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POETRY.

THE THIRTY-NINTH BIRTH-DAY.

Ah me! the moments will not stay!
Another year has rolled away
And June (the recent) scores the line
That tells me I am Thirty-nine!

As thus I haste the mile stones by,
I mark the numbering with a sigh;
And yet 'tis idle to repine
For some season to Thirty nine!

Ah! few that room this world of ours,
To feel its thorns and pluck its flowers,
Have trod a brighter path than mine
Since (blithe thirteen) to Thirty-nine!

Health, home and friends, (life's solid part,)
A merry laugh, a fresh, young heart,
Poetic dreams and love divine—
Have I not these at Thirty-nine?

'Time' forgot thy wonted spell,
And lay thy future fairies in it,
And, trust me, I will not repine
At twice the count of Thirty-nine.

SAXE.

SONG.

[From the Dublin University Magazine.]

A maid reclined beside a stream
At fall of summer day,
And half awake and half a dream,
She watched the ripples play;
She marked the waters fall and leave,
The deepening shadows throng,
And heard, as darkened down the eve,
The river's babbling song.
And thus it sang, with tinkling tongue,
That rippling, shadowy river—
"Youth's brightest day will fade away
Forever and forever!"

The twilight past, the moon at last
Rose broadly o'er the night,
Each ripple gleams beneath her beams
As wrought in silver bright,
The leaving waters glide along,
But, mingling with their voice,
The nightingale now pours his song,
And makes the shades rejoice.
And thus he sang, with tuneful tongue,
That bird beside the river—
"When youth is gone true love shines on
Forever and forever."

MISCELLANY.

The Two Widows.

BY NATHANIEL HAWTHORNE.

The following story, the simple and domestic incidents of which may be deemed scarcely worth relating after such a length of time, awakened a degree of interest a hundred years ago in a principal sea port of the City of Massachusetts. The rainy twilight of an Autumn day, a parlor on the second floor of a house, plainly furnished, as befitted the middling circumstances of the inhabitants, yet decorated with little curiosities from beyond the sea, and a few delicate specimens of Indian manufacture, these are the only particulars to be presented in regard to scenes and season. Two young and comely women sat together by the fireside, nursing their mutual and peculiar sorrows. They were the recent brides of two brothers, a sailor and landsman, and two successive days had brought tidings of the death of each, by the chances of Canadian warfare and the tempestuous Atlantic. The universal sympathy excited by this bereavement drew numerous condoling guests to the habitation of the widowed sisters. Several, among whom was the minister, had remained till the verge of evening, when, one by one, whispering many comfortable passages of scripture, that were answered by more abundant tears, they took their leave and departed to their own happier homes. The mourners, though not insensible to the kindness of their friends, had yearned to be left alone. Custom, the chief bane of friendship of the living, and now more closely so by that of the dead, each felt as if whatever consolation her grief admitted, was to be found in the bosom of the other. They joined their hearts, and wept together silently. But after an hour of such indulgence, one of the sisters, all of whose emotions were influenced by her mild, quiet, yet not feeble character, began to recollect the precepts of the resignation and endurance which piety had taught her, when she did not think to heed them. Her misfortunes, besides, as earliest known, should earliest cease to interfere with her regular course of duties; accordingly, having placed the table before the fire, and arranged a frugal meal, she took the hand of her companion.

'Come, dearest sister, you have not eaten a morsel to-day,' she said, 'arise, I pray you, and let us ask a blessing on that which is provided for us.'

Her sister was of a lively and irritable temperament, and the first pangs of her sorrow had been expressed by shrieks and passionate lamentations. She now shrunk from Mary's words, like a wounded sufferer from a hand that revives the throb.

'There's no blessing for me, neither will I ask it,' cried Margaret, with a fresh burst of tears. 'Would that it were His will that I might never taste food again.'

Yet she trembled at these rebellious expressions, almost as soon as they were uttered, and by degrees, Mary succeeded in bringing her sister's mind nearer to the situation of her own. Time went on, and their usual hour of repose arrived. The brothers and their brides entered the married state with no more than the slender means which then sanctioned such a step, and considerated themselves in one household, with equal rights to the parlor, and claiming exclusive privileges in two sleeping-rooms contiguous to it. Thither the widowed ones retired, after heaping ashes upon the dying embers of the fire, and placing a lighted lamp on the hearth. The doors of both chambers were left open, so that a part of the interior of each, and the beds with their unclosed curtains, were reciprocally visible. Sleep did not steal upon the sisters at one and the same time. Mary experienced the effect often consequent on grief quietly borne, and soon sunk into temporary forgetfulness, while Margaret became more disturbed and feverish in proportion as the night advanced were its deepest and stillest hours. She lay listening to the drops of rain that came down in monotonous succession, unswayed by a breath of wind, and a nervous impulse continually causing her to raise her head from the pillow, and gaze into Mary's chamber and the intermediate apartment. The cold light of the lamp threw the shadows of the furniture upon the wall, stamping them immovably there, except when they were shaken by a sudden flicker of the flame. Two vacant arm chairs were in their old positions on the opposite sides of the hearth, where the brothers had been wont to sit in young and laughing dignity, as heads of families; two humbler seats were near them, the thrones of that little empire, where Mary and herself had exercised in love a power that love had won. The cheerful radiance of the fire had shown upon the happy circle, and the dead glimmer of the lamp gave no ghastly tinge to their re-union now. While Margaret groaned in bitterness, she heard a knock at the street door.

'How would my heart have leapt at that sound but yesterday!' thought she, remembering the anxiety with which she had so long awaited tidings from her husband. 'I care not for it now; let them begone, for I will not arise.'

But even while a sort of childish fretfulness made her thus resolve, she was breathing hurriedly and straining her ears to catch a repetition of the summons. It is difficult to be convinced of the death of one whom we have deemed another self. The knocking was now renewed in slow and regular strokes, apparently given with the soft end of a double fist, and was accompanied by words faintly heard through several thicknesses of the wall. Margaret looked to her sister's chamber, and beheld her still lying in the depths of sleep. She slightly arrayed herself, trembling between fear and eagerness as she did so.

'Heaven help me!' sighed she. 'I have nothing left to fear, and methinks I am ten times more a coward than ever.'

Seizing the lamp from the hearth, she hastened to the window that overlooked the street door. It was a lattice, turning upon hinges, and, having thrown it back, she stretched her head a little way into the moist atmosphere. A lantern was reddening the front of the house, and melting its light in the neighboring puddles, while a deluge of darkness overwhelmed every object. As the window grated on its hinges, a man in a broad brimmed hat and blanket coat stepped from under the shelter of the projecting story, and looked upward to discover whom his alteration had aroused. Margaret knew he was a friendly inn-keeper of the town.

'What would you have, good man Parker?' cried the widow.

'Lack a day, is it you, mistress Margaret?' replied the inn-keeper. 'I was afraid it might be your sister Mary, for I hate to see a young woman in trouble, when I haven't a word of comfort to whisper to her.'

'For Heaven's sake, what news do you bring?' screamed Margaret.

'Why, there has been an express through the town this half hour,' said good man Parker, 'travelling from the eastward jurisdiction with letters from the Governor and Council. He tarried at my house to refresh himself with a drop and a morsel, and I asked him what tidings on the frontiers. He told me we had the better in the skirmish you wot of, and that thirteen men, reported slain, are well and sound, and your husband among them. Besides, he is appointed one of the escort to bring the captivated Frenchers and Indians home to the province jail. I judge you wouldn't mind being broken of your rest, and so I stepped over to tell you. Good night.'

So saying, the honest man departed; and his lantern gleamed along the street, bringing to view indistinct shapes of things, and the fragments of a world, like order glimmering through chaos, or memory roaming over the past. But Margaret stayed not to watch these picturesque effects. Joy flushed into her heart and lighted it up at once, and, breathless and with winged steps, she flew to the bedside of her sister. She paused, however, at the door of her chamber, while a thought of pain broke in upon her.

'Poor Mary!' said she to herself. 'Shall I awaken her to feel her sorrow sharpened by my happiness? No; I will keep it within my own bosom till the morrow.'

She approached the bed to see if Mary's sleep was peaceful. Her face was turned partly upward to the pillow, and had been hidden there to weep; but a look of motionless contentment was visible upon it, as if her heart, like a deep lake had grown calm, because its head had sunk down so far within. Happy it is, and strange, that the lighter sorrows are those from which dreams are chiefly fabricated. Margaret shrunk from disturbing her sister-in-law, and felt as if her own better fortune had rendered her involuntarily unfaithful, and as if altered and diminished affection must be the consequence of the disclosure she had to make. With a sudden step she turned away. But joy could not be repressed even by the circumstances that would have excited heavy grief at another moment. Her mind was thronged with delightful thoughts, till sleep stole on and transformed them to visions, more delightful and more wild, like the breath of winter (but a cold comparison) working fantastic tracery on the window.

When the night was far advanced, Mary awoke with a sudden start. A vivid dream had latterly invested her in its unreal life, of which, however, she could only remember that it had been broken in upon at the most interesting point. For a little time, slumber hung about her like a morning mist, hindering her from perceiving the distinct outline of her situation. She listened with imperfect consciousness to two or three volleys of a rapid and eager knocking, and first she deemed the noise a matter of course, like the breath she drew next—it appeared a thing in which she had no concern; and lastly, she became aware that it was a summons necessary to be obeyed. At the same moment, the pang of recollection darted into her mind, the pall of sleep was thrown back from the face of grief; the dim light of the chamber, and the objects therein revealed, had retained all her suspended ideas, and restored them as soon as she unclosed her eyes. Again there was a quick peal upon the street door. Fearing that her sister would also be disturbed, Mary wrapped herself in a cloak and hood, took the lamp from the hearth and hastened to the window. By some accident it had been left unclasped, and yielded easily to the hand.

'Who's there?' asked Mary, trembling as she looked forth.

The storm was over and the moon was up; it shown upon unbroken clouds above, and below upon houses black with moisture, and upon little lakes of the fallen rain, curling with silver beneath the quick enchantment of a breeze. A young man in a sailor's dress wet as if he had come out of the sea, stood alone under the window. Mary recognized him as one whose livelihood was gained by short voyages along the coast; nor did she forget, that previous to her marriage, he had been an unsuccessful wooer of her heart.

'What do you seek here, Stephen?' said she.

'Cheer up, Mary, for I seek to comfort you,' answered the rejected lover. 'You must know that I got home ten minutes ago, and the first thing my mother told me about was your husband, so without saving a word to the old woman, I slapped on my hat and run out of the house. I couldn't have slept a wink before speaking to you, Mary, for the sake of old times.'

'Stephen, I thought better of you' exclaimed the widow, with gushing tears, and preparing to close the lattice; for she was no whit inclined to imitate the first wife of Zadig.

'But stop and hear my story,' cried the young sailor. 'I tell you we spoke a brig yesterday afternoon, bound in from old England. And who do you think I saw on deck, well and hearty, only a bit thinner than he was five months ago?'

Mary leaned from the window, but could not speak.

'Why, it was your husband, himself,' continued the generous seaman. 'He and three others saved themselves on a spar, when the vessel turned bottom upwards. The brig will beat into the bay by daylight, with this wind, and you will see him here to-morrow. There's the comfort I bring to you, Mary, so good night.'

He hurried away while Mary watched him with a doubt of waking reality, that seemed stronger or weaker as he alternately entered the shade of the houses, or emerged into the broad streaks of moonlight. Gradually, however, a flood of conviction swelled into her heart, in strength to overwhelm her, and its increase been more. Her first impulse was to arouse her sister-in-law, and communicate the new born gladness.

She opened the chamber door, which had been closed in the course of the night, though not latched, advanced to the bed side, and was about to lay her hand on the slumberer's shoulder. But then she remembered that Margaret would awake to thoughts of death rendered not the less bitter by the contrast with her own felicity. She suffered the rays of the lamp to fall upon the unconscious form of the bereaved one. Margaret lay in unquiet sleep, and the drapery was displaced around her; her young cheek was rosy tinted, lips half opened in a vivid smile, and her whole countenance was lit up with an expression of joy.

'My poor sister' you will awaken too soon from that happy dream!'' thought Mary.

Before retiring she set down the lamp and endeavored to arrange the bed clothes so that the chill air might do no harm to the feverish slumberer. But her hand trembled against Margaret's neck, a tear also fell upon her cheek, and she suddenly awoke. Their mutual joy was made known, and they wept in each other's arms.

[From the Philadelphia Times.]

Another Self—Madness and a Method in it.

On Wednesday last, a neatly dressed, very prepossessing and prettily spoken woman, somewhere between sweet sixteen and twenty-five, drove up to the door of the Insane Hospital, over which Dr. ——— presides, and inquired for that gentleman. She was ushered into the reception room, and awaited the coming of the doctor with an air of nonchalance which rather fascinated the servant who looked on her with eyes of admiration and unfeigned pleasure. When left alone she amused herself, (a woman always will) in gratifying her curiosity by inspecting the various articles in the room, critically and thoroughly. The doctor being announced, she received him with one of those bewildering smiles which some women know so well how to bestow, and whose influence no man of feeling can resist. The doctor welcomed her with more than usual warmth, and soon learned the object of her visit.

She had come, she said, with a glance full of melancholy, and a tone of more than womanly tenderness, to ascertain of the doctor, in person, whether she could secure private quarters for her husband, who was subject to intense fits of aberration of mind, but whose conduct towards her, bitter and cruel as it was, could not alienate her love for him which was the all pervading passion of her soul. He had grown so violent of late that she wished to have him secured from violence to himself as well as to her, (and here the charming creature wept for some moments,) and if she could make an arrangement with the doctor, she urged him that it should be kept as private as his most secret thoughts, and her husband beyond the scrutiny of visitors. And thenshe said her heart would break, she knew it would, and wept bitterly and long.

The doctor, as all who know his kind and tender heartedness will readily imagine, was not insensible to the touching recital of his visitor, and with that frankness which always characterizes him, he promised to comply with her wishes, to give her husband a private apartment and his special care; and also to shield him from the gaze of curiosity seekers who run down public institutions.

The lady was not long in arranging terms; she was not long in expressing her thanks, intermingled with tears; she was not long in settling the details of her husband's confinement; she was not long, in short, in taking her leave. And as she stepped into her carriage, aided by the kind hand of the doctor, she turned her beautiful face towards him, and cast upon him a glance that was full of tenderness and solicitude, and inspired him ever with admiration and pity.

The carriage drove away, the doctor's eye following the clouds of dust which followed in its wake, until it was entirely lost to view. Down to the bridge, along the crowded thoroughfare, over the pebbled way of Chestnut street to a fashionable, if not *the* fashionable, jewelry establishment of our city, the carriage passed, its sweet and solitary inmate glancing out and smiling within, and growing radiant with the thought that requires another paragraph to learn.

She alighted, and glided into the bazaar of gold and silver and precious stones, with all the stateliness of a Queen. One or two of the gentlemanly attendants ran to learn her wish. She wanted to select a set of silver ware, not too elaborate in design or workmanship, nor yet too plain, something neat tasteful and beautiful. The various patterns were shown, and a set valued at $500 was selected by the lady of stately tread. She desired the articles to be put up, a bill made out and she would settle it. Her wishes were complied with, and the lady took out her elegant porte monnaie, but alas! there were but about $40 in it. She had picked up her wrong porte monnaie, she said with bewitching sweetness, and she was vexed at her stupidity. She, however could arrange it. She was the wife of Dr ——, the principle physician of the Insane Hospital and she desired her attendant to accompany her to that place, when she would pay him at once. Who could resist such a request from a beautiful woman—a request spoken as much with the eyes as the voice? Not the clerk certainly.

The two got into the carriage together, and back it whirled to the Hospital. The lady jumped from the carriage, and was warmly greeted by the Dr. who was at the entrance.

"Doctor, this is my husband," said she with an air at once sweet and sorrowful.

The poor attendant starved. He was struck aghast. He could not fathom her meaning.

"What did you say?"

"Doctor, this is my husband, please take him in charge."

"The devil, madam. I am not your husband, what do you mean?"

Bursting into tears she sobbed aloud. "He has another spasm—he has another attack. Oh! Doctor, if you have pity in your soul, secure him, and save yourself and me from violence."

In vain the poor fellow attempted to explain. He was hurried along the corridor and into a room, and confined securely—the woman all the while following close behind, weeping as though her heart would break. The Doctor and the lady returned to the reception room, and the latter, after giving the other an outline of the peculiarities of her alleged husband's attacks, together with some directions in reference to the care she desired to have bestowed on him, she left, promising to return again in a few days. And away whirled the carriage, the silver ware and the lady; neither of which has been heard of since.

The poor attendant was confined for three days before any one about the establishment could be induced to convey a letter to his employers, who, all the time, were suspecting his honesty, and preparing to advertise him in the newspapers. Upon the receipt of the letter it did not take them long to discover that they had been sold most brilliantly; and upon their appearance at the Hospital it did not take the Doctor long to discover that he had been sold decidedly; the poor attendant was satisfied, upon his arrival at the Hospital, that he had been sold most sorrowfully indeed. And here, we think, we will end the story, which has been talked over in fashionable circles for the past three or four days with many a hearty laugh.

Every man his ownLawyer—Self Defence Triumphant—Allerton vs. Dodder.

From the Newburgh, N. Y., Gazette.

The People vs. James Allerton. This was a very interesting case, rendered so from the fact that the defendant acted as "his own lawyer" on the trial, without having the advantage of being one of the legal fraternity. His 'summing up,' of which we are able to give nearly a verbatim report, with the exception of the 'acting' was decidedly rich, and afforded much amusement for the legal gentlemen present. The defendant, who is a small, red-haired, thin specimen of a Yankee, was indicted for an assault and battery on one Mr Dodder. The facts, as divulged upon trial, are briefly as follows: The defendant is in the employ of the Mongaup Valley, Forestburgh, and Port Jervis Plank Road Company as a toll gatherer, and resided upon the road, some miles above Port Jervis. He and the complainant, Mr. Dodder, are neighbors. On a Sunday in February last, the defendant saw the complainant, in the act of beating his (defts.) cows along the highway, and as an inducement for him to quit, hurled a few stones at him, one of which, as the complainant testified, struck him on the back of his neck. The testimony being concluded, the defendant addressed the Jury as follows:

GENTLEMEN OF THE JURY:—I don't know much about law, and since this trial has been going on, I have concluded that I ought to know a *little* more. I ought to apologise perhaps for appearing in my own defence, and will do so by telling you, that I feed one lawyer, and hired another, in this case, but *they both came up missing when I need them most.* I suppose I might have secured the services of some of these other 'lumps of the law,' that I see around me, but having *been cheated by two of 'em, I concluded to go it 'on my own hook,' and here I am!* I want to tell you gentlemen, before I go further, that it is not my fault that this case is here taking up the time of this honorable court. I think you will give me credit for telling the truth, when I say that it ought to have been tried before a Justice of the Peace, it being better adapted to the *capacities* of such a court, than of this one. After this difficulty Dodder did get a warrant for me from Squire Jim Cuddeback, over in Deerpark. He then charged that I had insulted him, but five or six months has freshened his recollection, and he now says that I assulted and battered him. I believe there is some difference between the two charges.

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

You know gentlemen, that I am in the employ of the Mongaup Valley, Forrestburg and Port Jervis Plank Road Company, as a gate keeper. This company it seems had sufficient confidence in my integrity and honesty to place me in that important station, and even if I should receive $3,000 and steal 1,500 of it, that's between me and the Company, and it's none of Dodder's business. Now when the Company sent me up along this road to collect tolls, *this Dodder was one of the inhabitants I found there in the woods,* and I will say for him that he is a very fair specimen of the rest of the population. But there isn't any of them that seem to appreciate all the benefits of this Plank Road.

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

It wont take long to dispose of Dodder No. 2. He testifies that he saw me throw three stones at his father, and saw 'the old man dodge.' On his cross examination he says that he was in the cow house *in the morning*, and had to look over a hill twenty feet high, and also over three slab fences and two stone walls. Well! if he tells the truth, all I wish is, that I had young Dodder's eyes. He is certainly a remarkable boy and cant consistently deny his '*father*.'

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

Now gentlemen, you saw Mr Dodder and heard him swear against me. I asked him a great many questions, and I was sorry to hear him answer as he did. I might have asked him more questions—I might have asked him if he didn't kill my cat, and if he didn't stone my chickens because they *trespassed* on his woods where actually the pigeons are so thick that the peckers can't feed their young up through them. Indeed, I know he would deny it, and I would rather not hear him. He admits that he was driving my three cows up the road, and that he struck at one of 'em, but says it was with a *small switch.* I have proved that this switch was a *pole* about 10 feet long and about 3 inches across the butt end, and I have also proved that when he struck, the *cow fell.* It is true my witness couldn't swear that the stick hit her, he was so far off, but take the hour and fall together, and we can guess the rest. If you gentlemen should see no point a gun at a man and pull trigger, you the flash and hear the report, and at the same time see the man down, I think you would say that I shot him, although you might not see the ball strike him.

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

Now, gentlemen if you convict me, this Court can fine me $250 and *jug me* for six months, and if you really think I ought to be convicted of this assault, say so; for I am in favor of living up to the laws, as long as they are laws, whether it is the Fugitive Slave law, the Nebraska Bill or the Excise Laws. I will read you a little law however, which I have just seen in a book I found here—(the speaker here picked up a law book and read as follows:)—"Every man has a right to defend himself from personal violence." Now I dont know whether that is law or not, but I find it in a law book, (a veteran member of the bar, who was sitting near the speaker, remarked to him that it was a good law.) Well gentlemen, here is an *old cow*, who looks as if he might know *something*, and he says this is good law. Now if you will turn to Webster something, the same doctrine is applied to *coffee*—(great laughter.) The chief I take it, I had a right to defend my cows against Dodder's 10 foot switch. Why, gentlemen, nearly all my wealth is invested in them three cows, and you can't wonder that I became a little excited when I saw Dodder switching them with a 15 *foot pole*. I am a poor man, and have a large family consisting of a wife and six children, which I reckon is doing pretty well for as a small man as I am, and I could not afford to let Dodder kill my cows.

Now gentlemen, I don't believe you'll convict me after what I've said. But if you do, and this Court fines me $250, I shall "repudiate," because I "can't pay." And if I'm jugged for six months why tthese Dodders will have it all there own way up there. But nowithstanding all this, I am willing to risk myself in your hands, and if you think I ought to have stood by and done nothing, when I saw Dodder hammering my cows, why then I am "gone in," toll gate and all.

It is true, I am a poor man, but not a mean one. The name of Allerton can be traced to the *May Flower*; when she landed the pilgrims on Plymouth Rock, among the passengers was a widow, Mary *Allerton*, with four fatherless children, and I am descended from that Puritan stock; and from that day to this, there has never lived an Allerton who hadn't Yankee spirit enough to stone a Dodder for pelting his cows. *I'm done.* Here the laughing and shouting were exceedingly boisterous, in which *all* participated, and it was several minutes, despite the repeated cries of "order, order," by the court, before order could be restored. Our eloquent and usually unvanquishable District Attorney, fearing to cope with so formidable an antagonist, merely remarked: "It is a plain case, Sir, and left it to the Jury who promptly brought on a verdict of "Not Guilty." Mr Allerton certainly deserves judicial promotion, and we move that he be appointed crier of the court.

Gold and Corn.

The following beautiful contrast between the gold of California and the gold of agriculture, is from the speech of Edward Everett, at the national agricultural fair, Boston, October 26th:

The grains of the California gold are dead, inorganic masses. How they got into the gravel; between what mountain millstones, whirled by elemental storm winds on the bosom of oceanic torrents, the auriferous ledges were ground to powder; by what Titanic hands the coveted grains were sown broadcast in the placers, human science can but faintly conjecture. We only know that those grains have within them no principle of growth or reproduction, and that when that crop was to be put in, Chaos must have broken up the soil. How different the grains of our Atlantic gold, sown by the prudent hand of man, in the kindly alternation of seed-time and harvest; each curiously, mysteriously organized; hard, horny, seeming lifeless on the outside, but wrapping up in the interior a seminal germ, a living principle. Drop a grain of California gold into the ground, and there it will lie unchanged to the end of time, the clods on which it falls not more cold and lifeless. Drop a grain of our gold, our blessed gold, in the ground, and lo! a mystery. In a few days it softens, it swells it shoots upwards, it is a living thing. It is yellow itself, but it sends up a delicate spire, which comes peeping, emerald green, through the soil; it expands to a vigorous stalk, recals in the air and sunshine; it arrays itself more glorious than Solomon in its broad, fluttering, leafy robes, whose sound, as the west wind whispers through them, falls as pleasantly on the husbandman's ear as the rustle of his sweetheart's garment; still towers aloft, spins its verdant skeins of vegetable floss, displays its dancing tassels, surcharged with fertilizing dust, and at last ripens into two or three magnificent batons like this (an ear of Indian corn,) each of which is studded with hundreds of grains of gold, every one possessing the same wonderful properties as the parent grain, every one instinct with the same marvellous reproductive powers. There are seven hundred and twenty grains on the ear which I hold in my hand. And now I say, sir, of this transcendent gold of ours, the yield this year will be at least ten or fifteen times that of California.

But it will be urged, perhaps, sir, in behalf of the California gold by some miserly old fogy, who thinks there is no music in the world equal to the chink of his guineas, that though one crop only of gold can be gathered from the same spot, yet once gathered it lasts to the end of time; while the will maint ing our vegetable gold is produced only to be consumed, and when consumed is gone forever. But this, Mr. President, would be a most egregious error both ways. It is true, the California gold will last forever unchanged, if its owner chooses; but while it so lasts it is of no use, no, not so much as its value in pig iron, which makes the best of ballast; whereas gold, while it is gold, is good for little or nothing. You can neither eat it, nor drink it nor smoke it. You can neither wear it, nor burn it as fuel, nor build a house with it; it is really useless till you exchange it for consumable, perishable goods; and the more plentiful it is, the less its exchangeable value.

Far different is the case with our Atlantic gold; it does not perish when consumed, but, by a nobler alchymy than that of Paracelsus, is transmuted in consumption to a higher life. "Perish in consumption," did the old miser say? Thou fool, that which thou sowest is not quickened except it die. The burning pen of inspiration, ranging heaven and earth, and illuminated by the purest minds, could find no inadequate idea of the glorious doctrine of the Resurrection, and had no symbol so expressive as bare grain; it may chance of wheat or some other grain. To-day a senseless plant, to-morrow it is human—bone and muscle, vein and artery, sinew and nerve, beating pulse, heaving lungs, billing, ah! sometimes overtoiling brain. Last June it sucked from the cold breast of the earth the watery nourishment of its distending sap vessels; and now it clothes the manly form with warm cordial flesh, quivers and thrills with the fleshly mystery of sense, purveys and ministers to the higher mystery of thought. Hoped up in your granaries this week, the next it will strike in the stalwart arm, and glow in the blushing cheek, and flash in the beaming eye; till we learn at last to realize that the slender stalk which we have seen bending in the corn-field, under the yellow burden of harvest, is indeed the 'staff of life,' which, since the world began, has supported the toiling and struggling myriads of humanity on the nightly pilgrimage of being.

Yes, sir, to drop the allegory, and speak without a figure, it is this noble agriculture, for the promotion of which this great company is assembled from as many parts of the Union, which feeds the human race, and all the humbler orders of animated nature dependent on man. With the exception of what is yielded by the fisheries and the chase, (a limited, though certainly not an insignificant source of supply,) agriculture is the steward which spreads the daily table of mankind. Twenty-seven millions of human beings, by accurate computation, awake this very morning in the United States, all requiring their 'daily bread,' whether they had the grace to pray for it or not, and under Providence, all looking to the agriculture of the country for that daily bread, and the food of the domestic animals depending on them, a demand as great, perhaps, as their own. Mr. President, it is the daily duty of your farmers to satisfy gigantic appetites; to fill the mouths of these hungry millions—of these starving millions, I might say, for if by any catastrophe the supply were cut off for a few days, the life of the country, human and brute, would be extinct.

Successful Culture of the Japanese Potatoe Plant in New York.

A few months ago we called attention to the fact that Mr. D. Bell, the well-known florist, corner of 50th street and Broadway, had planted some of the *Dioscorea Japonica* or *Dioscorea batatas*, a substitute for the potatoe, in his garden. He first planted them in May, we believe, in pots in his hot-house. They grew rapidly, and, as soon as warm weather set in, he transferred them to his garden in the open air. Here they flourished and spread during the Summer, and gave indication that the florist should reap a harvest.

Mr Bell had between twenty and thirty roots in the ground. During the first week in October he concluded his *Dioscoreas* were quite large enough, and so he dug them up to his great delight, he found that some of them were two feet long, and all had grown finely. In fact, he was satisfied that he was amply repaid for his trouble and expense in importing the roots from France last Spring.

Some of the roots were exhibited by Mr. Bell at the recent fair of the American Institute, at the Crystal Palace. They grew long, similar in shape to the sweet potatoe, but much greater in size. One of the roots, measuring over two feet in length, was boiled by the florist's wife. She says it possessed the flavor of the common potatoe, and is an exceedingly nice vegetable for the table.

Mr. Bell has now a few roots in his garden, where he intends to keep them during the Winter, to see how they will stand our weather. He is sanguine of succeeding in Winter as well as he has during the Summer in raising these ro