

ORLEANS INDEPENDENT STANDARD.

A. A. EARLE, PUBLISHER.

No More Compromise with Slavery.

TERMS, \$1.25 IN ADVANCE.

VOLUME 1.

IRASBURGH, VERMONT, FRIDAY, MAY 9, 1856.

NUMBER 19.

Literary Selections.

THE CRIMINAL WITNESS.

In the Spring of '48, I was called to Jackson to attend court, having been engaged to defend a young man accused of robbing the mail. I had a long conference with my client, and he acknowledged to me that on the night when the mail was robbed, he had been with a party of dissipated companions over to Tapham, and that on returning, they met the mail carrier on horseback coming from Jackson. Some of his companions were very drunk, and they proposed to stop the carrier, and overhaul his bag. The roads were very muddy at the time, and the coach could not run. My client assured me that he not only had no hand in robbing the mail, but that he tried to dissuade his companions. But they would not listen to him. One of them slipped up behind the carrier and knocked him from the horse. Then they bound and blindfolded him, and having tied him to a tree they took the mail bag, and made off to a neighboring field, where they overhauled it, finding some five hundred dollars in money in various letters. He went with them, but in no way did he have any hand in the crime. Those who did it, fled, and as the carrier recognized him in the party, he had been arrested.

The mail bag had been found, as well as the letters. These letters from which money had been taken, were kept, by order of the officers, and duplicates sent to the various persons, to whom they were directed. These letters had been sent to me for examination, and I had returned them to the prosecuting attorney.

I got through with my private preliminaries about noon, and as the case would not come up before the next day, I went into the court to see what was going on. The first case which came up was one of theft, and the prisoner was a young girl not more than seventeen years of age, Elizabeth Madworth. She was very pretty, and bore that mild, innocent look, which we seldom find in a culprit. She was pale and frightened, and the moment my eyes rested upon her, I pitied her. She had been weeping profusely, for her bosom was wet, but as she found so many eyes upon her, she became too much frightened to weep more.

The complaint against her set forth that she had stolen one hundred dollars from Mrs. Naseby; and as the case went on, I found that Mrs. Naseby was her mistress, a wealthy widow, living in town. The poor girl declared her innocence in the most wild terms, and called on God to witness she would rather die than steal. A hundred dollars in bank notes had been stolen from her mistress's room, and she was the only one who had access there.

At this juncture, while the mistress was upon the witness-stand, a young man came and caught me by the arm. He was a fine looking fellow and big tears stood in his eyes.

"They tell me you are a good lawyer?" he whispered.

"I am a lawyer," I answered.

"Then—O!—save her! You can certainly do it, for she is innocent."

"Is she your sister?"

The youth hesitated and colored.

"Has she no counsel?" I asked.

"None that's good for anything—nobody that'll do anything for her. O, save her, and I'll pay you all I've got. I can't pay you much, but I can raise something."

I reflected for a moment. I cast my eyes towards the prisoner, and she was at that moment looking at me. She caught my eye, and the volume of humble prayerful entreaty, I read in those large, tearful orbs, resolved me in a moment. In my soul I knew that the girl was innocent; or at least I firmly believed so—and perhaps I could help her. I arose and went to the girl, and asked her if she wished me to defend her. She said yes. Then I informed the court that I was ready to enter into the case, and I was admitted at once. The loud murmur of satisfaction which ran through the room, quickly told me where the sympathies of the people were.

I asked for a moment's cessation, that I might speak to my client. I went and sat down by her side, and asked her to state to me candidly the whole case. She told me she had lived with Mrs. Naseby nearly two years, and that during all that time she had never had any trouble before. About two weeks ago, she said, her mistress lost a hundred dollars.

"She missed it from the drawer," the girl told me, "and she asked me about it, but I knew nothing of it. The next thing I knew, Nancy Luther told Mrs. Naseby that she saw me take the money from the

drawer—that she watched me through the key-hole. They then went to my trunk, and they found twenty-five dollars of the missing money there. But, O, sir, I never took it—somebody else put that money there!"

I then asked her if she suspected any one.

"I don't know," she said, "who could have done it but Nancy. She has never liked me, because she thought I was treated better than she was. She is the cook, and I was the chamber maid."

She pointed Nancy Luther out to me. She was a stout, bold faced girl, about two-and-twenty, with a low forehead, small grey eyes, a pug-nose and thick lips. I caught her glance at once as it rested upon the fair young prisoner, and the moment I detected the look of hatred which I read there, I was convinced that she was the rogue.

"Oh, Sir, can you help me?" my client asked in a fearful whisper.

"Nancy Luther did you say that girl's name was?"

"Yes, sir."

"Is there any other girl of that name about here?"

"No, sir."

"Then rest easy. I'll try hard to save you."

I left the court room, and went to the prosecuting attorney and asked him for the letters I had handed to him—the ones that had been stolen from the mail-bag. He gave them to me, and having selected one, I returned the rest, and told him I would see that he had the one I kept before night. I then returned to the court room and the case went on.

Mrs. Naseby resumed her testimony. She said she entrusted her room to the prisoner's care, and that no one else had access there but herself. Then she described the missing money, and closed by telling how she had found twenty-five dollars of it in the prisoner's trunk. She could swear it was the identical money she had lost, it being two tens and one five dollar bill.

"Mrs. Naseby," said I, "when you first missed your money, had you any reason to believe that the prisoner had taken it?"

"No, sir," she answered.

"Had you ever before detected her in dishonesty?"

"No, sir."

"Should you have thought of searching her trunk had not Nancy Luther advised you and informed you?"

"No, sir."

Mrs. Naseby then left the stand, and Nancy Luther took her place. She came up with a bold look, and upon me she cast a defiant glance, as much as to say "trap me if you can!" She gave evidence as follows:

"She said that on the night when the money was stolen, she saw the prisoner going up stairs and from the manner in which she went up, she suspected that all was not right. So she followed her up."

"Elizabeth went into Mrs. Naseby's room and shut the door after her, I stooped down and looked through the key hole, and saw her at her mistress's drawer. I saw her take out the money and put it in her pocket. Then she stooped down to pick up the lamp, and as I saw that she was coming out, I hurried away." Then she told me how she had informed her mistress of this and proposed to search the girl's trunk.

I called Mrs. Naseby back to the stand.

"You say that no one save yourself and the prisoner had access to your room," I said. "Now could Nancy Luther have entered that room if she wished?"

"Certainly, sir. I meant no one else had a right there."

I saw that Mrs. N., though naturally a hard woman, was somewhat moved by poor Elizabeth's misery.

"Could your cook have known, by any means in your knowledge, where your money was?"

"Yes, sir; for she has often come up to my room when I was there, and I have given her money with which to buy provisions of market-men, who happened along with their wagons."

"One more question: have you known of the prisoner's having had any money since this was stolen?"

"No, sir."

I now called Nancy Luther back, and she began to tremble a little, though her look was as bold and defiant as ever.

"Miss Luther," I said, "why did you not inform your mistress at once of what you had seen, without waiting for her to ask you about the lost money?"

"Because I could not make up my mind

at once to expose the poor girl," she answered promptly.

"You say you looked through the key-hole and saw her take the money?"

"Yes, sir."

"Where did she put the lamp while she did so?"

"On the bureau."

"In your testimony, you said she stooped down when she picked it up. What did you mean by that?"

The girl hesitated, and finally said she did not mean anything, only that she picked up the lamp.

"Very well," said I. "How long have you been with Mrs. Naseby?"

"Not quite a year, sir."

"How much does she pay you a week?"

"A dollar and three quarters."

"Have you taken up any of your pay since you have been there?"

"Yes, sir."

"How much?"

"I don't know, sir."

"Why don't you know?"

"How should I? I've taken it at different times, just as I wanted it and have kept no account."

"Now if you had any wish to harm the prisoner, couldn't you have raised twenty-five dollars to put in her trunk?"

"No, sir," she replied with virtuous indignation.

"Then have you not laid up any money since you have been there?"

"No, Sir—only what Mrs. Naseby may owe me."

"Then you didn't have twenty-five dollars when you came there?"

"No, Sir, and what's more, the money found in the girl's trunk was the money that Mrs. Naseby lost. You might have known that, if you'd only remember what you hear."

This was said very sarcastically, and was intended as a crusher upon the idea that she could have put the money into the prisoner's trunk. However, I was not overcome entirely.

"Will you tell me if you belong to this State?" I asked next.

"I do, sir."

"In what town?"

She hesitated, and for a moment the bold look forsook her. But she finally answered:

"I belong in Somers, Montgomery County."

I next turned to Mrs. Naseby:

"Do you ever take a receipt from your girls when you pay them?" I asked.

"Always," she answered.

"Could you send and get one of them for me?"

"She told the truth, sir, about my payments," Mrs. Naseby said.

"O, I don't doubt it," I replied; "but ocular proof is the proof for the court room. So, if you can, I wish you would procure me the receipts."

She said she would willingly go, if the court said so. The court did say so, and she went. Her dwelling was not far off, and she soon returned, and handed me four receipts which I took and examined. They were all signed in a strange and straggling hand by the witness.

"Now, Nancy Luther," said I in a quick startling tone, at the same time looking her sternly in the eye, "please tell the court, and the jury, and tell me, too, where you got the seventy-five dollars you sent to your sister in Somers?"

The witness started as though a volcano had burst at her feet.

She turned as pale as death, and every limb shook violently. I waited until the people could see her emotion, and then repeated the question.

"I—never—sent—any!" she fairly gasped.

"You did!" I thundered, for I was excited now.

"I—I—didn't," she faintly uttered, grasping the rail for support.

"May it please your honor and gentlemen of the jury," I said, as I had looked the witness out of countenance. "I came here to defend a youth who was arrested for helping to rob the mail, and in the course of my preliminary examinations, I had access to the letters which had been torn open and rifled of money. When I entered upon this case, and heard the name of this witness pronounced, I went out and got this letter which I now hold, for I remembered to have seen one bearing the signature of Nancy Luther. The letter was taken out of the mail bag, and contained seventy-five dollars, and by looking at the post-mark, you will observe it was mailed on the very next day after the money was taken from Mrs. Naseby's drawer. I will read it to you if you please."

The court nodded assent, and I read the following, which was without date save that made by the post master's

stamp on the outside. I give it here verbatim:—

"Sister Dorcas; I send you here seventy-five dollars, which I want you to keep it for me till I cum hum, i cant kepe it here coz ime afraid it will get stole dont speke wun word to a livin sole bout this coz i dont want nobodi to know i have got enny money, yu wunt will yu. i am fust rate heer, only that gude for nothin snipe of liz madworth is heer yit—but i hope to git rid of her now. yu kno i rote yu bout her. giv iai juy to awl enquiren friends. this is from your syster til deth.

NANCY LUTHER."

"Now, your honor," I said, as I handed him the letter and also the receipts, "you will see that the letter is directed to Dorcas Luther, Somers, Montgomery County. And you will observe that one hand wrote that letter and signed those receipts. It is plain how the hundred dollars were in that letter and sent away for safe keeping, while the remaining twenty-five were placed in the prisoner's trunk for the purpose of covering the real criminal. Of the tone of the other parts of the letter, I leave you to judge. And now gentlemen of the jury, I leave my case in your hands, only I will thank God, and I know you will also, that an innocent person was thus strangely saved from ruin and disgrace."

The case was given to the jury immediately following their examination of the letter. They had heard from the witness's own mouth that she had no money of her own, and without leaving their seats, they returned a verdict of—"Not Guilty."

The youth who had first asked me to defend the prisoner, caught me by the hand but he could not speak plainly. He simply looked at me through his tears for a moment, and then rushed to the fair prisoner. He seemed to forget where he was, for he flung his arms around her, and she laid her head upon his bosom and wept aloud.

I will not attempt to describe the scene that followed; but if Nancy Luther had not been arrested for the theft, she would have been obliged to seek the protection of the officers; for the excited people would have surely maimed her, if they had done no more. Next morning, I received a note handsomely written, in which I was told that the within was but a slight token of gratitude due me for my efforts in behalf of a poor defenceless, but much loved maiden. It was signed "Several Citizens," and contained one hundred dollars—Shortly afterwards the youth came to pay all the money he could raise. I simply showed him the note I had received, and asked him to keep his hard earnings for his wife, when he got one. He owned he had intended to make Lizzie Madworth his wife very soon.

Next day, I succeeded in clearing my other client from conviction of robbing the mail; and made a considerable handle of the fortunate discovery of the letter which had saved an innocent girl on the day before, in my appeal to the jury; and if I made them feel that the finger of Omnipotence was in the work, it was because I sincerely believed that the young man was innocent of all crime; and I am sure they thought so too.

THE AMERICAN JEW.

"The American Jew is only less proud of his country than his religion. To say he is a mere dweller upon the soil because it affords him the means of support is to libel the most noble traits of his character. The graves of his ancestors are around him. His heaven is as near to him on the shores of the Pacific as upon the sacred Mount of Olives or within the classic walls of Jerusalem—His God is omnipotent, omnipresent, and omniscient. He has knelt before that awful presence alike on the deserts of Arabia and the frozen zones of Siberia; and why should he here where the law recognizes his religion and his political privileges, withhold an affection to which he is impelled by every consideration of prosperity to himself and future happiness to his children? His respect for our laws is shown in the fact that he seldom violates them. His wealth has gone towards building up and enriching our cities. He cultivates the arts, and goes heart and soul with our active citizens in every useful enterprise. He quarrels but little; heads a mob—never—You will find him in our courts of justice, on the bench, at the bar, in the jury box, but seldom ever arraigned for a heinous criminal offence. This is the American Jew. Let his good qualities be imitated; his bad ones should be forgotten."

The court nodded assent, and I read the following, which was without date save that made by the post master's

EXTRAVAGANCIAS IN ANCIENT TIMES.

According to the doctrine of the metempsychosis, introduced into Greece by Pythagoras and Timæus, the brute animals are human beings in an altered form. In their new shape they preserve a recollection of their former condition. They are believed by some philosophers to possess three souls—corresponding to what in recent times has been termed intellectual, organic, and animal life. A book was written by Plutarch to prove that animals possess reason, inasmuch as the operations of our boasted understanding are more liable to error than the mysterious operations of instinct. Poets, and even philosophers regarded them as our earliest teachers of the useful arts.—At an early period (according to Pope)

To man the voice of nature speaks: Go! from the creature thy instruction take; Learn from the birds what food the thickets yield; Learn from the beasts the physics of the field; Thy arts of building from the bee receive; Learn of the mole to plough, the worm to weave; Learn of the little snail how to sail, Spread the thin oar, and catch the driving gale.

Learn each small people's genius—politics— The ant's republic, and the realm of bees: How those in common all their wealth bestow, And anarchy, without confusion, know; And these forever, though a monarch reign, Their separate cells and properties maintain.

A grasshopper, instructed by the melodious teachings of the nightingale, carried off the prize in the Pythian games. The chargers of the Sybarites were famous for pleasing manners and accomplishments. They particularly surpassed in dancing; and, on one occasion, when the battle trumpet sounded a charge and all the Sybarite cavalry were advancing at the signal, the Crotonian enemy suddenly struck up a reel, or jig, or a dancing tune, whereupon the Sybarite chargers, mistaking a battle for a ball, began to foot it fealty to the measure, and capered and pranced so as to disorder the ranks, and, through love of pleasure forfeited victory.

Narratives and statements such as these frequently occur in the writings of the ancients, who tell them with the grave air of satisfied and undoubting credulity. Indeed, they saw no reason to doubt them, when their philosophers, whose names were symbolic of wisdom, recognized men in brutes, in birds, and even in insects; and when beasts are assimilated in intellect to men we cannot be surprised if animals employed human language.—The narratives of the fabulists are only dramatic versions of universally accredited traditions. That Æsop's fox should converse with the stork, or that a philosophic discussion should beguile the leisure of the town rat when visited by an acquaintance from the country, is not to be wondered at when history itself teems with similar examples. On the fall of Tarquin a dog in the open streets could not contain his political sentiments, but gave expression to his republican opinion by loudly vociferating his congratulations. When Domitian was assassinated, an observant crow, perched on the capitol, favored the city with his regal views by applauding the mourners. "It's a good deed," screamed the crow; "it's right well done." When Otho oppressed Rome, and Vitellius threatened the walls, the golden reins, to the terror of the alarmed city, dropped from the hands of the statue of Victory, and the oxen in a low tone, were overheard exchanging private opinions on public affairs. When Lepidus and Catullus were consuls a cock in the farm yard of Galerius conversed like a human being; and Pliny, animadverting on this fact, gravely remarks that "speaking cocks are very rare in history."

One of the most extraordinary features in this superstition is, that while beasts are adepts in the language of men, it is only in exceedingly rare cases that men ever attain to any knowledge of the language of beasts. All antiquity produced by five individuals who reached this extraordinary height of science, viz: Tiresias, Helens, Cassandra, Apollonius, and Melampus. Here is the story: The servants of Melampus found a nest of serpents in a hollow oak, which after killing the old ones, they brought to Melampus, who ordered the young creatures to be carefully brought up. When these serpents reached maturity, their gratitude for the care bestowed on their education caused them one day, while Melampus was wrapped in profound repose, to glide close to his ear and lick them repeatedly, a process which improved his hearing to such exquisite fineness that he was astonished, on awakening, to hear

the brutes utter sounds that were quite intelligible to him.

Antiquity attributed to the lower animals not merely the passions which agitate, but the moral sentiments which dignify, and the affections which console mankind. Rivals are found among the beasts and birds for the heroes of tragic passion, such as Phædra, Orestes, Plyades, &c. A goose, according to Pliny, fell desperately in love with a youth named Egus; and in Egypt a tender passion was conceived for the beautiful Glaucus, a female musician of distinguished merit in the Court of Ptolemy, by an amorous ram. A sublime constancy in friendship has been manifested from time to time by horses, eagles, and dolphins. A young girl in Sestos reared and fed an eagle, which upon her death, was inconsolable; it rushed into her funeral pyre and perished upon her ashes. A dolphin died of grief for the loss of a child during the reign of Augustus. This child was accustomed, on its way to school to cross the Lucrine lake every day which the dolphin observing, approached the child and bore it on its back, safely depositing its burden on the opposite shore. One day the child failed to appear, and the dolphin was seen waiting with evident uneasiness. The dolphin came the next day, and the next, but the child was dead, and the sympathetic fish, as it is

A crime in heaven to love too well, sickened and perished of grief.

From the London Examiner.

"Outlived her Usefulness."

Not long since, a good-looking man, in middle life, came to our door asking for the minister." When informed that he was out of town he seemed disappointed and anxious. On being questioned as to his business, he replied—"I have lost my mother, and as this place used to be her home, and my father lies here, we have come to lay her beside him."

Our heart arose in sympathy, and we said you have met with a great loss."

"Well—yes," replied the strong man, with hesitancy, "a mother is a great loss in general, but our mother has outlived her usefulness; she was in her second childhood, and her mind was grown as weak as her body, so that she was no comfort to herself, and was a burden to everybody. There were seven of us sons and daughters; and as we could not find anybody who was willing to board her, we agreed to keep her among us a year about. But I've had more than my share of her, for she was too feeble to be moved when my time was out; and that was more than three months before her death. But she was a good mother in her day, and toiled very hard to bring us all up."

Without looking into the face of the heartless man, we directed him to the house of a neighboring pastor, and returned to our nursery. We gazed on the merry little faces which smiled or grieved in imitation of ours—those little ones to whose ear no word in our language is half so sweet as "Mother;" and we wondered if that day would ever come when they would say of us, "she has outlived her usefulness—she is no comfort to herself and a burden to everybody else!" and we hoped before such a day would dawn, we might be taken to our rest.—God forbid that we should outlive the love of our children! Rather let us die while our hearts are a part of their own, than our grave may be watered with their tears, and our love linked with their hopes of heaven.

When the bell tolled for the mother's burial, we went to the sanctuary to pay our only token of respect for the aged stranger; for we felt that we could give her memory a tear, even though her own children had none to shed.

"She was a good mother in her day, and toiled hard to bring us all up—she was no comfort to herself, and a burden to everybody else!" These cruel, heartless words rang in our ears as we saw the coffin borne up the aisle. The bell tolled long and loud until its iron tongue had chronicled the years of the toil worn mother. One—two—three—four—five. How clearly and almost merrily each stroke told of her once peaceful slumber on her mother's bosom, and of her seat at nightfall on her weary father's knees. Six—seven—eight—nine—ten—rang out the tale of her sports upon the green sward, in the meadow, and by the brook. Eleven, twelve, thirteen, fourteen, fifteen, spoke more gravely of school days and little household joys and cares. Sixteen, seventeen, eighteen, sounded out the enraptured visions of maidenhood, and the dreams of early love. Nineteen brought before us the happy bride. Twenty

spoke of the young mother whose heart was full to bursting with the new strong love which God had awakened in her bosom. And then stroke after stroke told of her early womanhood—of the love and cares, and hopes, and fears and toils through which she passed during these long years, till fifty rang out harsh and loud. From that to sixty each stroke told of the warm hearted mother and grand mother, living over again her own joys and sorrows in those of her children and children's children. Every family of all the group wanted grandmother then, and the only strife was who should secure the prize; but hark! the bell tolls on! Seventy, seventy-one, two, three, four. She begins to grow feeble, requires some care, is not always perfectly patient or satisfied; she goes from one child's house to another, so that no place seems like home. She murmurs in plaintive tones, and after all her toil and weariness, it is hard she cannot be allowed a home to die; that she must be sent, rather than invited, from house to house. Eighty, eighty-one, two, three, four, ah, she is now a second child—now "she has outlived her usefulness; she has now ceased to be a comfort to herself or anybody;" that is, she has ceased to be profitable to her earth-craving and money-grasping children.

Now sounds out, reverberating through our lovely forest, and echoing back from our "hill of the dead." Eighty-nine! there she lies now in the coffin, cold and still—she makes no trouble now, demands no love, no soft words, no tender little offices. A lack of patient endurance, we fancied she expressed of grief for unrequited love, saw in her visible features. Her children were there clad in weeds of woe, and in irony we remembered the strong man's words. "She was a good mother in her day."

When the bell ceased tolling, a strange minister arose in the pulpit. His form was very erect, and his voice strong, but his hair was silvery white. He read several passages of scripture expressive of God's compassion to feeble man, and especially of his tenderness when gray hairs are on him, and his strength faileth. He then made some touching remarks on human frailty, and of dependence on God, urging all present to make their peace with their master while in health, that they might claim his promises when heart and flesh should fail them.—"Then," he said, "the eternal God shall be thy refuge, and beneath thee shall be the everlasting arms." Leaning over the desk, and gazing intently on the coffin form before him, he said reverently: "From a little child I have honored the aged; but never knew truly how much love and sympathy this class have a right to demand of their fellow creatures.—Now I feel it. Our mother," he added most tenderly, "who now lies in death before us, was a stranger to me, as are all these, her descendants. All I know of her is what her son has told me to day—that she was brought to this town from afar, sixty-nine years ago, a happy bride—that here she passed most of her life, toiling as only mothers ever have strength to toil, until she had reared a large family of sons and daughters—that she left her home here, clad in the weeds of widowhood, to dwell among her children; and that till health and vigor left her, she toiled for you, her descendants."

You who together have shared her love and her care, know how well you have requited her. God forbid that conscience should accuse any of you of ingratitude or murmuring on account of the care she has been to you of late. When you go back to your homes, be careful of your words and your example before your own children, for the fruit of your own doing you will surely reap from them when you yourselves totter on the brink of the grave. I entreat you as a friend, as one who himself has entered the "evening of life," that you may never say in the presence of your families nor of heaven, "Our mother has outlived her usefulness—she was a burden to us."—Never, never; a mother cannot live so long as that! No; when she can no longer labor for her children, nor yet care for herself, she can fall like a precious weight on their bosoms, and call forth by her helplessness all the noble, generous feelings of their natures.

Adieu, then, poor, toil-worn mother; there are no more sleepless nights, no more days of pain for thee. Undying vigor and everlasting usefulness are part of the inheritance of the redeemed. Feeble as thou wert on earth, thou wilt not be no burden on the bosom of Infinite Love, but there shalt thou find thy longed for rest, and receive glorious sympathy from Jesus and his ransomed folk.

Tell the truth at all times.