

Bloomington News-Letter.

A Weekly Democratic Newspaper—Devoted to News, Politics, Literature, Agricultural and Mechanical Interests, &c., &c.

B. & J. C. CARLTON, EDITORS.

J. C. CARLTON, PUBLISHER

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BLOOMINGTON, INDIANA, SATURDAY MORNING, MARCH 3, 1855.

NO. 1.

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A. B. & J. C. CARLTON, Editors.

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BLOOMINGTON:

SATURDAY MORNING MARCH 3, 1855.

The Dubuque Tribune, hoists the name of Hon. Wm. H. Seward, for the Presidency.

Col. M. P. Gentry has announced himself a candidate for Governor of Tennessee.

It is said that the Russian war has already caused eleven thousand widows in England.

The Kentucky banks have reduced their circulation during the last year four millions of dollars.

The man who rose to a pint of order, sat down to a pint of pea-nuts.

A bill has passed Congress appropriating \$125,000 for the erection of fortifications at New Orleans.

Coal is selling in Nashville at fifty cents per bushel.

McCallister, who escaped from the jail of Clarke county, Indiana, after being sentenced to the penitentiary, has been arrested in Hawesville.

Wood is selling in Cincinnati at \$4 50 per cord; which, says the Gazette, is as low as has been asked this season.

The best capital for a young man is a capital young wife. So a young gent informs us, who has just "gone and done it."

S. F. J. TRAMER, Esq., is announced as the Native American candidate for Congress, in the Lexington (Ky.) District.

The resolution passed conferring the rank of Lieut. General, gives Gen. Scott about \$30,000 back pay, and \$1,600 additional yearly.

The Senate of Illinois has passed the House prohibitory liquor selling bill, by a vote of seventeen to seven.

A Scotch paper says, that the second command of the British army in the Crimea has after due deliberation, been conferred upon Sir COLIN CAMPBELL.

When we record our angry feelings, let it be on the snow, that the first beam of sunshine may obliterate them forever.

Banks in Arkansas are great institutions. A man writes in one of the papers, that before he could get a fifty dollar note destroyed, he was obliged to deposit as collateral, a cook stove and a cross-cut saw.

WILLIAM KISSANE, who escaped from the cars going east on the New York & Erie Railroad, several months since, has been arrested at Williamsville, Erie County, N. Y.

The Legislature of Missouri has passed a bill authorizing a loan of two hundred thousand dollars to be made to the "Pacific Railroad" in that State, out of any funds in the Treasury not otherwise appropriated. It is expected that the road will be finished to Jefferson City in August.

BIGHAM YOUNG is building two large and beautiful houses adjoining that which he now occupies in Salt Lake City, to accommodate his increasing family. He now resides in between fifty and sixty wives, and from forty-five to fifty children; Elder KIMBALL, one of the Mormon Apostles, has between sixty and seventy converts.

A writer in the Boston Times says the author of "Tide May" is a person but 21 years of age, now in that city, and does not wish to have the public know who the author is; that they probably will not know for two or three years, as the author has a work in press entitled "Romance and Reality," which will probably be published during the year 1856, when the author's name will be made known to the public.

Angell beneath whose folded wing My soul would rest, Be mine, for lo! I've bought the ring, And all the rest Of those house treasures and et ceteras, Which every one who tries his state to better has!

We doubt the success of an action for breach of promise of marriage; but a more glaring case of "breach of promise of poetry" never came under our observation.—*Ex. Paper.*

FEBRUARY 24, 1855.

A. B. CARLTON, Esq.,
Dear Sir:—The members of the Graduating Class of the Law Department of the Indiana University, respectfully solicit a copy of the Address delivered by you at the Commencement Exercises last evening, for publication in the Bloomington News-Letter.

Respectfully yours,

ROBERT BELL,
H. C. RIPPY,
J. L. PAYNTER.

FEBRUARY 24, 1855.

GENTLEMEN:—According to your request, the Address is at your disposal.

Respectfully, your obt. servant,

A. B. CARLTON.

To Messrs. BELL, RIPPY, and PAYNTER.

An Address

Delivered to the Senior Class of the Law Department of the Indiana University, on the occasion of the Eleventh Annual Commencement, Friday evening, February 23d, 1855, by A. B. Carlton.

GENTLEMEN: In complying with your request to deliver an Address at this time, it is a matter of no small difficulty to select a subject suitable to the occasion; for, it might seem presumptuous in one not many years your senior, to assume the position of a sage adviser. Five years ago, I was a member of the Senior Class of this Department. From that time to the present, I have always regarded the Law Department of this University with peculiar interest; and therefore I did not feel at liberty to decline your invitation, notwithstanding the short period allowed for preparation.

The subject of my remarks will be, "Law and Literature"; and my object will be, to show the necessity of cultivating literary pursuits to a greater extent than is usually practised at the present day by members of the legal fraternity. It is a theme that may be extended *ad libitum*; and my chief concern is, to be as brief as I can, consistently with my design to entertain you, and, if possible, to throw out some useful hints. You are already, no doubt, fully instructed by your reading, and by your own experience, as to the necessity of stern application, for a complete mastery of the law. That severe and systematic study are indispensable to high success, requires no argument from me. He who would win the prize, must not loiter by the way. He must not spend his hours idly reclining in shady bowers, lulled by babbling brooks, and dreaming of Paeonian streams, gushing through golden sands.

There is no excellence without great labor. There may be such a thing as a "born Poet," according to the trite maxim: "*Poeta nascitur non fit.*" But such a thing as a "born Lawyer," has hitherto been unknown; at least until the adoption of our new Constitution, which makes Lawyers of every body who can prove a technical good moral character. Whether they have been instructed in the "art and mystery" of reading, or not, is a matter of no importance whatever. But, while diligent application to the study of the law, and severe discipline, are necessary for success in the vocation you have chosen, I would not have you understand me as inculcating the idea that your studies should be so exclusively of a legal character that you should become mere lawyers.

The dry and antiquated style of most of the law-books, and their technical rules and forms, are apt to beget a cramped and inelegant style of speaking and writing; and to bring down the proportions of the intellect, to be chopped off on the Procureur's head of rules and precedents. The truth is, that a mere lawyer, or a mere anything else, is a very poor concern;—a mere caricature or a pocket edition of what a man should be. The physician whose mind never expands beyond the narrow shop where his nostrums are exposed for sale;

Whom a tortoise hangs, An Alligator stuffs, And other signs Of ill-shipped fishes, &c. &c. and where Remnants of pick-thrift and old cakes of roses, Are thinly scattered to make up a show.

Is a very poor representative of the *Asclepius* of the nineteenth century. The Divine who discards ornament and elegance of style as devices of the Evil One—who dispenses with the aid of literature and science, and

Proves his doctrine oratorically, By apostolic blows and words,

May preach good doctrine, but he is very likely to preach to empty pews, at this day. So, also, with the lawyer who has kept his mind bent on nothing but the forms and rules of the law. He walks the earth like a galvanized mummy. He sees in the soft and dreaming Campanian skies nothing but a canopy of lead; his goggled vision, turns the fairest flowers to withered herbs, and the whispering zephyr breathes no music to his ear.

It is a common error (and often a fatal one) with young law students, that, from the time they enter upon the mysteries of black-letter lore, they are to become, as it were, monks professed; and that their whole time must be employed in the one occupation of reading the law. The truth is, that the law is the most

comprehensive of all sciences. All others, indeed, are comprehended in, and are tributary to its study and practice. As, according to Lord Coke, every bird of the forest bringeth somewhat to the building of the eagle's nest—some spices; some juniper, some cinnamon, or things of lesser value; so Science, Art, and Literature, in every department, contribute to the building up of the science of the Law. What a strange infatuation, then, that Poetry, Philosophy, and *Belles-Lettres* are to be ignored by the student of Law!

The Law may, it is true, in many respects, be compared to a staid virgin of an uncertain age, with a vinegar aspect, sensitive and exacting of your attentions, as she becomes more and more sensible that the flowers of youth are vanishing. But are you never to turn aside from the contemplation of her lugubrious visage, to feast your vision on the flowers that besprinkle your pathway, or to pluck the blushing fruit that nods to your touch? Are you to know the Law, and know nothing else? to be a mere legal automaton, or a walking encyclopædia of law knowledge? Are you never to lift your eyes to the Empyrean vault above you, gemmed with "the stars which are the poetry of Heaven," except to consider of the upward extent of land—"usque ad cælum?" Are you to shut out from your hearts all poetry and all true feeling? Shall you contemplate the mighty cataract, pealing an eternal anthem to the skies, spanned with the beautiful bow of promise, and elevate your thoughts no higher than the doctrine of riparian rights, or to consider its value for milling purposes? Shall the songs of the feathered minstrels remind you only of the law of animals *fera natura*? In a word, will you become a mere lawyer, a tape-string plodder, dealing in antiquated technicalities and the jargon of the schoolmen?

Heaven forbid such a fate! And yet there are many such, who are esteemed successful lawyers, that renounce literature, and subvert all the aspirations of manhood in its loftier mood, watching where to rise by human weaknesses, until they are frozen in the very flush of life, into cold, care-fretted and heartless men; or till they dry away into old, yellow pieces of parchment with an inscription commencing: "Know all men by these presents."

I know it is a common idea, that the law is a jealous mistress, that will not brook your attentions elsewhere, especially to the Muses. But we have the authority of great names to the contrary. Among these may be mentioned Sir William Jones, the author of a work on "Dilemmas," which for sound legal learning and purity of style is not surpassed by any other law book. Jones was a great lawyer; and in consideration of his extensive legal learning, he was made a knight and appointed a judge in India. He often expressed a wish to become as great a lawyer as Sulpicius. But he was not a mere lawyer. To exquisite taste and learning almost unparalleled, he united the most benevolent temper and the purest morals. In the midst of his legal studies and his judicial duties, he composed a variety of poems that will long be read and admired among the masterpieces of English poetry.

Samuel Warren, the author of "Warren's Law Studies," was not less distinguished for his great legal learning than for his devotion to literature. He is the author of "*Ten Thousand a Year*," a work of fiction of very great merit.

Sir William Blackstone, whose "*Commentaries*" have for a hundred years been the textbook of every law-student in England and America, was much attached to literature. His "*Burwell to the Muse*" is a fine specimen of English poetry; and if he had devoted himself exclusively to the Muses, he might, perhaps, have rendered himself as famous in love sonnets, as he has in his abstruse disquisitions on "Tenants in tail after possibility of issue extinct," conditional fees, particular estates, and contingent remainders.

Scott and Tom Moore were both educated for the law; but the seductive charms of the muses wooed them to the more flowery paths of literature.

Numerous other instances in England might be given; but enough for the present. In our own country, the names of Hamilton, Wirt, Pinckney and Story, celebrated alike for their literary tastes and high success in the law, are enough to vindicate the correctness of my position.

Sergeant S. Prentiss, of Mississippi, whose erratic career, brilliant talents, and untimely death, invest his memory with a deep and thrilling interest, affords another example of the great value of literary pursuits to the lawyer. He went to Mississippi, a raw Yankee boy, poor and friendless. But in addition to an extensive store of legal knowledge, he had drunk deeply of the fountain of the richest literature. He soon became distinguished as a brilliant orator, and unparalleled in his success as an advocate in criminal causes. Lively and chivalrous in his bearing, generous to a fault, kind and sociable to an extent that led him into dissipation which shortened his life, he was just the kind of man to sway with almost superhuman power

he wayward and impulsive Mississippians.—Such was his wonderful command of language; with such ease did he deal in brilliant tropes, telegraphic figures, and deep and touching pathos, that he seemed, almost literally, "to weave his garland of the lightning's wing in sportive twist." It was not difficult, however, to trace the wild and sweeping river of his eloquence, to the sources of his inspiration. It was among the creations of Shakespeare,—his *Hotspurs*, his dark-browed *Othellos* and gentle *Desdemonas*—the satire of the melancholy *Jaques*, and the inimitable fun of Jack *alstaff*. It gushed forth from the Oriental bowers and crystalline fountains of "*Anaëron Moore*." It came from the chivalrous realms of Sir *Walker Scott*, where knights and squires and ladies gay assembled at the Tournament, and the fair was crowned by the hand of Valor, is the "*Queen of Love and Beauty*."

There is no doubt that he owed his great success, mainly to his devotion to literature. He was cut off, however, at an early age, in the midst of his brilliant and useful career. His last great effort was his defence of Lopez, the Cuban patriot. He now lies buried on the banks of the Mississippi; and long will it be, ere the "*Father of Waters*" shall hear again such words of burning eloquence, such deep and tender pathos, as wild and deep as its own resistless torrent:

"The noblest river
Rolls, mingling with his fame forever!"

Daniel Webster, the great expounder of the Constitution, occupied many of his hours of relaxation, in the gratification of a pure and classical literary taste; and hence it was, that in the hour and article of death he called for the reading of those beautiful lines so peculiarly applicable to himself:

"The boast of heraldry and the pomp of power,
And all that beauty, all that wealth e'er gave,
Awaits alike, ah! inevitable hour,
The paths of glory lead but to the grave!"

The inference to be drawn from the illustrious examples I have given, (to which many more might be added), is, that the Law and Literature should be prosecuted correlatively, and that eminent success as a lawyer, and especially an advocate, is not attainable without due attention to literary studies. Need I add that the study of the Bible, that best of classics (even apart from its divine character) as the repository of ancient Hebrew Law and Literature, is of incalculable advantage to the lawyer and student? *Rundolph of Roanoke*, used to say, in his testy moods, that "there oughtn't to be any books but the Bible and Shakespeare."

The profession you have chosen, is one of high responsibility, and when properly pursued with respectable abilities, it cannot fail to bring its reward. But it must be remembered, that it is not the profession that honors you; but it is for you to honor the profession. Lawyers are very cheap now-a-days, and we often see long-eared specimens of humanity admitted to the bar, who haven't got sense enough to say "bo to a goose," who never read a page of law in their lives, and perhaps can't spell words of two syllables in "*Webster's Elementary Spelling Book*."

This multiplication of lawyers can have no injurious effect on members of the bar of sound legal learning. It only gives the "constitutional lawyer" the jejune aspirant for forensic honors, a more conspicuous stage, from which to exhibit the asinine length of his ears. The man who has studied the Law, as it is taught in the Law Department of this University, has nothing to fear from competition with the original geniuses I have described. The Constitution can no more make a lawyer, than it can make a Divine, a Surgeon or a Machinist by mere act of law.

It is a matter of congratulation to the people of this State, that we have a department in our State University, where the law is taught in all its branches by a Professor of widely-known ability as a jurist. Here it is that the great elements of law, the fundamental principles of our Jurisprudence are taught, and the new practice, under the Revised Statutes is clearly explained.

With such facilities for the acquisition of a thorough knowledge of the law, we think we may safely augur an auspicious future for the legal profession in Indiana. The law is truly a noble science, notwithstanding the ridicule that would be wits attempt to cast upon it. If Justice and the Law do not always go hand-in-hand, it is generally not the fault of the law, but the manner in which it is administered, frequently through the corruption of juries. The administration of the Law will not rise above the standard of morals and common justice in the community where it is administered.—*Shakespeare tells us that*

"The jury passing on the Prisoner's life,
May, in the sworn twelve, have a chief or two,
Quittier than him they try!"

No wonder then, that the moral sense of the public is often shocked and outraged by the acquittal of notorious criminals.

In conclusion, gentlemen, let me say, that I hope and believe that you will endeavor to elevate the standard of the legal profession; that you will not be found among that class of ghouls,

gnomes, tarantulas and other crawling and creeping things that infest the sewers of the temple of Justice, stirring up strife and encouraging litigation; but that you will plume your pinions for a lofty and a noble flight;—that you will endeavor to win the first honors of your profession by honorable means; for, without honor, all gold is dross, beauty is deformity and talent is a mockery. If we had a body of men, thoroughly acquainted with the laws of their country; imbued with the true spirit of liberty and philanthropy;—of enlightened consciences;—of liberal education;—devoted to those literary pursuits that ennoble and dignify human nature; watchful of their own and their countrymen's rights, which they are willing and able to defend, their influence could scarcely be over-estimated. With such materials as the props of the State, we might hope for a long continuance, under Providence, of the blessings we now enjoy. May you ever be found among the defenders of the Constitution, maintaining the dignity and supremacy of the Laws.

"What constitutes a State?
Not high-raised battlement or labored mound,
Thick wall or moated gate;
Not cities proud, with spires and turrets crowed;
Not towers and broad-walled ports,
Where, hatching at the storm, rich ravens ride;
Not starred and spangled courts,
Where low-browed baseness waits perfume to pride.
No! Men, high-minded men,
Men, who their duties know,
But know their rights, and knowing, dare maintain;
These constitute a State!"

Proceedings of a Meeting held by the Students of the Indiana University, on receiving the news of the passage of the University Bill.

News having reached the town that the Legislature had passed a bill making the claim held by the Vincennes University against the State, payable by the State, without interfering with the State University fund; the students assembled in the College Chapel, in order to give some expression of their feelings upon the final passage of the act. On motion of Jos. S. Jenckes, Jno. W. Foster was called to the Chair.

Mr. Foster on taking the Chair, returned his thanks for the honor conferred by his fellow-students, and briefly referred to the past difficulties of the Institution, the loss by fire of our main building—our beloved society halls and our valuable libraries, and closed with a brief allusion to the cheering prospects in the future.

On motion of R. M. Johnson, J. V. Wolfe was appointed Secretary.

On motion also of Mr. Johnson, a Committee was appointed to draft resolutions expressive of the sense of the meeting.—Messrs. Banta, Evans, W. G. Jenckes, Major, Duncan, and Sheeks were appointed said committee.

On motion of Theo. Read, the President appointed the following committee to make preparations for a suitable demonstration in the evening: Messrs. Read, Keller, Cartwright, Miller, Hoover, T. J. Wolfe, Thrasher, McRae, Ewing, Mitchell, Becket and Hunter.

On motion, the meeting adjourned to meet upon the College Campus at 6 o'clock, P. M.

At the appointed time and place the students were assembled, necessary preparations being made by the committee of arrangements, each was furnished with a torch and with the Bloomington Saxo-Horn Band at their head, marched up to the residence of President Daily and after a spirited tune being played, three hearty cheers were given; from thence they proceeded to the Court House which was illuminated.—The meeting was called to order by the President, and ex-Governor Dunning, by invitation of the committee of arrangements, addressed the students and citizens in a few appropriate and well-timed remarks. Gov. Dunning was followed by Judge Hughes, who, in a hasty review of the University for a few years past, stated in an interesting manner the flattering realities of the present. Mr. B. Wolfe was then called upon, who addressed the students in a very appropriate manner, highly commending them for their faithful adherence to the University in the days of her calamity; and was followed by Prof. Read whose address was received with great applause. The whole was interspersed with excellent music and loud acclamations of joy. The President announced the meeting adjourned.

JOHN W. FOSTER, President.
J. V. WOLFE, Secretary.

INDIANA UNIVERSITY, Feb. 15, 1855.
Report of the Committee on Resolutions.
WHEREAS, By an act of the Legislature of the State of Indiana the liabilities existing against the Indiana University have been removed, we, the students of said University, adopt the following resolutions as an expression of our feelings at the successful termination of the evils which have so long threatened to destroy the permanency of our Institution:

Resolved, That great as are the emotions of joy that to-day swell our hearts, they do not exceed those of gratitude to that Being who "breaketh the arms of the wisest," and whose "wisdom is over all his works," and to all who may have, in any way, assisted in bringing about this happy event.

Resolved, That we are under lasting obligations to the Faculty, for the sacrificing spirit they evinced in remaining faithfully on duty, during a period when the affairs of the University were such as warranted the belief that their services would not be remunerated; and that we most heartily commend the zeal, energy and perseverance manifested in the course pursued by our worthy President, Dr. Daily.

Resolved, That we engage our humble cooperation to the Faculty and friends of the University in all attempts to elevate it to high eminence among the Institutions of the West, and cheerfully recommend it to all those who would avail themselves of the best advantages for securing a liberal education.

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D. D. BANTA,
MADISON EVANS,
W. G. JENCKES,
W. S. MAJOR,
J. L. DUNCAN,
D. SHEEKS.

THE KNOW NOTHING VANGUARD.—There are three papers in this State, which are particularly down on the "d-d furnurers," of all kinds—the Albany State Register, Rochester American, and Buffalo Commercial Advertiser; and yet strange to say, the leading men of those papers are of foreign extraction. Lacy, one of the proprietors of the Register, was born in England. Mann, of the Rochester American, was born in Scotland, and until he was fourteen years of age, peddled itch ointment round Edinburgh. Parmelee, of the Buffalo Commercial—the man with the "twenty-five dollar character," was an English soldier and left the army one day under the escort of one drummer and two rope ends. These are the men that are now "rallying around the Constitution," and who insist that foreign influence will yet undermine the liberties of the nation. Queer people, those Hindoos. That is so.—*Albany Knickerbocker.*

SUSPENSION OF NEWSPAPERS.—The Sandusky Daily Mirror and the Western Home Visitor have both been suspended. The hard times and low prices of newspapers were more than they could withstand. The Visitor was published at \$1 50 per annum, and had several thousand subscribers, but broke down withal. The high price of paper, and everything entering into the printing business, renders it impossible to sustain an ordinary sized newspaper at anything less than \$2 a year.—*New Albany Ledger.*

HORRIBLE.—The circumstances connected with the death of Ellen Murphy, upon whose body inquest was held, as we state in another paragraph, are of a dreadful character. She and her husband were occupying ground apartments in a house on the corner of Main and Poplar streets.—Dey before yesterday (Sunday) they were both on a drunken spree. From exposure to the bitter cold of the day, she died in the evening, and was laid a corpse in her bed. The husband, when he went to bed, pushed the body out on the floor, where it lay all night. Yesterday morning it was discovered that the rats had eaten her face nearly off, and in the most horrid manner.

We understand the husband confesses no remorse, but merely says, by way of excuse for pushing her body from the bed, that "he'll be d—d if he was going to sleep with a dead woman."

This is horrible. A quart whisky bottle and a plate of cold potatoes, were found in the house.—*St. Louis Democrat.*

BARNUM KNOWS.
P. T. Barnum, in his Autobiography, thus speaks of advertising:

"Advertise your business. Do not hide your light under a bushel."

Whatever your occupation or calling may be, if it needs support from the public, advertise it thoroughly and effectually, in some shape or other, that will arrest public attention. I freely confess that what success I have had in my life may fairly be attributed to the public press than to nearly all other causes combined. There may be, possibly, occupations that do not require advertising, but I cannot well conceive what they are.

"Men in business will sometimes tell you that they tried advertising, and that it did not pay. This is only when advertising is done sparingly and grudgingly. Homeopathic doses, like a half portion of physic, making the patient sick, but effecting nothing. Administer liberally, and the cure is sure and permanent."

