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THE KENT NEWS.

Frustra laborat, quiomnibus, placere studet:—"He labors vainly, who endeavors to please every one."

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POETRY.

From the "Flag of our Union."

THE LAPSE OF TIME.

BY W. WALLACE LAMBDIN.

I stood upon the bank of a swift rolling stream
Whose fleeting waves pressed onward to the sea;
I marked the swiftness of its tide: its waves would seem
To rush with lightning speed, themselves to free,
T' escape the narrow confines of the bounding shore,
And hast'ning on to mingle in old Ocean's roar.

A leafy bough, (which perchance, some philosophic hand
Into the current of the flood had cast,
To watch its rapid course, to see it strike the land
Of a jutting point, or till it had passed
Beyond his utmost sight,) came moving down the stream,
Borne forward by the tide, as if impelled by steam.

Still onward it came, nor stoppage nor hindrance knew,
It passed me by; and the intervening space
Most rapidly lengthened; soon to my constant view,
Appeared it indistinct; at last 'twas lost
To sight, nor could my searching, straining eyes behold
The slightest speck of its position told.

E'en thus is time: with us its swiftly rolling waves
Flow ceaseless on; each hour presents some change,
Each fleeting moment brings us nearer to our graves,
Nor aught can stay its flight; nor hardy oak,
Nor lofty mount, nor stately pile, nor rocks, can stand
Unmoved, unscathed, untouched by, time's destroying hand

POPULAR TALES

PETE WHETSTONE.

THE
PRODIGY OF ARKANSAS DUELLISTS.

A TALE OF RARE INTEREST.

On the second Monday of September, 1839, all the people of Washington county were in motion. The mammoth hive of Western Arkansas swarmed. Every highway, every by-way, every horse-path through the cane, every footpath over the mountains, sent its hungry human stream to swell the sea of heads rolling into the public square of Fayetteville, the seat of justice for that shrivalty. And yet a philosopher reasoning according to the old fashioned method of logic, *a priori*, would have been puzzled to find any sufficient cause in the occasion to justify the gathering of such a great multitude. It was not a muster for volunteers against any tribe of Indians, nor a public meeting for stump orators to eclipse lightning and *use up* thunder, nor an election where the bone-and-sinew" of the frontier must save the republic, at an enormous cost of gouged eyes and broken noses. Nor was it an execution, by order of his honor Judge Lynch, of thieves, or coiners of pewter dollars.

It was only the first day of the second week of the Circuit Court for Washington county—the day for taking up the criminal side of the docket—that attracted the whole population. But, what to a stranger would have seemed the most extraordinary phase of the affair, the whole population came armed—as they would themselves express it—"to the teeth and toenails." Big knives were abundant as snakes in a cyprus swamp. Every coat pocket, was a pistol battery; every shoulder bristled with its rifle, and some actually bore two, in order to be prepared for any emergency. It must not be inferred that such was the common equipment of spectators for the court-house. The present instance was an exception, produced by the concurrence of unusual events. A brief statement may serve to solve the mystery.

The lynchers had recently hung seven men at once on the same gallows-tree.—They had reason to fear the commencement of a prosecution for the barbarous deed, and consequently, the entire band turned out, so as, in case an indictment should be found, to move to *quash* all its counts with gunpowder and leaden bullets. But there was a still more prolific source of excitement than even this. A numerous and well orgonized clique in Fayetteville—consisting of federal officers, local officers and officers of the bank—aspired to complete an irresponsible dominion over the country. The leaders were desperate duellists, and their reign was truly one of terror. Gradually, however, a formidable opposition to the junto developed itself among the farmers and hunters of the county. These applied to the Fayetteville clique the odious name of aristocracy, or as they pronounced it, "horotsocracy," and the latter avenged themselves by calling their enemies "wood-rats," after a peculiarly mischievous little animal that infests the gardens and fields of Arkansas. The plebeians adopted this term and rallied under it as the appellative and watch-word of their party.

The wood-rats" had greatly the advantage in point of numbers, but unfortunately they were destitute of able and honest chiefs, and sadly divided among themselves. The "horostocrats" monopolized the bank, with every office, civil and military, in the county. Besides they possessed unlimited pecuniary means to buy up all the mercenary bowie-knives of the professional desperadoes of the frontier.—Hence, in several murderous affrays, the "wood-rats" had been put to a bloody and ignominious flight. To this general rule of uniform defeat, however, there had of late been a single exception. A young "wood-rat" had slain one of the most celebrated champions of the "horostocracy," for his infamously slandering his sister. He had been arrested, chained, and cast into a dungeon, and this second Monday of September, 1839, was the day set for his trial. All the "wood-rats" of the region mustered in the court yard, to see that their comrade had fair play, and brought along their trusty rifles as a *corps de reserve*, to be ordered up in case of necessity. The last man of the "horostocracy" also attended, to keep the prosecution in countenance; and thus as all the leaders and retainers on both sides were thoroughly weaponed, and excited nearly to madness by the fumes of passion and the deadlier flames of alchol, the most horrid consequences might be apprehended.

The *forum* was an immense building, amply provided with galleries; and yet, ere the morning sun had measured one-fourth of his bright way to the blue zenith, hall and galleries, doors and windows, were all crowded to only one degree below suffocation. Nevertheless, one great good resulted from the annoying evil. In these conglomerate press it would be impossible for the opposing factions to use fire-arms, and should it really come to the "tug of mortal strife," even bowie-knives would be terribly stinted for free space and full hand-sweep.

At the pre-appointment hour, Judge Tulley ascended the bench, pale and trembling in every nerve, and yet not daring to risk the imputation of cowardice by resorting to a timely adjournment.

The prisoner, Henry Martin, was ushered into court, followed by the sheriff and guard. He was rather a handsome country youth, of not more than eighteen tall, straight, and strong as a lion, with "bravery" stamped on his brow as with a seal of red-hot iron. He was attended by that beautiful sister, Mary, two years younger than himself, for whose sake, he had committed the act that had loaded him with those chains—the act for which he must shortly suffer.

He was arraigned, ordered to hold up his right hand, and the indictment was read "Guilty, or not guilty?" interrogated the clerk.

The bold youth turned to the court, and said, *naively*—"Judge, I can't tell you a lie. I did kill Col. Wallace, for he abused my sister; but I gave him a fair fight. Every body knows that."

The plebeian party thundered applause, but the Fayetteville *clique* hissed ominous murmur.

"Mr. Martin, have you my counsel?" asked the Judge.

"No, sir," answered the prisoner. I am too poor to fee a lawyers; and besides, they've all been bought up by the horostocracy. Lawyers, you know, like buzzards, always flock to the fattest carcass.

"Will no legal gentleman volunteer for the accused?" inquired his honor, glancing around the circle of "green bags" within the bar.

"May it please the court, I am engaged, "And I." "And I," responded two dozen and two bland, oily voices. "Then I *fear* the case must be postponed," remarked Judge Tully, with a relieved look of joy that said—"In my heart, I am devilish glad of it."

"Wait a few minutes, judge," entreated the young prisoner, earnestly; "I expect Fent Noland."

The judge started half way from his seat with astonishment. The bravest members of the Fayetteville bar turned pale, and the whole crowd hummed with sudden agitation, like a bee-hive jarred by the fling of a heavy stone. Fent Noland! The name operated as a spell of witchcraft. Had the prisoner said, "I expect the arch-fiend to appear in proper person and defend me," the announcement could not have inspired a more intense panic. And yet, strange as it may seem, not one individual present knew Fent Noland save by report and general character. He lived at the farthest extremity of the State. But the name itself was a thunderbolt of terror. He was famous as a *dead shot*—a duellist, whose aim was sure as death, and quick as the lightning from its cloud.

"Are you acquainted with Fent Noland?" asked the amazed judge.

"No, sir," rejoined the accused; "but we had all heard of him, and sister wrote to him for me, and he sent us a letter, promising to be here to-day."

At this moment a person was seen elbowing his way through the crowd. He advanced to the bar, and, after whispering a few words in the prisoner's ear, addressed the court—"Your honor may proceed with the case. I am ready to defend Martin."

"You?" exclaimed Judge Tully, in a tone of mingled wonder and contempt.—The appearance and garb of the stranger might seem to warrant fully his honor's manifest emotion. He was of a slight, fragile frame, with golden curls floating down his shoulders, and a complexion pale and delicate as that of a girl in consumption. In short, his *personnel* was to the last degree feminine, and hence served to render more striking his extraordinary costume. He was habited all over in a smoke-tinted greasy suit of buckskin.—His small feet were shod with bright-beaded moccasins, and he wore on his head a panther-skin cap, with the tail on. A shot pouch of ample dimensions swung under his left arm, while a patent rifle—the deadly eight shooter of Colt—lay poised in his snowy little hand.

He answered the exclamation of "you!" with the comical grimace of a pantomist—"Yes, I, judge! Why not? Does your honor think that my mamma don't know I'm out? *He* said this with an accent and emphasis of such inimitable drollery as to convulse the court-house with laughter.

"Are you a licensed attorney?" inquired the court.

"That makes no difference, as by the late statue anybody can prosecute or defend, at the request of a party to the record."

"Will you please enter your name?" requested the judge, offering his docket.

The stranger scrawled in immense blotted capitals, "Pete Whetstone, of the Devil's Fork, Carroll county, Coon township."

"Pete Whetstone! Pete Whetstone!" murmured the throng, passing the singular name from lip to lip. "We thought it could not be Fent Noland."

The stranger deposited his rifle in an angle of the bar, and the sheriff, from the door, went on to call over the panel.—The scene of calling the jurors was indescribably ludicrous, of which the following brief specimens may suffice:

Sheriff, in a snorous voice. Solomon Tuttle!"

Juror, from a neighboring grocery, screaming like a wild cat—"Here! Tell the judge to wit till I take another horn."

Sheriff, "Tom Fink!"

Juror, with a shout like the roar of a storm, "Here! Presently, as soon as I thrash Bob Weaver."

Sheriff, excited, "Crosby Belle!"

Juror—"I can't come. I'm rubbin' my *hoss* for the colic."

Sheriff, desperate, "Abraham Tackett!"

Bystander laughing, "He can't come neither, because he's drunk and——"

"A fool when sober," shouted another finishing a sentence that otherwise might have ended worse."

At length twelve jurymen were selected and sworn, and the State proceeded with its evidence, which was very simple and lucid, amounting only to this:—That Henry Martin challenged Colonel Wallace, for words against his sister. They met, and Wallace fell at the first fire.

The defence examined but one witness, Mary, the beautiful sister, who testified to a most revolting insult received at the hands of the deceased. The State answered with rebutting testimony' attacking the character of the girl by the vilest acts of perjury.

Up to this time the strange counsel for the prisoner had remained calm and apparently abstracted, putting but few cross-questions, and those evincing no particular ingenuity. But when the witness were offered for the impeachment of Mary's credibility, Pete Whetstone bounded to his feet suddenly, as if he had received a shock of electricity in his heart, and his small eyes of reddish blue literally blazed, till they seemed to cast a gleam of livid light over the faces of the adverse attorneys, that momentarily blinded them, and made their quivering fingers wander to their dagger-hilts in vain.

"If you dare touch her character, by even the shadow of an imputation," cried the indignant young advocate, in tones rolling sweetly loud, like the richest peals of an organ, "I will set on your shameless brows a black seal of infamy, that you shall bear till your dying day!"

Major General Seabornly Sneed sprung from his chair, purple with rage, and exclaimed—"I will hold you responsible for those words."

General Sneed was the bully of the Fayettville clique, and perhaps there was but a single name in the world that he really feared.

"Very well; I am a responsible man;" retorted Whetstone, with a icy sneer—and the case progressed as if there had been no interruption. Such episodes were too common to excite serious apprehension.

Finally, the argument opened. After several had spoken for the prosecution with some show of decency and regard to moderation. General Sneed, on the same side, burst all bounds, and poured fourth in the genuine style of Lord Coke, such a merciless volley of abuse against the prisoner, against his sister, and against his friends, the "wood-rats," that many of the latter cocked their guns, yelling—"Take it back, or we'll shoot!" The retainers of the *clique* displayed activity, and the *forum* instantly assured the aspect of a battle-field where adverse legions were about to encounter the shock of mortal strife.—Then, had one gun been fired, it would have been the death knell of hundreds.—But the awful imminence of the peril caused both parties to pause, while a voice of majesty and command pealed high above the tumult of threats and curses—"Fools! fools! do not render the wives of your bosoms widows, and the children of your loins orphans, for the sake of two mercenary advocates, who would hang you all for a hundred dollars! Leave me and General Sneed alone to settle our own quarrel, after adjournment."

It was the voice of the lawyer, Pete Whetstone, and the wisdom of the advice was so obvious as to calm for a while the fury of faction. Besides, many of the *clique* began to have painful misgivings that this Pete Whetstone was none other than Fent Noland in disguise. The impression as to the *incognito* deepened when the stranger came to address the jury. He begun with such an arrow-like flight of mingled jest, anecdote, and ridicule, that the very walls of the court-house appeared to be exploding with laughter. He changed the theme, and hailed such torrents of fiery wrath on the heads of the *clique* that they all stood aghast, and many of them trembled as if they already heared the hollow whisper of the death angel summoning them to judgement. He boldly charged them with perjury and murder, and ennumerated every spot in the street which had been stained with the blood of their assassinated victims; and, what evinced the loftiest daring of all, he solemnly accused them of robbing the bank—a fact not publically detected till two years afterwards.

Again, he passed to another topic, and urged the innocence and depicted the misfortune of his client, and dwelt upon the injuries of that beautiful sister, till scores of eyes so lately heated by anger, and looking like globes of flame, melted into fountains of gushing tears. His face reddened as his soul flew; his forehead withered; his form dilated; there was lightning in his glance, white foam on his lips, wildness in his gesture, and yet all the while the very echoes of his voice, as they rolled through the galleries and died away in the vaulted ceiling of doome, were the *ideal* and ultimate perfection of music.

He ceased; and then the silence, deep as the grave before, was broken by a shout that seemed to shake the solid stones of the pavement. It was an instructive cheer, a spontaneous tribute to exhaled genius, that no court, in a crowd of passionate impulse such as that, could possibly have checked.

The closing speech of Col. Evans, the regular prosecuting attorney, was a miserable failure. He could not even get a hearing. The sworn pannel gazed on him with vacant eyes, but their thoughts were far away. Every chord in every heart still vibrated to the tones of that divine melody that so recently had swept over them, as the wailing wind over the strings of an Æolion harp. There was no space in their souls for any other sound. They had heard the the angel's whisper, and it made them disdain all other symphony! They returned a verdict of "not guilty," without leaving their seats.

It was generally believed that the eloquent stranger was certainly Fent Noland, of whose marvelous oratory rumor had repealed so many wonders, and hence General Sneed was earnestly employed excogitating some method of sheering round the dangerous responsibility of the challenge he had publicly threatened. As the court adjourned, however, an incident happened to change the current of opinion as to the mysterious incognito. Ike Alexander, a well known sportsman, rode up! and exclaimed in a tone of surprise—"Ho Pete Whetstone? You here? I can scarcely credit my eye sight!" And then the two exchanged familiar greetings, and the young advocate retired to his hotel.

General Sneed, dying with curiosity and impatience, approached Alexander. "Do, Ike, tell me who is that."

"Why, Pete Whetstone," was the rejoinder.

"Where does he live?"

"On the Devil's Fork, in Coon township, Carroll county."

"What business does he follow?"

"Gambling, at high tide; but pleading law at the ebb of his sea of fortune."

"Is he a fighter?"

"When he can't get room to run."

"But he shall fight, through," cried the general, in a fit of estacy, at the consoling intelligence just received. "He has dared to insult *me*, and no man can do that and live."—And away the bully hurried to indite his challenge and instruct his second. There was a mischievous devil in Alexander's eyes as he glanced after him, but he said nothing.

Fifteen minutes only elapsed, and Capt. Leeper, on the part of Major General Sneed, waited on Mr. Whetstone, in his room at the tavern. He delivered the formal note of his principal, expecting to see the other go off into a swoon, or leap out of the window. No such comfortable *denouement*, however, resulted.

"Very good," said Pete; 'and here is my second," pointing at Alexander. Then he added, instantly—"Take the pen, Ike, and scratch my answer. Accepted. Weapons, pistols. Place, the prarie, in sight of town. Distance, twenty paces. Time, one half hour from this minute. It's now precisely four o'clock."

General Sneed was astonished at the answer. He consoled himself, nevertheless, with the reflection that there was no sign of cowardice in it. "The distance shows the white feather," he remarked, touching his nose with his little finger. "Why, Leeper, I couldn't hit a barn door at twenty paces. He's no duellist, you may be sworn."

"Certainly not," assented the second.

Immediately the news of the near approaching duel flew as fire in a dry prairie and when the moment of battle arrived, an immense concourse had assembled to witness the exciting spectacle.

Pete Whetstone was standing at his place apparantly absorbed in the gloomiest thoughts; but Gen. Sneed strutted about proudly, delighted, no doubt, with the melancholly aspect of his antagonist. The self complacency of the bully, however, was doomed to sudden, if not tragic, termination. James Pope, a celebrated lawyer of Batesville, chanced at the moment to be passing along the road, and, being attracted by the vision of such a crowd, drew near, and recognising Whetstone, exclaimed—"Ha! Fent, you are at your old tricks again, I see.—What! another duel? And with General Sneed?"

The *pseudo* Pete made signs and grimaces, but Pope would not *take*, and finally completed the mischief by another unlucky exclamation. "Why, Noland, what's the matter with you? You cut more signs than a Choctaw Indian!"

At the word "General Sneed had started as if stung by a hornet; but when the full word "Noland" rung in his ear, he reeled as if he had been struck with a hammer, and turned pale as any stage Hamlet that ever shuddered at his father's ghost.

Leeper exerted himself to the utmost to rally his principal's spirits, but all to no purpose. The only sound that the crest fallen bully's lips seemed capable of emitting were comprised in a single sentence—"Compromise it! conpromise it! for God's sake, compromise it!"

The Major general's second hastened to the other party with the proposition of compromise.

"Tell your principal that I make it an unalterable rule never to compromise after my big toe touches the battle field," was Fent's brief answer, which drove General Sneed almost distracted; so that, forgetting pride, shame, dignity, everything, in the ungoverned terror of that brute instinct which makes cowards cling to life as their *all*, he rushed towards Noland to supplicate in person.

"Mr. Noland," cried the affrighted chief of all the Arkansas state militia, "cannot this little matter be postponed till to-morrow? I would esteem it a great favor, as my wife is dangerously ill."

"Bah!" retorted Fent, scarcely able to restrain his laughter. "I wont keep you a minute, as I never have occasion to repeat my fire!"

Defeated in his last manœuvre, the old bully, determined to try a different tack.—Accordingly, he proclaimed in a loud voice, so as to be heard throughout the vast throng—"Fellow citizens, I came here to fight a gentleman but I have made the discovery that my present adversary does not belong to that class, as he presented himself under a false name. Hence I am forced to decline any farther communication with *him* for ever."

Hardly had the general ended his pompous manifesto, when Fent snatched a horsewhip from his coat pocket, and commenced be laboring the other's back furiously, shouting at every blow: "This is for the pettifogger! This for the assassin! This for the bully! This for the liar! And this, and this, and this, for the poltroon!"

A thousand spectators stood gazing on, and yet no one interfered to arrest the avenger's arm, and for two reasons. First, because that avenger was Fent Noland; and secondly, because every body felt that the victim richly deserved all that he received.

I will now close my hasty sketch with a few brief *addenda*, for the benefit of such as wish to know something of Fent's character and history.

We have seen him in two of his phases—as the powerful orator and the all-dreaded duellist—but he has a hundred others and is equally a master in all. He is a king of the race-track and emperor of the card table. A more expert hand, unless it were a professional one, never evoked the soul of a sweet sounds out of the heart-strings of a violin.—He is alike a favorite in the saloons of the ladies of fashion; a lion among the rowdies of the lowest groceries; a connoisseur in the temples dedicated to immortal art; and a matchless interlocutor in all debating circles around the fireside, whether composed of doctors, divines, statesmen, or philosophers. Besides all this, he wields one of the most versatile pens in America, considering its *minimum* of practice. He writes poetry sweet as his own voice, and strong as his own courage. He dashes off articles for the political journals with the rapidity of a transcribing clerk. He jests forth humorous effusions with the natural ease of spontaneity.

But why has he not become celebrated beyond the limits of Arkansas? Why does he not aspire to the achievement of a world wide fame.

Because he is poor, and in Arkansas. He is too remote from the centre of intelligence, too far west. Could an Arab in the great desert, though gifted with the genious of an arch-angel, make his voice be heard thaoughout the immense family of nations?

But still stronger reason than any to be found in mere local position, or the "unconquerable bar of poverty," assigned for Fent Noland's obscurity, in the peculiar charactor of his moral organization. He is constituted, *passionately*, without one single practicle of the desire for fame. He has no life of memory for the *past*, and no vivid life of imagination for the measureless ages of the mighty future. His whole life lies in the *present*—so to speak hangs on the motion of the minute-hand of his own gold watch.

Such a fact may seem incredible in a duellist, a class that are generally supposed to do battle, if not renown, at least for notoriety. But when thoroughly comprehended what causes concurred to render Fent a duellist, and what motives operate to keep him one, the enigma solves itself.

Fent Noland emigrated to Arkansas when only eighteen years of age. He was very poor and very friendless, and had no resource save in the treasures of his native, and then undeveloped genius. This he soon managed to turn to account, by selling his prolific pen to the publishers of party journals. His sharp wit and biting sarcasm, and, more than all, his splendid talents, soon created enemies. At that period Arkansas was cursed with trained bands of detestable bullies, who sought to govern every thing by the terrors of the pistol and dagger. Every rising man was forced to encounter in moral combat some of these professional desperadoes, or relinquish the attempt to ascend, such was the horrible state of public opinion. If the new aspirant refused a challenge, he was degraded forever in the estimation of the community. If he fought and was killed, he was got rid of, and the matter ended summarily. If on the contrary, he slew his antagonist, he gained one chance for ascension.

Accordingly, as soon as young Noland's name began to ring, his foes determined to test his mettle in the customary fiery ordeal, and they selected one of their best shots to despatch him a challenge to the field of *honor*. Fent, although utterly opposed in principle to the murderous practice of duelling, as the choice of necessity, took up the gage. They met: the youth threw away his own fire, received that of his foe in his side, and barely escaped with his life.

He was scarcely convalescent when another antagonist called him out, and this time he shot his enemy through the heart. This event appears to have partially changed his nature. He did not, it is true, become cruel, or quarrelsome. He never acquired a single tinge of misanthropy; but all the burning passions of his hold, impulsive heart, assumed the fixed form of concentrated hatred for the whole class of bullies, and thenceforth he was a sort of knight erran, or modern Don Quixotte *uncrazed*, whose life mission embraced one object only—the extermination of duellists—and to do this effectually he learned all their arts. Since the day he slew Pope, no sun has ever measured the radiant circuit of the heavens without beholding that pale enthusiast in the cause of death at his stand before the target, with rifle or pistol levelled at the centre. The consequence of such incessant practice has been that as a skilful shot, he realizes the exaggerations of romance, and seems endowed with the power of magic; and hence the universal terror which we have seen inspired even by his name.

TAXES.

THE undersigned respectfully notifies all persons interested, that he is ready to receive payment for county and State

TAXES,

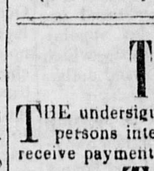
which are now due. He has taken the office in the Court House, Chester Town, heretofore occupied by the Sheriff's and Collector's, where he will attend on every Tuesday, and for the purpose of affording increased facility to those persons residing in the Upper and Lower parts of the county, will, after the first Monday in October next, meet every Thursday in the Lower District, at Mr. Richard Hodges' Store Hale's Corner, and on every Saturday at Georgetown X Roads. All accounts due for State Taxes, if paid by the first of October will be entitled to a discount of 4 per cent. and all paid on or before the first of November, a deduction of three per cent. and all all accounts remaining unsettled after the first day of January next, will be chargeable with interest according to law, and promptly collected thereafter

DANIEL JONES,
Collector, Kent county.

Sept'r 22, 1849.—tf

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Sept. 15, 1849.

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Oct. 27, 1849.