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Advent of Col. Archibald Yell.

LIFE IN TEXAS FIFTEEN YEARS AGO.

The morning of the first Monday in November, 1835, broke on the mild meridian of Arkansas, with a sun of almost oriental brilliancy. A sky clear as crystal bent its blue arch over an atmosphere soft and warm as the balmy breath of May. It was a godsend of golden weather to the gathering crowds of human beings that from an early hour came pouring into the streets and public square of Van Buren, a new but flourishing village, situated on the river from whence the state derives its name, and in the immediate vicinity of the Cherokee line. Men, women, and children, white masters, black slaves and wild painted Indians, with plumes nodding from their swarthy brows, continually swelled that living sea, all burning with impatience to witness their favorite show—to enjoy, one might say, their only popular amusement, the common pleasure alike of every class—for on that day the district court opened its regular sessions for the large county of Crawford.

Persons ignorant of the economy of social life in the backwoods cannot even imagine what a strong and strange passion those far western people manifest for the excitement of the forum, and more especially for the concomitants and consequences which always attend or follow in its train. But we should remember that, in the paucity of other means of gregarious amusement, it is to them church, theatre, gymnasium, newspaper and telegraph—the sole focal point of reunion, where all orders, and not infrequently both sexes, go to see and be seen. The court-yard is also the frontier preparatory school of party politics, in which the young athletics of ambitious genius learn to exercise their tongues to dart dagger-words of bitter denunciation, and their hands to wield real daggers, pistols and shot-guns.

This, too, is the battle ground where the older heroes, whose laurels have been culled on many a bloody field, meet to measure arms. This is the constituted place for the decision of all matters in dispute of every name and description.—The paper pleads of record form but a small item of the multifarious issues to be tried here. Has the fair fame of a woman been soiled by the poisonous lips of slander, it is here, near the door of the forum, and within hearing of the judge and jury, that father, brother, or husband will wash out the dark stain with the red life blood of the calumniator, or else lose the last drop of his own. Has a private quarrel occurred between bullies, attorneys, doctors, teachers or divines, be sure it is here, in the public court-yard, before the gazing, shouting, agitated multitude, that the parties will fight it out. Such is the common law of custom and the prescription of immemorial and sanguinary usage.

Here, also, is the chosen rendezvous of rogues, drunkards, whiskered gamblers, horse jockeys and all office hunters and demagogues. It is for reasons such as these that the docket of its cases; for every old one adjudicated, at least two new ones are added to the list, and thus the accumulation goes on increasing from year to year. This makes it the elysium of the lawyers. There is a sad drawback, however, on their felicity. The litigants, witnesses and spectators are mostly loaded down with deadly weapons, and are equally ready to use them on the slightest show of insult. Hence none but fearless fighters need hope for success at the bar. Under such a state of circumstances, it is easy to conceive the scenes of wild strife, confusion and outrage exhibited in a frontier forum, where the judge is forced by necessity to be either a tyrant or a slave, and the counsel are always bullies.

It was, therefore, the anticipation of violent excitement in the shape of actual tragedies that drew such eager and hurrying throngs to the court-house in the village of Van Buren on the occasion first alluded to. The human panorama presented a view animated and busy in the highest degree. Out of a hundred houses, forty-three were groceries, with every door and window wide open, and so densely crowded that it required half-a-dozen clerks in each establishment to supply the thirsty customers. Beside the counter might be seen a group of well dressed gamblers, ringing together their full wine glasses before the sparkling champagne disappeared beneath their beards. In the center of the room stood a rude mountain hunter, with his rifle in one hand and a huge quart measure in the other just raised to his parted lips.—One instant more and the nectar of fluid fire shall melt on his great red tongue. But no! It stopped in transitu by the strong arm of a mongrel Indian, who snatches the overflowing vessel and flies away through the throng. Click! bang! What sound was that? The deafening roar of the hunter's rifle, followed by a death yell of fearful agony as the Indian falls a corpse.

Yonder under those beautiful shade trees of gorgeous evergreen where the sunlight trembles through like ten thou-

sand diamonds beives of bright eyed women are seated on a carpet of grass—the daughters smiling at the accomplishments of their beaux, and the mothers smiling to hear the prattle of their children.

At nine o'clock, a group of lawyers, doctors, and politicians—colonels all—were engaged in earnest conversation around the bar, undisturbed by the drunken shouts and din of tumult reverberating without, far and near, over the village.

"It is the hour for calling court," remarked Reub Reynolds, Esq., "and yet our new Judge has not arrived."

"If he's smart, he won't arrive at all," said Gen. Smoot, cutting figures in the air with a showy sword-cane which he had applied *vi et armis* to the shoulders of a new judge lately resigned. Gen. Smoot was the "My Lord Coke" of Arkansas. He had amassed a handsome fortune in the brief space of five years, and by universal consent, ranked at the head of his profession. It is true he had not worked his way up to this proud elevation by learned and laborious research, nor had he soared there on the pinions of impassioned and peerless eloquence, nor had intellect, or imagination, or purity of feeling aided in his ascent; he had simply hewed his way through all obstacles with the sharp edge of an immense bowie knife, which few save himself had sufficient strength to wield. Wo to the luckless witness that gave him a cross answer. Wo to the opposing counsel that did not cover before his thunder! And a deeper wo to the presumptuous judge who dared to check his brow beating insolence or who assumed the right to determine one point against him!

When, therefore, the bystanders heard the duelling general utter his oracular locution in reference to the new judge, everybody comprehended the implied threats, and burst into a hearty laugh.

"What is the name of his expected honor?" inquired Col. Reub Reynolds, Esq., as he gave his moustache an extra twirl.

"A. Yell, from Tennessee," replied Col. McBall, "and he has come to Arkansas with the commission of a territorial judge in his pocket, for the purpose of making capital to be the first governor of the new state when organized."

Col. McBall was himself an aspirant for the high office of which he then spoke. He did not obtain it, but he did obtain the post of Cashier of the Fayetteville bank, and five years afterwards robbed it and ran away with one hundred thousand dollars.

"How do you call his name?" interrogated Gen. Smoot, elevating his sword cane.

"A. Yell," repeated Col. McBall.

"I'll change his name to A. Howl," rejoined Gen. Smoot, perpetrating a metaphorical pun, while the sword cane descended with a most brilliant flourish.

A boisterous shout from the group testified their general approval of the menace.

"Is any one acquainted with this Yell?" asked Col. Wallace, who was also a candidate for the future gubernatorial chair. "I is," answered a deep toned voice, that started the listeners like the roar of a thunderbolt.

All turned to gaze on the speaker, who had joined the company unperceived.—He was a stranger that no one recognized and none could have ever seen before, for the glance that beheld him once might never forget his image. Habited all over in a fresh suit of leather ornamented with fantastic figures, with a panther skin cap surmounting masses of raven hair rolled in wild tangles, his immense waist cinctured by a broad belt literally bristling with pistols, of almost gigantic stature, with a face of bronze and hands of iron, the latter grasping an enormous gun, doubled-barrelled, and both hammers at half-cock, the unknown seemed for all the world the embodied ideal of muscular force and diabolical bravery.

Every eye was riveted on this strange tower of human strength, but for several minutes every lip was dumb. In the meanwhile, the giant did not appear in the least discomposed by the common scrutiny and gapping wonder elicited by his advent. He only opened the cavern of his throat and gave way to an irrepressible concussion of laughter.

Encouraged by this ambiguous sign of idiosyncrasy or good humor, Gen. Smoot ventured to address the organized phenomenon.

"You say, fellow, that you are acquainted with Mr. A. Yell?"

"I reckon I isn't nuthin else," replied the unknown, proudly.

Smoot—"What sort of a man is he?"

Unknown—"He's a man."

Smoot—"Will he fight?"

Unknown—"Yes, he'll fight every thing and anything, from the devil on his burnin throne up to a sassy lawyer with his skull empty of brains and his pocket full of pistols."

Smoot—"Have you ever seen him fight?"

Unknown—"Lord! haint I seen him give to the old bars? He didn't mind

their teeth as much as you or me would the scratch of a blind kitten." The comparison was accompanied by another choking fit of merriment.

Smoot (angrily)—"I do not doubt Mr. Yell is a perfect hero in a bear fight, but can he fight men—eh?"

Unknown (indignantly)—"Why bless my soul—case, that's his reg'lar trade, whilst bar fightin' is only fun to keep his hand in practice! I wish you could have seed him whip old Hoss Allen! You know as how they were both bully lawyers, but Archy Yell was allers the cutest, and that made old Hoss tarna mad, and he thought he'd scare the other off the track; but he might as well have tried to scare a steam engine. Archy dodged two bullets, and beam' without weapons himself, cotechd old Hoss by the throat and began to squeeze away like a cotton press. Then old Hoss jerked out a big knife and began to tickle Archy's ribs, but he couldn't make him laugh, nor let go his hold on his windpipe neither. He cut out his intrels, but Archy held them up with his left hand and choked harder than ever with his right. At last old Hoss lost his breath; his eyes turned red as blood and his face black as a buck nigger's; and he fainted till the knife dropped from his fingers. Archy picked it up but he didn't stike into the enemy's heart! No, by— and General Jackson! He war too brave for sich a coward's trick as that! He holered—'Here boys, throw some water in old Hoss's face to bring him to, while I go into a doctor's shop and get my intrels sowed up!'"

"You are a capital story teller," said Gen. Smoot with a sneer. "Will you be so good as to favor us with your own name?"

"They call me good-natured Bill Buffum," replied the giant, with an obstreperous roar, such as a red tiger might emit could he be provoked to the amusement of laughter.

The bystanders, however, felt no disposition to unite in Bill's explosive exclamation, for Col. Leeper, a Tennessean, and well acquainted with Judge Yell, having come up in time to hear the narration of that singular combat, substantially confirmed the tale, bating only the figurative flourishes of its rhetoric.

"The new judge is a real hero then?" inquired Reub Reynolds, Esq.

Col. Leeper answered—"He is the bravest among the brave. I must own that, although we two are sworn and eternal enemies."

This avowal elongated to a most laudable stretch a dozen legal visages, and caused even the duellist, Gen. Smoot, to ground his sword cane. Little time, however remained then to speculate on the consequences of the astounding fact, for, at that instant "good-natured Bill Buffum" shouted with his inseparable chuckle—"Yonder comes Archy, God bless his brave soul!"

With this exclamation every eye was turned towards the door, through which a man of most striking appearance was seen entering, with a bow of dignified courtesy and a smile of irresistible sweetness. Of a tall, slender, but sinewy frame, and a shape elegant and symmetrical as a woman's; his blue eye beaming with a brilliant yet calm light, of a soul full of passion's fire, but thoroughly self-possessed, his whole person wearing the indescribable air, and his face the countenance of a gentleman to whom popular manners had grown a sort of second nature; dressed in rich but plain clothing, the stranger looked the double personification of one born to power, yet educated to please, and therefore sure of command, because he would excite in others the will to obey.

His blue eye went like a flash of mild summer lightning around the circle of spell-bound gazers, his fine head almost imperceptibly nodded, and his winning smile seemed to melt into every separate heart. He had held out his hand to only a single acquaintance, for he had but one there who was a friend; but the greeting he gave that one acquaintance made him a hundred new friends—"My dear Buffum, how happy I am to see you! Hearty as a buck, too, and looking good n-tured and brave as ever!" His voice was clear as the tones of a silver bell, with a ringing echo of soft music that lingered on the ear and penetrated the soul.

The giant Bill Buffum grasped the proffered hand with gesture of awkward bashfulness. He blushed; he did not or could not speak; but one great tear of joy, pride and pleasure rolled from his wild black eye and fell on the judge's fingers. Aye, that was a grateful tribute of a rude but faithful heart!

That trivial incident caused an immense sensation, and was fruitful of consequences. A loud murmur of backwoods voices swelled up—"Here's a gentleman! He ain't ashamed to shake hands with leather hunting shirts! He bows to common folks! He's the right sort of judge! We'll fight for him."

Then the face of Gen. Smoot was like the convulsed face of a demon, and all

his legal myrmidons turned pale with silent rage.

Judge Yell immediately proceeded to the seat on the bench, and ordered the Sheriff to open court. The bland smile on his handsome features was replaced by an expression of serene but determined majesty. The light in his blue eye grew firm and steady—a something to be feared as well as loved. His charge to the jury was a masterpiece for that meridian. After a brief definition of different species of crime, he began a general lecture on the necessity, importance and duties of courts. His clear tones, at first low and persuasive, gradually rose, and rang, vibrated, and thrilled the air, filling the ample forum and rolling far out over the public square till crowds came rushing from every grocery, thronging the doors and darkening the windows, all anxious to see and hear. They stood breathless, fascinated, wonder-struck, yet delighted; while there stood the blue-eyed magician, weaving the spell of words which hold them like a vice of steel.

And yet strange to say, his eloquence had no profundity of learning, no polish of rhetoric. He never used a trope, and had no power of logic, he seemed incapable of copulating premises with a view to keen argument; but still that eloquence was incomparably insinuating. It wound around the soul, pierced through the heart and riveted every thought like a fine thread of golden wire.—It aroused no sudden cheers, no boisterous feeling. Its effect was not admiration; it was conviction.—Men did not exclaim, "What an orator!" but they murmured to themselves, "How true!"

The judge concluded by alluding to the dangers incurred by himself in the administration of even justice; and this last sentence, uttered in a terrible voice, thundered forth the fearless avowal—"I will deal out to every one—jurors, witnesses, parties and counsel—the full measure of legal right pertaining to each, and no more; but I will maintain the majesty of the law, and the dignity of my own person, or leave the best blood of my heart here on this bench, my own place."

His face was illuminated by the glowing fire of passion, his eyes literally blazed and his very teeth appeared to shine with savage-gleaming radiance through half parted lips, rigid as iron with the energies of indomitable will. Then the insolent sneer which had produced that final peal, faded from the countenance of Gen. Smoot, as he whispered to his myrmidons—

"By heavens! I think he'll fight and I mean to try him before the day is an hour older."

"His pockets lie smooth; I don't think he's armed," suggested Col. M.K. Ball, by way of encouragement.

"I wonder what he carries that cane for, it would aid him but little in a combat, remarked Reub Reynolds, Esq.

"That cane, apparently so light, is a powerful weapon of solid iron," said Col. Leeper. "With it one might fell an ox."

"So much the better," muttered Gen. Smoot. "It will not then be asserted that I attacked an unarmed man."

"Go ahead, we'll all back you," whispered M.K. Ball.

Can the reader comprehend this scene? Can he imagine why this clique of lawyers should harbor such deadly hatred against the unoffending stranger? The singular problem is easily explained.—Some of them had been unsuccessful aspirants for the office he then filled, and they all felt that he would hereafter be a dangerous competitor for future places of profit and honor under the State government about to be organized. This painful consciousness was aggravated to madness by the extraordinary impression which their supposed rival had already and so obviously produced in the minds of the people. Hence nothing remained but to test his courage to the last extremity—an awful ordeal to which every professional man must submit who carries his ambition to the perilous market of the backwoods.

The first case on the docket was called, and the plaintiff stood ready. It was an old case that had been in litigation for five years. Gen. Smoot arose for the defendant, and remarked in an overbearing tone:—"Our witnesses are absent, and therefore I demand that the case be continued till the next term, in course."

"Let the proper affidavit be filed, for not till then can I entertain the motion for a continuance," was the mild response of the judge.

"Do you doubt my word as to the facts?" Gen. Smoot exclaimed, sharply, and involuntarily raising his sword-cane.

"Not at all sir," replied the judge, with his blandest smile; "but the law requires that the facts justifying a continuance must appear on record, and the court has no power to annul the law, nor any will to see it annulled."

The judge's calm and business-like tone and manner only served to irritate the bully, who retorted, shaking his sword-cane in the direction of the bench—"What- ever may be the law, I, for one, will not learn its principles from the lips of an upstart demagogue and coward!"

Judge Yell's blue eyes shot lightning, but he only turned to the clerk and said quietly—"Mr. Clerk, you will enter a fine of fifty dollars against Gen. Smoot, as I see him named on my docket, for gross contempt of Court; and be sure you issue an immediate execution."

He had scarcely enunciated the order, when Gen. Smoot was seen rushing towards him, brandishing his sword-cane, all his features writhing with murderous wrath, and pallid as a corpse.

Every glance was fixed on the countenance of the judge, for all wished to know how he would brook the coming shock of the duelist's fierce assault. But none, however, could detect the slightest change in his appearance. His cheek grew neither red nor white; not a nerve seemed to tremble; his calm eyes surveyed the advancing foe with as little sign of perturbation as a chemist might show when scrutinizing the effervescence of some novel mixture. He sat perfectly still with that staff of painted iron in his right hand.

Smoot ascended the platform and immediately aimed a tremendous blow with his enormous sword-cane at the head of his foe. At that blow five hundred hearts shuddered, and more than a dozen voices shrieked, for all expected to see the victim's skull shivered to atoms. The general astonishment, then, may be conceived, when they beheld the little iron staff, describe a quick curve as the great sword-cane flew from Smoot's fingers, and fell with a loud clatter at the distance of twenty feet in the hall. The baffled bully uttered a cry of wrath wild as that of some wounded beast of prey, and snatched his bowie-knife from its sheath; but ere it was well poised for the desperate plunge, the little iron staff cut another curve and the big knife followed the sword-cane.—He then hastily drew a revolving pistol, but before he had time to touch the trigger, his arm was stricken down powerless to his side.

And then, for the first time, did Judge Yell betray perceptible emotion. He stamped his foot till the platform shook beneath it, and shouted in trumpet tones—"Mr. Clerk, you will blot this ruffian's name as a foul disgrace from the roll of attorneys. Mr. Sheriff, take the criminal to jail!"

The latter officer sprung to obey the mandate, and immediately a scene of confusion ensued that no pen can describe.—The bravos and myrmidon friends of Gen. Smoot gathered around to obstruct the sheriff, while many of the citizens lent their opportune aid to sustain the authority of the court. Menaces, screams and horrid curses, the ring of impinging and crossing steel, alternate cries of rage and pain, all commingled with the awful explosion of fire-arms, blended together a vivid idea of pandemonium. But throughout all the tempestuous strife, two individuals might be observed as leaders in the whirlwind and riders of the storm. The new judge used his little iron cane with terrible efficiency, crippling limbs, yet sparing life; while "good-natured Bill Buffum," imitating the clemency of his honored friend, and disdaining the employment of knife or pistol, actually trampled and crushed down all opposition, roaring at every furious blow—"This is the way to preserve order in court," a sentiment which he accompanied with peals of wild laughter.—In less than two minutes the party of the judge triumphed, and the clique of Smoot suffered a disastrous defeat, and the bully himself was borne away to prison.

Such was the debut of Archibald Yell in Arkansas; and from that day his popularity as a man, as a judge, as a hero, and as a politician, went on rapidly and brilliantly increasing till it eclipsed all the oldest and most powerful names. Within the first year of his emigration he became a candidate for the Governor's chair, and notwithstanding the bitterest opposition, he was elected by nine-tenths of the votes polled. At the end of his term he canvassed for Congress, and again swept the State like a hurricane. He continued to serve with success in the supreme councils of the nation until the period of the war with Mexico. He then resigned, hurried home to Arkansas, and raised a regiment of volunteer cavalry, with which he made all possible despatch for the scene of action.

The writer of the present sketch saw him on his line of march to coalesce with the grand army of occupation, and never will he forget the evening passed by his hospitable camp-fire on Red river, within the limits of Texas. The prophecy of his farewell words still rings in my ears with mournful distinctness.

"I go," said he, with a look of fire, and in tones of thrilling emphasis, "to make a name which shall be co-extensive with the length and breadth of the Union, or to extinguish life itself in a blaze of glory!"

He kept his word, he did both. He arrived on the gory arena in time to witness the magnificent storm of the great day of Buena Vista; and where is the trap-child of American myth that cannot name the three transcendent stars of chivalry who fell quenched in blood that day?—ay, who fell, but as they fell shed a parting sun-burst of everlasting life-light over that

field of glory and of graves! Dost remember? Hardin! Clay! Yell!

We have only space remaining to glance *currente calamo* at the striking character of Gov. Yell's genius. It seems from his childhood to have been a triple compound of courage, prudence and love of approbation. Although born of very poor parents he was distinguished even when a boy alike by his daring, his thirst for practical knowledge, and the refined courtesy of his manners. As a lawyer, judge and statesman, he was far from being profound.—He never sought for central problems embodying first principles; he had no skill for the analysis of cases; but he had an eye for consequences near and remote, piercing and far sighted as the eagle's.

That he had faults, we do not deny, but whatever their nature or number, we will not discuss them now.

They were all amply expiated by that heroic death—the rich libation of blood poured out on the altar of his beloved country! And on that altar, too, at the same hour, and on the same point of the ensanguined field, before the same sweep of fire and whirlwind of battle, fell another sacrifice, humbler, yet not the less acceptable to the genius of our glorious fatherland—we mean him who has figured in this sketch as "good natured Bill Buffum." He was always the inseparable companion of Col. Yell. He carried a standard through that storm of steel and lead. He was cut in two by a cannon-shot, and the colors of his country drooped over him like a shroud. Poor Bill! he shall laugh or weep now nevermore till the last morning! Glorious Bill! he died near his idolized friend, and the banner of thirty stars was his winding sheet.

From the Missouri Republican, Sept. 23.

THE CROPS NOT SO BAD AFTER ALL.

A good deal of unnecessary alarm has been created in regard to the crops of the present year, in many cases with speculative purposes in view. There can be no doubt that the wheat and oat crops, as a general thing, were usually heavy, and with the prospect of very little export demand for breadstuffs, there is a prospect of an abundant supply for the home demand. In every section of Missouri the drought has seriously affected the crops of corn, potatoes, &c., and it may be said that there is a total failure. The extreme south-eastern counties form exceptions, our accounts leading us to believe that fine crops will be raised. Those who have failed in the production of corn for their own use will of course have to rely upon others, and to pay what even now seem extravagant prices. Still there will be corn enough produced in this and the adjoining State to supply the demand.

We learn from Minnesota, Wisconsin, the northern part of Illinois, and much more than one half of Iowa, that the crops of corn, potatoes, &c., never promised better returns for the labor of the farmer. So it will be as we have before said, in the counties fronting Iowa on the Missouri.—Added to this, there is much corn of last year's growth yet in the barns. We gave an instance of this yesterday, in speculations made at Lexington. The Peru (Ill.) Gazette the other day spoke of a large amount still on hand in that county; and there are towns on the Upper Mississippi river where large amounts of old corn may be purchased. People should not be deceived by croakers. There is an abundant amount of grain for a year to come, and an inflation in prices predicted on a short crop everywhere is likely to operate to the prejudice of speculators.

The Ohio State Journal has an article on the same subject, from which we make an extract:

The drought may have injured the crops, but it has not destroyed them. The wheat, what there is of it, is of an excellent quality, and oats never produced a better yield. The hay—there never has been cut in any former occasion so abundant a crop of hay as the farmers have now stowed away in their stacks, and in their barns. The corn crop is not a failure by any means. Take the whole State together, there will be nearly an average crop. Through Madison and Union co's. and in parts of this county the corn was never better. As for potatoes, they are now small to talk about. The trees in the orchards are breaking down with fruit.—The peaches are good, the apples never better, and the grapes are luscious. Our markets are crowded with all the luxuries of the season, and though the buyer complains of the *sliverly taste* of everything that is purchased, the seller is very willing to gratify his taste for the cash down.—Flour, to be sure, is nine-dollars a barrel—but it is very good flour—and plenty of it—at that price.

Look here what are you swearing at that poor old dog for?

Hog! Bless my soul, (hiccup) I thot I was addressing (hiccup) the old woman. (hiccup) I ask the hog's pardon.— (hiccup) Just ask that brick house to stand still (hiccup) till I get around the corner.—(hiccup) that's a good fellow—now for it!—And away he went into the cellar.