

POETRY.

THE TREASURES OF THE DEEP.

BY CAMPBELL.

What hidst thou in thy treasure caves and cells, Thou hollow sounding and mysterious Main? Pale glistening pearls, and rainbow colored shells, Bright things which gleam unreck'd of, and in vain. Keep, keep thy riches, melancholy sea! We ask not such of thee. Yet more, the Depths have more! What wealth unfold! Far down and shining through the stillness lies! Thou hast the starry gems, the burning gold, Won from ten thousand royal Argosies— Sweep o'er thy spoils, thou wind and wrathful Main! Earth claims not these again! Yet more, the Depths have more!—Thy waves have rolled Above the cities of a world gone by! Sand hath fill'd up the palaces of old, Sea-weeds o'ergrown the hall of revelry!—D. Sh o'er chemis, Ocean, in thy scornful play, Many yields them to decay! Yet more! the billows of the depths have more! High hearts and brave are gathered to thy breast! They hear not now the booming waters roar, The bottle thunders will not break their rest. Keep thy red gold and gems, thou stormy grave, Give back the fine and brave! Give back the lost and lovely—those for whom, The place was kept at board and hearth so long! The prayer went up through midnight's breathless gloom, And the vain yearning woke 'midst festal song: Hold fast thy buried isles, thy towers o'erthrown, But all is not thy own! To thee the love of woman hath gone down, Dark flows thy tide o'er manhood's noble head. O'er youth's bright locks and beauty's flowery crown; Yet must thou hear a voice—Restore the dead! Earth shall reclaim her precious things from thee; Restore the dead, thou sea!

STANZAS.

Clasp to the world in rosy health, And drink its sweet alluring pleasures, Bow at the golden shrine of wealth, And worship time's bewitching treasures, But know, the hour of pain will come, And sickness bring its cloud of sorrow, To wrap in gloom our happy home, And quench the sunlight of to-morrow. Twine ye the green bay wreath of joy, And bind it on the brow of gladness, And let no warning voice alloy— No whispering spirit breathe of sadness, For full shall be his meed of bliss, Whose hold on time so soon must sever, Who was no other world than this, And with it—loses all for ever. Pale sickness with its train of woes, Misfortune, penury, and grief, The mortal fate which autumn throws— Over the sore and faded leaf— The good man's doom on earth may be, And he may struggle long with fate, But sweet the rest his soul shall see When worlds he wreck'd and desolate.

FROM THE BOSTON MONTHLY MAGAZINE. Extract from an article in the last number of the Magazine, entitled "Juridical Recollections."

It was on one of the cold and bleak days of November, at the period before mentioned, that a crowd had collected two hours before the common time of opening the prison gates, and interrupted all passing either through Court-street or Cornhill. The good people who assembled for Thursday lecture at the Old Brick Meeting-house, for by some curious coincidence Thursday was selected by immemorial usage for whipping and prayers, were interested in their attempt to go to the place of worship by the unexampled throng in the streets, and their devotions disturbed by the shouts and huzzas of the mob which extended from the prison to the church. The usual time for the commencement of the procession had passed by and the noise and uproar in the street continued to annoy the quiet inhabitants; for Court street and Cornhill and State street also

were then the residence of sober and industrious families, and not as now wholly abandoned to mere purposes of traffic. The coldness of the season added to the impatience of the populace, who continually vociferated sundry discordant and riotous noises, which seemed to infer that they would not derive much moral good from the expected exhibition. Still the gates of the prison remained closed—and although the sheriff's horse, properly accoutred, stood ready at the door of the cooler, no other sign of the expected exhibition authorised a hope of the speedy gratification of curiosity.

The town bell at last rung for one o'clock, the hour of dinner to most of the impatient crowd who could expect such a reflection, and which usually drew away to their several places of residence all that had any residence to repair to; but contrary to the common custom the crowd remained as compact as ever; neither hunger nor cold seemed able to thin their ranks. Another hour passed away and the sheriff's servant was seen to take his horse and gallop with him to the stable. At that signal many of the populace separated, but it was soon proclaimed, (for some, who as they could not get a sight of the sheriff gratified their curiosity by following his horse,) that the beast was not unsaddled, and impatient curiosity still lingered round the court yard, till one by one the populace retired as the sled and snow began to block up the avenue to the prison drove their reluctant way.

A trial had been completed at the last term of the court of criminal jurisdiction, and the populace had assembled to see the ultimate operations of the law. It was true indeed that during the progress of the trial the party accused had been a favorite with the crowd. Most believed the charge untrue; many doubted the veracity of the principal witness; all admired the eloquence and ingenuity of the defence, and even the official sternness of the judge when he came to pronounce the sentence of the law seemed to fainter, in declining its unglorious severity on a woman.

The party convicted could hardly be called a woman, although she was unquestionably entitled to all the kindness due to her sex, for she had not completed her seventeenth year.

Rebecca Harmon, (we choose to give her real name, and not that by which she was arraigned) was charged with feloniously stealing three silver table spoons of the value of nine dollars, and one gold mourning ring with a cypher in hair, of the value of ten dollars, of the goods and chattels of one George Esquire, in his dwelling-house, being found against the peace and dignity of the Commonwealth, and the form of the statute in such case made and provided.

When the voice of the presiding judge, in harsh tones of official formality, which did not proceed from any hardness of heart, directed her to throw back her head and show her face to the jury, her trembling and convulsive hand hardly was able to take off the faded silk cardinal which had concealed it. This being removed, displayed a round and expressive face of small features which seemed into a deadly paleness after the momentary blush of shame had faded away. A profusion of light hair fell in disordered rings round her neck, and still partially shaded a deep blue eye, from which slowly but constantly tear after tear-drop silently fell. Her lips and teeth were both of the whiteness of marble; and at times there might be traced in her manner an abstractness of thought, an indifference to the matter on trial, which gave her more the appearance of a statue from the hand of some celebrated sculptor, than a living being who had at issue even more than her life. A deep red shawl rolled round her neck concealed her throat and most of her figure, and it was evident that the order to remove her head covering was wholly unexpected, and that she had calculated on passing through the forms of the trial, without being subjected to the scrutiny of spectators. When the clerk had read the indictment, he proposed the usual question—art you guilty or not guilty? With an effort that seemed intended to conquer some great difficulty of giving utterance to words in a place so imposing, she cast her eyes to heaven, and raising up one hand in solemn adjuration, she slowly and in a voice that rang from its clearness, distinctly answered, I am not guilty, so help me God. The action unfolded the shawl and exposed her person as far as the bar in which she stood would permit, until it was almost immediately again hastily wrapped around her, but not until the symmetry of her form had been seen to be of delicate proportion and beauty.

To some this action appeared the natural impulse of a strong consciousness of innocence—but others considered it theatrical and affected, and argued from it the existence of that cunning and artifice which is not unfrequently the evidence of guilt.

The trial did not afford much incident. Mrs. —, the lady of the prosecutor, testified that the prisoner had been in her family three years as sempstress—during which time she had conducted with perfect prudence, propriety and integrity; that recently she had exhibited appearances of dejection and melancholly; she had no suspicion, however, of her intending to leave the family, when one morning it was discovered she had flown, and the spoons were also missed at the same time.

The prisoner, as the witness believed, had no money; her wages having been expended on necessary apparel. The ring had been in the toilet in the chamber to which

the prisoner had free access, and was placed there the evening before by the witness herself. It was a family ring, and from that circumstance was very much valued, and was so known to be by the prisoner, who had often before seen it and was acquainted with all the circumstances connected with it.

A young man, clerk to Esquire —, was the next witness called. He deposed that when Rebecca's absence was discovered, the spoons which formed part of the usual breakfast service were missed—that his suspicion immediately fell on the prisoner, that he inquired if any other things were gone and was told no—that he again particularly inquired and received the same answer—that at the request of the prosecutor he obtained an officer and followed the prisoner—that he found her at a small house on the road to Providence, about nine miles from Boston—that she had with her a work basket which contained some linen and other articles of apparel, and that the spoons and ring were found at the bottom of the basket. The testimony of this witness seemed to fix the charge according to the forms of law. The goods were identified by their owner, and particularly the ring, which had not been missed till it was recovered. The stolen property was found in her possession. She gave no account where she got it. She had fled from her residence without money. These articles were probably intended to pay her expenses on the road. This witness was corroborated by the officer of the law who went with him and arrested the prisoner at the place mentioned. There was yet something in the manner of the evidence which had a peculiar way to the conviction of the jury—a kind of lingering suspicion that although the evidence in form of proof had been complete, something yet remained untold, which might present the transaction in a different aspect; or perhaps the pause which ensued at the close of the government's testimony was the evidence which that unwilling effort of the mind which hesitates to decide upon any painful operation as well as to perform it.

Some expectation indeed had been excited from the appearance of a young counsellor as the advocate of the defendant, who had then just commenced his professional career; and of whom the public had formed that favorable prediction which the maturity of his reputation has if possible exceeded. This gentleman had been called into the cause by the humanity of Mr. Hartshorn, the well remembered superintendent of the jail, and a perfect contrast to the common pictures which had been drawn of the hard-heartedness and cruelty of similar officers. Mr. Hartshorn was the only friend of this unfortunate female. Her education never his care was so far from the common class of felons—she was such a calm resignation, such a shrinking from the company and association of the inmates of the prison, and such other friendlessness towards her by all the world, that his good feelings triumphed over the halft of apparent severity, which was his ordinary seeming. He appropriated to her, at the only request she made, a separate room, which soon assumed more necessity than any other apartment in the prison, and he called to her aid the young gentleman who had given promise of his future eminence at the bar.

His efforts however in this respect seemed altogether in vain. With him she would be of no computation. She refused to tell why she had left the mansion of the prosecutor, or how she had come into her possession. Indeed she avoided all explanation and replied to his professional inquiries with a most labid or a tear. Something beyond the great calamity which hung over her, seemed to weigh down her spirits and absorbed all her melancholly reflections, the young counsellor after two or three useless interviews, declared that if her appearance satisfied him she was innocent, her conduct left no doubt she would be declared to be guilty.

He had however taken his place at the bar and when the pause which followed the conclusion of the government's testimony was interrupted by a call from the bench for the prisoner's counsel to proceed, the young advocate seemed to be in as great a dilemma as his interesting client. He remarked that he had no testimony to adduce in her behalf, but that with permission of the court he would propose a question or two to the witness last on the stand. The cross examination established no point favorable to the defendant. There was a moment indeed when the sharp eye of the advocate seemed to flash with a belief that he had found some inconsistency in the story of the witness, who at first said he himself had taken the articles out of the basket, but afterwards that he had seen them taken out by the officer when the basket was handed to him for inspection. Once also it seemed as if the witness flattered on the question how he knew the road she had taken or the house at which she had stopped, and when he answered that he had only traced her by inquiries on the road, a suppressed moan from the prisoner drew upon her the eyes of the jury and the court.

There seemed to be little ground for the young counsellor to stand upon in defence, but he was not wanting in justice to his own reputation nor in duty to his client; he might have required at his hands. His address to the jury was one of those brilliant pieces of poetry, which when argument or evidence may be wanting, an ingenious and artful advocate knows so well how to lay before his auditors. The severities of the law, the consequence of the verdict, the excellent good character of

the prisoner, the inconsistency and even the folly of the conduct charged upon her, her friendless and forlorn situation, formed the principal topics of his speech, while with an address and ingenuity that has been so peculiarly characteristic of his professional career, he intimated the insufficiency of the evidence to support the inference of her guilt, and seemed to hint without asserting that although no explanation could legally be given of the manner in which the articles were found in her possession, it might be possible they came there by accident or mistake. The cup of Joseph, said he, was of old time found in the sack of Benjamin, and the money of the children of Jacob, every man's money in his sack's mouth; and the orator followed out the idea which his prophetic intimation had suggested, by drawing a contrast between the kindness of the father of Benjamin and the unfeeling neglect and forgetfulness of those who ought by nature to have assisted the beautiful and drooping flower that was bending like the rose-bud in a storm. Every body was affected by the unhappy object for whom this useless eloquence was exhausted.

Ille solo fixos oculos aversa trebat. Nix Magis incipit vultum sermone morantem. Quam si dura silex aut stetit mæspesia cautus.

The officer of the Commonwealth said but a few words in reply. The presiding judge remarked to the jury that they were to settle a fact and not gratify their humane or charitable feelings, and the verdict was in a few minutes recorded by the clerk that the prisoner was guilty.

The rest of the judicial proceedings were soon finished. Not a whisper was audible in the crowd of the court room while the clerk pronounced the following sentence:

"The court having considered of your offence do order that you be publicly whipped on the naked back, ten stripes, that you pay to the party injured twelve pounds ten shillings and sixpence, which with the articles stolen, and if the same is not paid in thirty days that you be disposed of in service to any person whatever, for the term of six months, and that you stand committed until sentence be performed."

The prisoner waited a moment. An officer opened the door of the criminal's bar in which she had been placed during the trial, and as he reached out his hand to lead her from the court house she fell senseless on the floor.

It was to see the infliction of this punishment some weeks afterwards that the great concourse of spectators had assembled at the time we have mentioned. How they were disappointed has already been made for their infliction when the fortitude of the sufferer failed. The impenetrable silence which she had preserved gave way to the kindly admonitions of the worthy clergyman who had prevailed on her to listen to his instructions; or more probably to the awful apprehension of public exposure. She disclosed circumstances which induced the sheriff on his own responsibility to suspend the execution of the sentence, and finally prevailed on the supreme executive to grant her a free pardon. She had been pronounced guilty and was pardoned; but she was in truth innocent of the crime. A single word put the excellent superintendent on an inquiry which terminated in the perfect satisfaction of those friends whom Providence raised up for her that she had been wrongfully condemned. She heard her discharge pronounced with less fortitude than her conviction. Her senses had been benumbed with the redness of the blow which assailed her, and she bore without being sensible of them, the rapid movements which succeeded it.

She had now awoke to all the horrors of her situation. She had escaped ignominy as a thief, but her character could not be preserved. She had been deceived, ruined and betrayed. She pined for a few months in a melancholly depression of mind which bordered on fatuity, and died in becoming the mother of a lifeless child. A scheme had been contrived by the reckless villain who had been the cause of her misfortune to destroy her creditability, and escape the consequence which in manliness he ought to have assumed.

It was found that his testimony on her trial adhered in letter to the truth, while it accumulated a weight of crime upon himself which ages of repentance could be barely able to remove. Avoiding the disclosure before the track was developed, he defrauded justice by escaping beyond its jurisdiction.

FROM THE NEW-YORK AMERICAN. CONFUSION OF TONGUES. The people vs. Lewis De Ford and Phœbe his wife.

This was a case of assault and battery by the defendant on the person of Julia Christie. All the parties, complainant, complainers, and witnesses, were emigrants from Canada, residing in this city. The language, with which the latter told their several stories, defies a report, combining as it did all the beauties of the Canadian patois, with attempts at English which baffled description, and set stenography at naught.

Julia Christie sworn, would relate the facts her own way, which she did with unintelligible volubility. She was a tall lady with high cheek bones, a quick restless gray eye, and a countenance which indicated great excitability of temper. She had arrayed her spare frame

in a richly figured Canton crape; her head gear was a black bonnet, on which a profusion of ribbons fantastically arranged, stood, as Shakespeare says, "like quills upon the fretful porcupine." She trembled as she tossed her head, in scorn of her humbler opponents. The dress denoted the milliner, and such indeed she was, decked from behind the counter. Opposite to this witness, as she mounted the chair, sat the complainers. A humble pair; Mrs. Phœbe De Ford offering in her light hair, blue eyes, and placid simplicity of countenance, the strongest contrast imaginable to the pugnacious looking prosecutrix. From the evidence of Mrs. Christie the reporter caught the following, which he hopes the reader may understand, although he is not so happy;—Phœbe De Ford, she is come; her sister Jane too, to my house; well den she says how I stole her monny, wat for I say—I no ple no monny for you cause wat for pay when I no old em; Fel she says she will av de money; den her sister she strike and break ma sash and I hblow for de marders: Vel Lewis De Ford she comes in, and take her hand w'id a blow on back of de shoulder, and tear out de ear rings, and sware Goddam he will brulove house—and her wife she strike too."

Mr. N. Graham said he had no questions to ask the witness; but as it promised to be a difficult case to understand, he would state what he sincerely believed to be the facts. The sister of Mrs. De Ford had worked for Mrs. Christie, who was a milliner, and when she demanded payment for her labour was refused it. She then requested Mrs. De Ford to go with her, and together they demanded the money which Mrs. Christie refused: they went away, but met Mr. Christie, and told him they could not obtain the money, and he tells them to go back with him. When they arrive, Mrs. Christie complains of having been beaten by the two sisters, and both she and her husband set to and turn them out of the shop. He should examine a witness to prove that no violence proceeded from the sisters.

Francis Xavier, sworn, testified (in broken Greek to most of those present) as far as could be gathered, as follows:—De sister dis woman's is work for Mrs. Christie. Well she take her if he give de shawl she will pay him. Mister Christie say how he shall pay him—say go—go—pay my self—she is come—wid he sister de wife of de husband. Well, Mr. Christie no de—when he ask for de pay, de woman go to de great big pass—de woman's eyes cut fargo to home, and meets Mr. Christie de wife. She says well you be to me fine. She says yes—Miss Christie no pay. She then say, come wid me I will de pay. De de woman's she go, and Mr. Christie she say how dey wash de. Well, Mr. Christie he trash de man's wife's a shawl out of de shop and we all go away.

When the last witness ascended to the chair, Mrs. Christie hung upon his flank in a threatening manner. Being recommended with a seat among the members of the bar, she commenced an interminable series of questions to the amyntax of him and the court, and until the exertions of the counsel, court and even constables, were put forth, could not stop her fixed upon the vituperative outpourings of her Babylonish tongue. Even at last her murmurs testified her profound contempt for the witness and his cause, and passion, denoted excess at the usual vent, gave to her features the expression of a fury.

The Recorder observed, that in this case it was a happy circumstance that all the parties were present before the jury, as where such inevitable circumstances were made, it would perhaps be as well to judge by the appearance and conduct of the parties as in any other way. It was impossible to clearly comprehend the matter by their language only. The jury had however heard the evidence. Immediate verdict—not guilty.

Tobacco.—In the life of William Pinckney, just published, are some extracts from the private correspondence of that celebrated lawyer and orator, written in Europe, while he was minister of the United States at London. The following is submitted to the serious attention and wise improvement of all persons who chew or smoke tobacco.

"I have come so far as to abandon the use of tobacco to which I was once addicted. It is now about eighteen months since I have tasted this pernicious weed, but I did not forbear the use of it solely on account of my health; I found that it was no added here as a vulgar habit, which he who desired society must discard. Smoking here is considered as a most ingenuemingly practice."—L. J. Star

Getting Wet.—This accident is at all times less frequent in towns than in the country, especially since the use of the umbrella has been introduced.

When a person is wet he ought to be dried, but to continue in moisture till he arrives at a place where he may be suitably accommodated. He should strip off his wet clothes, to be changed for such as are dry, and have those parts of his body which have been wetted well rubbed with a dry cloth. The legs, shoulders and arms, are generally the parts most exposed to the wet; they should, therefore, be particularly attended to. It is almost incredible how many diseases may be prevented by adopting this course. Catarrhs, inflammation, rheumatism, diarrheas, fever and consumption, are the foremost among the troubles which frequently follow an accident of the kind.—Med. Int.