wrong at his hands.

She brought her suit for slander. And thus the two causes, one criminal and the other civil, and both out of the same tragedy, were pending in the April Circuit Court for 1840.

The interests naturally felt by the community as to the issues, became far deeper when it was known the Ashley and Pike, of Arkansas, and the celebrated S. S. Prentice, of New Orleans, each with enormous fees, had been retained by Hopkins for his defence.

The trial on the indictment for murder, ended on the 8th of April, with the acquittal of Hopkins. Such a result might well have been foreseen, by comparing the talents of the counsel engaged on either side. The Texan lawyers were utterly overwhelmed by the arguments and eloquence of their opponents. It was a fight of dwarfs against giants.

The slander suit was set for the 8th, and the throng of spectators grew in numbers as well as excitement; and what may seem strange, the current of public opinion now ran decidedly for Hopkins. His money had procured pointed witnesses, who served most efficiently his powerful advocates. Indeed, so triumphant had been the success of the previous day, that when the slander case was called, Mary Elliston was left without an attorney—they had all withdrawn. The pigmy pettifoggers dared not again brave the sharp wit of a Pike, and the scathing thunder of a Prentice.

"Have you no counsel?" inquired Judge Mills, looking kindly at the plaintiff.

"No, sir; they have all deserted me, and I am too poor to employ any more," replied the beautiful Mary, bursting into tears.

"In such a case, will not some chivalrous member of the profession volunteer?" asked the Judge, glancing around the bar.

The thirty lawyers were silent as death.

Judge Mills repeated the question.

"I will, your honor," said a voice from the thickest part of the crowd, situated behind the bar.

At the tones of that voice many started half way from their seats; and perhaps there was not a heart in the immense throng which did not beat quicker—it was so unearthly sweet, clear, ringing and mournful.

The first sensation, however, was changed into general laughter, when a tall, gaunt, spectral figure, that nobody present remembered to have seen before, elbowed his way through the crowd, and placed himself within the bar. His appearance was a problem to puzzle even the spinx herself. His high, pale brow, and small nervously twitching face, seemed alive with the concentrated essence and the cream of genius; but then his infantine blue eyes, hardly visible beneath their massive arches, looked dim, dreamy, almost unconscious; and his clothing was so exceedingly shabby that the Court hesitated to let the cause proceed under his management.

"Has your name been entered on the rolls of the State?" demanded the Judge, suspiciously.

"It is immaterial about my name's being entered on your rolls," answered the stranger, his thin bloodless lips curling up into a fiendish sneer. "I may be allowed to appear once, by the courtesy of the Court and Bar. Here is my licence from the highest tribunal in America!" and he handed Judge Mills a broad parchment.

The trial immediately went on.

In the examination of witnesses the stranger evinced but little ingenuity, as was commonly thought. He suffered each one to tell his own story without interruption, though he contrived to make each one tell it over two or three times. He put few cross-questions, which, with keen witnesses, only serve to correct mistakes; and he made no notes, which in mighty memories, always tend to embarrass. The examination being ended, as counsel for the plaintiff he had a right to the opening speech, as well as the close; but to the astonishment of every one he declined the former, and allowed the defence to lead off. Then a shadow might have been observed to fit across the fine features of Pike, and to darken even the bright eyes of Prentice. They saw they had caught a Tartar; but who it was, or how it happened it was impossible to guess.

Colonel Ashley spoke first. He dealt the jury a dish of that close, dry logic, which, years afterwards, rendered him so famous in the Senate of the United States.

The poet, Albert Pike, followed with a rich vein of wit and a half-torrent of caustic ridicule, in which you may be sure neither the plaintiff, nor the plaintiff's ragged attorney was either forgotten or spared.

The great Prentice concluded for the defendant, with a glow of gorgeous words, brilliant as showers of falling stars, and with a burst of oratory that brought the house down in cheers, in which the sworn Jury themselves joined, notwithstanding the stern "order! order!" of the bench. Thus wonderfully susceptible are the southwestern people to the charms of impassioned eloquence.

It was then the stranger's turn. He had remained apparently abstracted during all the previous speeches. Still, and straight, and motionless in his seat, his pale, smooth forehead shooting high like a mountain cone of snow; but for that eternal twitch that came and went perpetually in his sallow cheeks, you would have taken him for a mere man of marble, or a human form carved in ice. Even his dim, dreamy eyes were invisible beneath those gray, shaggy eyebrows.

But now at last he rises—before the bar railing, not behind it—and so near to the wondering Jury that he might touch the foreman with his long, bony fingers.—With eyes still half shut, and standing rigid as a pillar of iron, his thin lips curled as if in measureless scorn, slightly part, and his voice comes forth. At first, it is low and sweet, insinuating itself through the brain, as an artless tune, winding its way into the deepest heart, like the melody of a measured incantation; while the speaker proceeds without a gesture or the least sign of excitement, to tear to pieces the argument of Ashley, which melts away at his touch as frost before the sunbeam.—Every one looked surprised. This logic was at once so

brief, and so luminously clear, that the rudest peasant comprehended it without effort.

Anon, he came to the dazzling wit of the poet-lawyer, Pike. The curl of his lip grew shaper—his sallow face kindled up—and his eyes began to open, dim and dreamy no longer, but vivid as lightning, red as fire globes, and glaring like twin meteors. The whole soul was in the eye, the full heart streamed out on the face. In five minutes Pike's wit seemed the foam of folly, and his finest satire horrible profanity, when compared with the inimitable sallies and exterminating sarcasms of the stranger interspersed with jest and anecdote that filled the forum with roars of laughter.

Then, without so much as bestowing an allusion on Prentice, he turned short on the perjured witnesses of Hopkins, tore their testimony into atoms, and hurled into their faces with terrible invectives, that all trembled as with ague, and two of them actually fled dismayed from the court-house.

The excitement of the crowd was becoming tremendous. Their united life and soul appeared to hang on the burning tongue of the stranger. He inspired them with the powers of his own passions. He saturated them with the poison of his own malicious feelings. He seemed to have stolen nature's long-hidden secret of attraction. He was the sun to the sea of thought and emotion, which rose and fell and boiled in billows as he chose. But his greatest triumph was to come.

His eyes began to glare furiously at the assassin, Hopkins, as his lean, taper fingers slowly assumed the same direction. He hemmed the wretch around with a circumvallation of strong evidence and impregnable argument, cutting off all hope of escape. He piled up huge bastions of insurmountable facts. He dug beneath the murderer and slanderer's feet ditches of dilemmas, such as no sophistry could overleap, and no stretch of ingenuity evade; and having thus, as one might say, impounded the victim, and girt him about like a scorpion, in the circle of fire, he stripped himself to the work of massacre!

O! then, but it was a vision both glorious and dreadful to behold the orator. His actions, before graceful as the wave of the golden willow in the breeze, grew impetuous as the motion of an oak in the hurricane. His voice became a trumpet, filled with wild whirlwinds, deafening the ear with crashes of power, and yet, intermingled all the while with a sweet undersong of the softest cadence. His face was as red as a drunkard's—his forehead glowed like a heated furnace—his countenance looked haggard like that of a maniac; and ever and anon he flung his long bony arms on high, as if grasping after thunder-bolts! He drew a picture of murder in such appalling colours, that in comparison hell itself might be considered beautiful. He painted the slanderer so black, that the sun seemed dark at noonday when shining on such an accursed monster—and then he fixed both portraits on the shrinking brow of Hopkins,—and he nailed them there forever. The agitation of the audience nearly amounted to madness.

All at once the speaker descends from his perilous height. His voice waiked out from the murdered dead, and then he described the sorrows of the widowed living—the beautiful Mary, more beautiful every moment, as tears flowed faster—till men wept, and lovely women sobbed like children.

He closed by a strange exhortation to the Jury, and through them to the bystanders. He entreated the panel, after they should bring in their verdict for the plaintiff, not to offer violence to the defendant, however richly he might deserve it; in other words, "not to lynch the villain, Hopkins, but leave his punishment to God."

This was the most artful trick of all, and the best calculated to insure vengeance.

The jury returned a verdict for fifty thousand dollars; and the night afterwards Hopkins was taken out of his bed by lynchers, and beaten almost to death.

As the Court adjourned, the stranger made known his name, and called the attention of the people with the announcement—"John Taylor will preach here at early candle-light!"

The crowd, of course, all turned out, and Taylor's sermon equalled, if it did not surpass, the splendor of his forensic effort. This is no exaggeration. I have listened to Clay, Webster and Calhoun—to Dewey, Tyng and Bascom; and have never heard anything in the form of sublime words, even remotely approximating the eloquence of John Taylor—massive as a mountain, and wildly rushing as a cataract of fire. And this is the opinion of all who ever heard that marvellous man.

[From the London Morning Herald.]

LAW REFORM.

Law reform is now felt and confessed by every reflecting mind to be an object of essential importance, as necessary to the interests of all classes in our great community, and as a concession imperatively demanded by the spirit of the times in which we live. In every department of science, except law, we have made rapid strides in the march of intellect, but in law so utter has been the stagnation that a Rip Van Winkle of the legal tribe might, on awaking from a slumber of a century, find himself quite at home amongst his old acquaintances, and competent to jog along in his old routine, just as if he had never slept, or as if old Father Time had slept with him. Why is it so? Is it because the system matured by "the wisdom of ages" is so perfect that it is incapable of improvement; or that, like the Church of Rome, it is infallible and unchangeable? Alas! every family, if not every man, in the community knows that it is not infallible; and who is there (lawyers excepted) that does not fervently pray that it may not be unchangeable? We have been led into this dissertation by a reading of suggestions of the Common Law Commission, which, considering that it is composed of lawyers, and some of them judges, has adventured wonderfully. It proposes to sweep away the cobwebs which overhung and disfigured the threshold of justice. The writ of stamp