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Archer Bond Case.

ALL IN RHYME.

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— BY —

J. W. HAWKINS, M. D.,

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TOWSON, MD., - - - JANUARY, 1891.

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J. W. HAWKINS, M. D.

TOWSON, MD.

1891.

PRESS OF ROSENAU & NEWCOMER,
BALTIMORE.

TOWSON CIRCUIT COURT:

DECEMBER TERM, 1890.

Chief Judge, - - - DAVID FOWLER,
Associate, - - - CHAS. N. BURKE,
and JURY.

STATE OF MARYLAND vs. ARCHER BONDSMEN.

WM. PINKNEY WHITE,

JOHN PRENTISS POE,

Attorneys for State.

BERNARD CARTER,

EDGAR H. GANS,

ALBERT CONSTABLE,

Attorneys for Bondsmen.

Preface.

In presenting this little work to the public, I am not actuated by the thought that it is entitled to merit as Poetry, nor weight as Literature, for it aspires to neither.

In this decade of the Nineteenth Century, now fast drawing to a close, while mankind is confronted with the fulfilment of the *last grand prophecies of Holy Writ*; and *Reason*—the guiding star of *high Manhood*—is visiting righteous judgment upon corrupt judges and juries, who heed not the cry of equity because of the influence of money, it will afford food for thought that will give nourishment to healthful minds and hearts. It is not natural taste, but the outgrowth of bitter sufferings, experienced, at the hands of those wearing the "judicial ermine" and their "*sharp*" *barnacles* in the noble profession of Law, that impels me to indulge in *Satire*. And I ask of my readers, while they stand with me on the tower of Equity, patient indulgence, and shall indulge the hope that they derive both pleasure and benefit from their perusal of a sad and painful story.

One of the most distinguished members of the Maryland Bar used these words, viz. : "it is an extraordinary achievement for a man to sit in a Court of Law and *report in rhyme*, a case, during its progress.

It sheds new lustre and a refining influence upon the dry, tedious business of the court, and this is my chief reason for asking for its publication." *Truth* may be covered with a mountain of lies, but man must be patient, some day it will rise.

To the above words, this little story in Rhyme owes its life.

J. W. H.

Motto.

In the Cause of Truth and Libertie,
This shall *ever* my motto be :
In every contest between wrong and right,
Throw wide the door and let in the light.

Introductory.

When Christianity is rent by all manner of schism
In this progressive age of rank Materialism.
When lawyers and laymen, under dominion of Pelf
Are recklessly fighting under banner of Self;
When many of our judges are servants of Mammon
Holding truth, justice and honesty "all gammon";
And *Technicality* strives, with quibble and Fiberty,
To dethrone and outrage our fair goddess, Liberty:

"*All Glory be to God!*" in whom my trust is,
I find myself seated in a Court of Justice.
Trying, *true facts* of this dark case to know
With right as my friend, and wrong as my foe.
Now lawyers, to *Poetry* are usually bold foes
Training their tongues to speak in cold prose,
As my spirit's imbued with poetry sublime,
I'll write down this *sad history* all in rhyme.
When *Technicality* labors to cover up wrong
With quibbles and sophistries; *smart* is her song.
But in her every contest, 'tis the cry of Right:
"Throw wide the door and let in the light."
While o'er the Court's field, my Spirit sped her way,
She saw a smiling Poe, à la graceful Edgar A.
So taking the wings of his far famed Crow,
She borrowed pen and mantle of *Edgar Allan Poe*.
And now, gentle Muse, I pray you, inspire
My pen with your magic, tried in the fire
Of Experience and, banishing the Doctor's bistory,
Guide it to write down a poet's history.
On those who may sneer, or laugh at my verse,
I will not call down the "sour grape curse,"
But write wrong and right, from Poet's steeple
And put it down gently, to please gentle people.
For "still must I hear? Shall tricky lawyers bawl
Their cold, hard prose, in kind Justice's hall.
And I not sing, lest, haply, Press Reviews
Should dub me scribbler and denounce my muse?
Prepare for rhyme! I'll publish, right or wrong,
Fools are my theme, let satire be my song,
Though nymph's forsake and critics deride
The lover's solace and the author's pride."

J. W. H.

THE ARCHER BOND CASE.

CHAPTER IST.

December Term of Court, before Ninety-one,
Has opened in Towson, with prospects of fun.
For the Docket assigns most important place
To the already celebrated Archer case.
This case is sure to cause many smiles
At lawyer's technicalities, sophistries and wiles;
And yet 't will bring to many hearts, *sadness*
Because it treats of a State treasurer's badness.
Now Archer was a gentleman, polished and true,
Knew right from wrong, and trained right to do.
He loved the principles of the Democratic Party
And gave it his talents in manner most hearty.
He was honest and truthful and with such charms,
His party friends opened to him their arms,
And for many long years he used pen and voice
To bravely uphold the principles of his choice,
While treading the slippery ways of politics
He, in time, became *confused* with party ticks.
Indulging in big-eating and drinking and gambling.
His heart got to sleep and his mind got to rambling.
While in this state, his *principles grew cold*,
He was *induced* to leave his democratic fold,
'Twas soon known that *politics* caused his jump,
For he wanted to be *judge* and became a "*Mugwump*"
Men of democratic principles, firm and true—
Resolved that this jumping and trading wouldn't do,—
Gathered at the polls in large numbers to show
That, triflers with principle, they'd put under snow.
In the course of time, *people* were sent to the City
Of Annapolis to legislate, and "'tis true but 'tis pity,"
Instead of being *thinkers* and statesmen they were frisky,
Because they were *monkeyized* by too much whiskey.
They used the *powers* of their *political guns*
To put an *honest man* in charge of State's funds,
Of the *value of principles* they were poor measurer
And elected poor Stevenson Archer—Treasurer.
Now the State's Constitution is the people's banner
That trusts its funds to treasurer in only this manner:
"You shall bring me certain men in whom I trust
Who'll *swear* that you are capable, honest and just.
That you will not waste nor steal nor abscond,
And pledge their honor and wealth on your bond

To make good to me and save me from loss,
 If you should bow down and worship a boss "
 Messrs. Howard, Williams, Webster, Hopkins and Street,
 Hoffman, Archer and Vandiver,—solid, discreet,—
 Each promptly came forward and tendered his name
 Destined in History to prove of much fame.
 Now these men came—well-known and true—
 And solemnly swore, all these things to do :
 "While Archer's treasurer, *and* till his successor qualify,
 We pledge honor and wealth he'll not steal nor lie."
 This solemn contract, being thus duly made,
 Maryland's Constitution didn't feel afraid.
 Its *contract* with *bondsmen* was plain as the steeple
 Of the Capitol, where filed, well-known to the people.
 "They who to truth, will most closely stick,
 Are always," says the proverb, "most politic."
 But Archer, now plunged in Satan's politics
 And his heart and mind got fearfully mixed—
 In *law* as in *politics*,—far from a novice—
 He sold his principles for desire of office.
 Enveloped in a cloud, his life no more sunny.
 His conscience went to sleep and he stole the people's money.
 Now Governor, Comptroller and the people were shocked
 And the horse being stolen, the stable they locked.
 Tho' bounced on by lawyers with their quibbles and bail,
 They promptly landed poor Archer in jail.—
 While the world is offering a family their tears,
 This Christian family take to God all their fears,
 But the Bondsmen fall in "*Old Mammon's*" snares
 And try to find comfort in *lawyers and their prayers*.
 Said lawyers to bondsmen, "we have *ou* doubt,
 So give us your money and live on sauerkrout.
 This contract is easy of *our* comprehension
 For it is simply one of intention! *intention!!*"
 The *fees* the lawyers then put in their pocket,
 The pleas they, straightway, put on the docket.
 And the Cry went up all over the State,
 "Oh! save us from Pennsylvania's fate."—
 Maryland's *Attor' General* learned with dismay
 The stealings and lying of her Neighbor's Quay,
 And loyal, both to ballot and tariff reform,
 He comes out to Towson to quell the great storm
Here's the State with Attor. Genl. Wm. Pinkney White,
 Who's every inch a lawyer in a great legal fight.
 And close at his side sits John Prentiss Poe,
 A little legal giant as say friend and foe.
 There sit the Bondsmen with Edgar H. Gans,
 A power in law to plead and formulate plans,
 With Albert Constable and grand Bernard Carter,
 Worthy in law to wear the "spur and garter,."
 The State now says: "*Fiat Justicia ruat Celum.*"
 The Bondsmen reply: "*Festina lente*, let us feel'em."

Constitution says: "Bring the case before my judges,
Who neither, from truth, justice and honesty budges."

On the Bench preside Chief-Justice, David Fowler,
Against whose honest decisions, Satan's a growler,
And by his side the Hon. Charles N. Burke,
Who will not the dictates of honesty shirk.—

The Court says: "Gentlemen, what's all this racket?"

State says: "My money's gone. I'm trying to track it."

Bondsmen say: "Well, really, it's just too funny
That *we* should have to pay all this money."

Court says: "Gentlemen, get ready, your pleas."

Then lawyers go to catching and hunting out fleas,

And sitting at the table, all go to writing,

Piling up their books and papers for fighting.

The Counsel for State now send up their pleas,

And Counsel for Bondsmen give them a squeeze.

~~Then all the lawyers frown~~ and give a long growl,

And Court looks on as "wise as an owl."—

The Attorney General says: "Why this is the question,
Plain, clear, simple and easy of digestion.

The whole matter is reduced to a germ,

What was and is the constitutional term?"

"Why two years and thirty days," says Mr. Gans,

"Why your house," says Poe, "is built on sands."

Then Gans took Governor, and Carter intention,

And pitched them, and others we could mention,

Right in the face of Poe and Governor Whyte.

And this soon made the Attor. Gen'l. fight

To show that our Governor, Jackson's a beauty,

"Because he thought 'twas State officer's duty,"

Says Counsel for State, Mr. John P. Poe,

"There is one thing we very well-know,

So far as investigation of the State reaches

The funds of the State are in bondsmen's breaches."

"The Counsel for bondsmen well understands

'Twas State's own carelessness," says Edgar H. Gans.

The Governor failed State treasury to lock

And he and Vic Bankman caused this shock."

Says Carter: "Put in language of plain Anglo-Saxon,

'Twas due to *gross negligence* of Governor Jackson.

The Governor and Legislature played *monkey* both,

Because they didn't make Archer take the oath.

They violated Constitution and the State's laws

And its funds were abstracted by Archer's paws.

The bondsmen acted on the ounce of prevention,

And the *basis* of this contract is—*intention!*"

They toiled over subtraction and multiplication,

And sent up to Court a strong *replication*.

They sweated and wrestled and made a great furrow

All over a *motion*, that was a *demurrer*.

The State, by her honorable Counsel, teaches

That her *loss* was caused by Archer's bond breaches,

Her *replication*, asking payment, proved a stirrer
 And bondsmen's able Counsel put in *demurrer*.
 "Fulfill your contract, bondsmen, 'tis justice and right."
 This is the argument of both Poe and Whyte.
 But Gans and Carter can't see it in that light,
 And *technicality* causes a great legal fight.
 The lawyers all battle with great force and skill,
 The points and authorities of opponents to kill,
 So sophistries 'gainst honesty, ever will be
 A hard fight 'twixt "tweedledum and tweedledee."
 "We admit that Archer was treasurer *de jure*,
 But treasurer, *de facto*, why that couldn't be."
 So in trying to evade the terms of their charter
 They cite "Smoot vs. Somerville" and "Robb vs. Carter."
 They go from Maine to Florida, Michigan and Texas,
 Citing almost every kind of case to perplex us;
 And *truth, justice and honesty* each loudly squeals
 When referring to Maryland's *poor Court of Appeals*.
 For lawyers as well as *doctors*, very well-know,
 That true and godly men have very poor show
 For equity *there* unless—'tis more sad than funny,
 He has his pockets *full* of influence and money.—
 "If you wout' perform contract, then tell us *why*."
 This *replication* is the State's manly cry.
 Their *demurrer* you'll find, after a pause,
 The same old answer of woman, "why, *because*,"
 "If that other fellow had done his duty,
 That fellow, Archer, wouldn't 've got the booty.
 He's trying in jail, his disgrace to drown,
 But as he is down, why let him stay down."
 And so *Technicality's* answer will be
 And has been, since Eve climbed the appletree,
 But Equity says 'tis all "leather and prunella,"
 To try to put the *blame* on some *other* fellow.
 They spent two days in masterly speeches,
 Pulling up coats and tugging at breeches.
 And laymen were holding to tables and chairs,
 While lawyers were *weighing* and *splitting* hairs.
 When, at last, they got through their capers,
 They closed their jars, and folded their papers
 And sent them by clerk, Bacon, to the Court.
 To take home for their *Christmas sport*.
 We hope our judges will both have good luck
 With Christmas turkey or canvas-back duck,
 And *sleep* to make them wise as an owl
 To digest the lawyers' dry paper-fowl.

* * *

At length the Christmas holiday is over,
 While lawyers and laymen were living in clover,
 Our court was too wary and wise to be fooled
 Wrote its decision: "demurrer overruled—"
 Intelligent people hailed news with delight

And send "New Year's greeting" to Poe and to Whyte,
Because they'd upset the well laid-plans
Of Constable, Carter and Edgar H. Gans—

CHAPTER 2d.

With smiles, its face and countenance adorning
The court resumed "Archer Bond Case" this morning,
Counsellors Gans and Carter, Poe and Gov. Whyte
All sitting around loaded, ready for the fight,
At the court's table there's a knot of reporters
For the Press—*only second* to pulpit exhorters—
Who are busy preparing and writing for the Press,
Faithfully and accurately this game of chess,
With bright, flashing eyes and countenances genial
They make work *commanding*, not at all menial
Their heart is at work, 'tis stamped on their faces,
Proving themselves *men* and in their right places—
The court, just here, produced a little flurry,
Saying "gentlemen, we really dont want you to hurry,
You can proceed with the case, when you are ready—"
Says the Gov. "please your honors, a plea's in the eddy,"
The State after long and tedious delays
Makes a move and, "may't please your honors," says,
"The State wont be able to *ever* get its bonds
Because king of bondsmen wont more his pawns—"
After two hours, spent in quietness and peace,
Court resolved this wasting of time must cease,
Instructed clerk Bacon, to "*at once*, call the jury,"
Who are destined to hear this battle of fury—
The jury was selected, sworn and installed
And all took their places, as they were called,
Having sworn to do *justice* to bondsmen and State
Or receive the punishment of perjurer's fate.
The Attorney General rises and the jury addresses
In his graeeful style, with kindly caresses ;
"Gentlemen, 'tis State's duty as the law runs,
To appoint a treasurer to keep all its funds,
Mr. Archer had the confidence of all who knew him
This is well known to all, the statement is due him
And of all who received the tidings of his stealing,
No one, more than myself, suffered keenly in feeling—"
While reading the Legislative Committee's report,
Mr. Carter interrupted and appealed to the court,
"May it please your honors, we firmly object
To the Attorney General's reading, with all due respect,
We are not willing that this issue shall be broader
And reading this *printed report* is not in order—"
The court being well-trained and carefully schooled,
Promptly replied, "objection is overruled—"
"After the amount of embezzlement was found,
Archer was arrested and brought to the town,
He confessed his guilt, was sent to jail

And now we find his bondsmen trying to Quayl."—
 The first witness called to take the Court's dais
 To give his evidence was James P. Bieys,
 Said the Governor, "Mr Bieys, is this, *original* paper
 About which Archer cut such a foul caper?"
 "Oh yes," said Bieys, the copy I handed *you*
 Is copy of the original, both perfect and true."
 Proceedings, just here, for a time "hung fire"
 Because a juror was sick, and wished to retire.
 Said Poe, "I don't wish to bias historiographer,
 Hence, I'll read the original for ear of stenographer,
 So he may hear *every word of it* and take it
 To make it impossible for our brothers to shake it."
 Says Carter, "we object." The Court well-schooled
 Said: "Mr. Carter, the objection's overruled."
 The next witness called, the dais to mount
 Is Secretary of State, Mr. Edward C. Le Compte.
 He said: "I've perfect knowledge, as Sec. of State,
 That on the original bond is written eighty-eight,
 But 'twas eighteenth of November 1889,
 Before Archer qualified, as we later did find."
 Said Carter: "Did *all treasurers swear* Contract to know?
 Just look over Record for the Record will show,
 You as Secretary, and the Governor, could see
 Whether oath had been taken as required to be?"
 "We object, please your Honors," said Gov. Whyte,
 "It opens the old question of Governor's wrong or right.
 And that it's immaterial seems quite plain."
 "The Court," said Judge Fowler, "objection sustain."
 Counsel and witness here took a wide range
 As to bond and dates and text book and change.
 Said Carter: "Can't you account for Governor's neglect?"
 Said witness: "Because Gov., had for honesty respect."
 Philip D. Laird was called, as member of Committee,
 To find out depredations, sitting in Baltimore City.
 "Please, tell Court and Jury if bondsmen were present
 By invitation, when examining this case unpleasant."
 "We object," said Carter, "evidence is not admissible,
 I take much time, your Honors, if it's permissible."
 Judge Burke said: "They only want to show shortage,"—
 And the case drifted here into sharp retortage—
 So Laird of Montgomery sat on the stand
 With jaws closely locked and head in his hand.
 While for one hour, the whole case subsides
 For wide-awake Counsel to fire broadsides,
 After the Counsel had closed the oration,
 The learned Judges held quiet consultation.
 Then Judge Fowler said: "State's made a plain offer
 To prove by evidence satisfactory, what's taken from coffer,
 If they follow this up with proofs all included,
 The evidence is admissible, otherwise excluded."
 Said Carter: "Their contention's full of imperfections,

Therefore, please your Honors, we reserve exceptions." Mr. Laird, then concisely answered each question, Which proved for defense hard of digestion. In giving his evidence much praise he earned. And when he had finished, the Court adjourned, After the Attor. General had produced a starcher By saying: "Please your Honors, State wain's Archer Brought from penitentiary, before Court, tomorrow, To tell Court and Jury in person," all his sorrow. Many eminent witnesses had been attached, Because so much time from people they'd snatched. Said the Court: "As Counsel for State and defendants, Plead misapprehension, we'll excuse non attendance." Counsel for State, both Court and Jury greets By reading with consent, John S. Gittings' receipts. Just here came in Court, ex-Judge Geo. Yellott, Well-known and loved, because *learned* and a Zealot, In the cause of truth and right, while on the Bench Whether striking 'gainst thief, liar or wench. While State reads a *paper*. Mr. Carter made a spurt, Because this sharp paper his side did hurt. And again *objects*, because dirk was too sharp— Which puts ajar the Attor. General's harp.— Said Poe: "*Paper's* admissible upon two points." So he and Carter proceeded to strain their joints. To break apart and tear up this "mental straw," They try to set up statutes in compliance with law. Then lawyers all fought, making great clatter, Consuming much time over this matter. At last, *paper* was handed to Judges with the Code, To deliberate and settle the war, à la mode! "We don't think," said Court, "we can allow *that* shoot, Certificate does not comply with the statute. We've not a doubt *the Copy* is right in the main, But Court is obliged, objection to sustain."— Attor. Gen'l. convulsed the Court room in fun By saying he would "take all to pieces this gun," Lawyers then introduced theatrical lights, Each side swearing, "we'll stand on our rights." While *gun* was *loaded* the Court had objected, But they took it to pieces and, each part inspected, While lawyers are wasting this valuable time, I'm enabled to *write it all down* in rhyme. A. T. Pumphrey was called, he's the detective, Sent after Archer, when found out defective. He went up to Harford and in Archer's house, Arrested and watched him as cat does a mouse. A large crowd of people is gathered to-day To see poor Archer and hear what he'll say. Not a word is uttered, scarce a sound heard, As glides in the Court room a penitentiary bird. While through poor Archer's iniquities they grope

My heart, through my pen, expresses this hope.
 "His head being bowed, his repentance is sweet,
 Because sent and accepted at *The Great Mercy Seat*."—
 State Treasurer, Brown, then took the stand,
 Waiting till Comptroller's book was at hand.
 He was handed a paper to be inspected,
 To its reading, Mr. Carter, for bondsmen, objected.
 "Objection's overruled" and "exception reserved,"
 The paper is read, while silence's preserved.
 Treasurer answered all questions about paper,
 And left the stand, then came theatrical caper.
 Attor. Gen'l. says: "We'll call Archer now."
 Mr. Carter walked across and o'er him did bow.
 Speaking to him briefly: "Told him to refuse,
 To be sworn or to testify," with cunning of Jews.
 Stevenson Archer was called, a spectacle forlorn
 Saying: "I decline to answer and decline to be sworn,
 For reasons entirely sufficient to myself."
 Thus he obeyed the mandates of *Pelf*.
 Judge Fowler said: "Mr. Archer, Court sees no reason
 Why you shouldn't be sworn, your decision is treason
 To justice and equity." Said Archer, with scorn:
 "I've made my statement and decline to be sworn."
 Court and Counsel said: "In plain duty you fail,
 In contempt of Court, you'll go back to jail."
 O'er this dark picture, there wasn't a smiler,
 As he walked from Court with jail-warden Wyler.

CHAPTER 3rd.

John A. Hambleton then next took his place,
 Assisting the Counsel certain notes to trace.
 Messrs. Coale, Shriver, Pennyman, Colston, bankers,
 And Brown, Hipsley, Richardson and Dixon, noting cankers,
 Identifying notes and papers, taken from shelf,
 All proving that Archer was stealing for self.
 Said Hipsley: "His notes were many times renewed,
 Showing that in stealing he had been shrewd."
 These State bonds were given to pay *private* notes,
 Which Archer had given for money and votes,
 Treating honesty as tho', he thought it all gammon,
 Proving he'd enlisted as the servant of mammon.
 Messrs. Randall, Hines, and Mrs. Fannie O. Street,
 Proceeded in their turn to make things complete.
 Charles W. Ross, of Frederick, Bank Co-respondent,
 Was asked for evidence, making lawyers dispondent.
 Then Carter and Gans tried to quiet Mr. Ross,
 Because he was telling of thousands of loss,
 Using skill and power of their tongue and brain,
 In order to break a link in State's chain.
 "Defence now allege he was swindler adroit,
 This line of argument shows masterly exploit."

From original position, they adroitly subside,
 And now they assert "Steve Archer had lied."
 The Attor. General, here, made an earnest speech,
 That caused his opponents to wriggle and screech.
 "Most damning facts," were exposed by Poe,
 Archer's fearful duplicity and fraud to show.
 Bernard Carter began in strong speech to fight
 His opponents, particularly Attor. Gen'l. Whyte.
 Showing a desire, the "learned Court to teach
 They were in error, to permit a *stump speech*."
 Said Gov. : "When I regulate my conduct by your morals
 As standard. I'll be old indeed, unfit for laurels
 Bestowed on me, and I've supreme contempt,
 For all you say, tho' in Court you're exempt."
 War between Counsel, being at white-heat,
 Court said: "Gentlemen, you must be discreet,
 We know you've struggling for interests of clients,
 But you must act like Christians not like giants."
 For fear that lawyers would take him by throat,
 The witness, Mr. Ross, here, took off his coat,
 They used angry manner, and ugly names called
 So when he left the stand, his head was *bald*.
 Douglas M. Thomas had long to be quiet,
 While Judges were feeding on objections as diet.
 John M. Littig was next banker included.
 Mr. Carter asked that "his evidence be excluded."
 Messrs. McKim, Wilcox, Middendorf and Gilbert,
 Each took his turn, contributing his filbert.
 Next came to the stand Mr. George R. Cairnes,
 Whe gave in detail, some damaging yarns.
 He related what he knew about Archer cheat,
 Saying, "I paid one of his notes on the street."
 When he was excused and had left the chair,
 Said Carter, "I object to all he said, for 'tis n't fair."
 They dealt quite mildly with Hollins McKim,
 Getting much valuable knowledge from him.
 Mr. Wilcox gave "immense lot" of numbers,
 Reading long enough to give people slumbers.
 Mr. Cairnes asked Poe to "read his long letter
 To Legislative Committee, which is thought better,
 Then he put on his glasses and leisurely inspects
 Letters and papers and various different checks.
 E. P. Amoss was nearly worried out of life,
 And declared his "memory depended on his wife,
 I never have been much of a man to speak,
 But always thought lawyers had too much cheek."
 Murray Vandiver testified as to bonds and checks,
 Showing his innocence as to Archer's wrecks,
 And with McComas and Finney spoke of the yarns,
 Mostly confirmatory of testimony of Mr. Cairnes.
 V. Emory Gardner testified and Attor. Gen'l offered
Original entries, of which copy had been proffered.

To shed flood of light on this dark transaction,
 Starting another *lawyer's fight*, faction vs. faction.
 Objections from Carter to Comptroller's flood,
 Stirred up quite hotly Attor. General's blood.
 Said he: "The Comptroller's office you've not been running
 Long enough to know," and this proved stunning.
 "I never did run it," replied Mr. Carter.
 "No, and I hope you never will!" was the tarter.
 Said Carter, "I most heartily join in your wish,"—
 And the Court adjourned to feed on this dish.
 Thus, day after day, lawyers slowly proceed,
 Both sides resolved, not one inch to concede;
 So the Archer Bond Case receives terrible jarring,
 By lawyers' sharp quarrelling and legal sparring.
 Mr. Vandiver testified in manner clear and straight,
 Being one of bondsmen, his evidence had weight;
 Also member of State Committee of Democratic party,
 But gave the jury nothing either knotty or tarty.
 Mr. Finney spoke plainly without being witty,
 Corroborates his evidence before Legislative Committee.
 Mr. McComas told of some bonds negotiated
 For Archer on his notes which he appropriated.
 His evidence brought out in painful reality,
 The muddiness of stream of Archer's rascality,
 And Mr. Gardner's evidence increased the torrent
 Of the river—stealing—about checks and warrant.
 Just here the lawyers again measure skill,
 Trying the force of much evidence to kill,
 And matters, for a time, had a great tangle,
 As Carter and Whyte had another wrangle.—
 When the battle had become quite hot,
 Counsel indulging in both shell and shot,
 The Court adjourned, as Judges thought it best
 For lawyers to go to bed and get a little rest.
 Attor. Gen'l opens proceedings this morning,
 Memories of yesterday's battle *all* scorning,
 Around Comptroller's works he drew legal garter,
 Replied to with elegance and grace by Mr. Carter.
 Mr. Ramsey's testimony proved, beyond question,
 Forgery with his stealing, hard of digestion.
 Mr. Carter here threw in *objection* again,
 And the Governor could not from battle refrain.
 A Reporter must live a century who scribbles
 All these technicalities, objections and quibbles.
 Causing constant contests, 'tis now about a letter
 That State wants to read to make case better.
 O'er this letter and Culver's coupons, long they barter,
 Attor. Gen'l throwing the *pope* at Mr. Carter.
 "Oh, yes," said he, "we won't in darkness grope,
 Managing our case as directed by a *pope*!"
 "If there's any pope in the case, it certainly isn't I,"
 Replied Mr. Carter, "there's no pope in my pie;

It must be the Court." "I'm no pope," said Judge Fowler,
 And people know the pope is a "scarlet woman" growler.
 Says Carter, "the particular coupons that you inspect
 And have been identified, *if in evidence*, I wout object."
 "Oh yes," says Gov., "you wout object to anything in your favor,
 You're remarkably polite, if of advantage it does savor."
 And so between lawyers there was tilt after tilt,
 And again there is peace, no blood being spilt.
 Court said, "'tis overruled, question's been decided
 State took exception and the storm subsided—
 While lawyers were tracing tedious things o'er
 A poor little black dog walked upon the floor,
 But could not escape reporter's bright eye
 Who cast on his dogship, looks roguishly sly.
 Weary of lawyers now and longing for fun
 He put it down in *doggerel*, perhaps for the Sun.
 The other able reporters, "sulking in their tents,"
 Sighed for the sad verses of our friend, Pentz.
 Robert Bowie took the stand with State's bank book,
 Carter gave Whyte objection and a blank look,
 Who said, "we're managing our case not from your fort,
 If you are to do it, you'll soon have us out of Court."
 Said Poe, "Archer had no money to buy bonds for himself,
 He got a false warrant, because he worshipped Pelf—
 And he made false compliance with that warrant,
 Piling wrong on wrong, which to equity's abhorrent."
 Now step by step *objections* make a clatter,
 And Court is called, *constantly*, to settle the matter
 When bank-book seems to damage their plans,
 Mr. Carter calls for help from Edgar H. Gaus.
 He said, "Mr. Poe, let me see that paper a minute,"
 "Why certainly!" said Poe, "if you can find comfort in it."
 This made the gartered knight, savage as a shark,
 "I submit you've no right, to make such remark."
 Said the Judge, "Mr. Poe, you've been in such good humor
 Court hopes you'll continue so and not raise a tumor."
 Judge's gentle words flowed as smoothly as oil,
 Effectually allaying another threatening broil.
 Mr. Poe wanted to *explain* a paper for witness,
 Mr. Carter could'nt see its propriety or fitness,
 "We'll get this testimony," he loudly did call,
 "From witness himself, or not get it at all"—
 Said Poe, "oh dont get angry, my dear brother Carter,
 I fear you will damage your spur or garter,"
 Next they put on the stand Mr. Geo. P. Spates,
 Who showed them bonds, behind railroad gates,
 Mr. Allen Hoffman testified, he's "one of defendants,
 But in his memory, he had little dependence,"
 His position being embarrassing, Poe had pity
 And read his own evidence before Legislative Committee.
 Wm. H. Maynard, Safe Deposit's vault-keeper,
 Required while on duty, to be awake, not a sleeper,

While searching his ledger, Mr. Poe wished to read
 His evidence before Committee, but did not succeed,
 For the ever-watchful Carter "got on him the drop,"
 And said in loud tones, "Brother Poe, you must stop,"
 "If it hurts you," said Poe, "I'll stop it of course."
 "There it is again," said Carter, with much force,
 "If you dont know better, your ignorance will apply,"
 "Oh! keep your temper, brother," is Poe's reply;
 I'm not losing temper, but its trying at times,"
 Said Mr. Carter, without thinking of rhymes—
 Poe said, "you'll see *Court* can't shut the door
 'Gainst State in looking Frederick City's bonds o'er
 Archer used a friend in manner sycophantic,
 Showing lypocrisy, fraud and crime gigantic."
 Mr. Carter got the floor and then got in a fury
 Saying, "Brother Poe has been talking to the jury,
 We're talking to Court on evidence and presumption of law
 And jury shouldn't have Poe's consumption of jaw
 In attempting to break up State's little project—
 I say its an irresistible proposition of logic,
 Your Honors are forced this important fact to remember,
 Abstractions didn't occur before 18th of November."
 At this stage the reporters for the City papers
 Showed great weariness at lawyers with capers,
 They sent me this letter, their words will show it,
 Addressed in "*wearry*" rhyme to "The Towson Poet:"—
 "Oh, dear Towson Poet and medical man,
 If you have *any* of Koch's lymph on hand,
 We want to inoculate these wicked lawyers,
 In order to make them able-bodied wood-sawyers.
 If you have, dear Doctor, 'twill prove a blessing,
 Their talking and quarrelling is truly distressing,
 For everyone can see Court's whiskers are leakin',
 From listening to these lawyers' rotten speakin'."
 Mr. Poe read Archer's resignation as treasurer,
 Showing that his brain had been steady measurer.
 'Twas admitted Poe received it from Williams' hands,
 Which had cut short Archer's official bands.
 While lawyers were struggling o'er a bond chunk,
 There was a loud *cry in Court* from a man drunk.
 "Oh, hang that man Jackson!" was his loud roar,
 Court's bailiff grabbed and pitched him out the door.
 "And now, please your Honor," said John P. Poe,
 "The State insists that to Frederick we shall go."
 Then they compromised, pleasing all concerned,
 For they went to Baltimore, as Court adjourned.

CHAPTER 4th.

To successfully fight against "the world, flesh and devil,"
 In going thro' this world we must keep the head level.
 A poet in viewing and describing these pageants,
 Thinks most lawyers are the devil's agents.

To-day State offered a written proposition new,
 That placed another side of the case in view,
 And seemed to put lawyers all in a flurry,
 They seemed so restless and in such a hurry.
 The *new offer* that had been presented by State
 Was first thing in order this morning for debate.
 Question is whether "State shall be permitted
 To amend its pleadings," after being outwitted.
 Debate was begun by Mr. Edgar H. Gans,
 Who presented facts to Court as he understands.
 He spoke with great force, in law he is skilled,
 Speaking with the fairness and grace he is filled.
 Then arose in reply, Mr. John Prentiss Poe,
 Who proceeded his views of the case to show.
 He spoke with much wit, all facts on his tongue,
 With strong voice and manner his story was sung.
 He said: "To this important fact Court must attend,
 Archer's not our but the bondsmen's friend;
 I've known Bro. Gans long in facts and forms precise,
 But in this he's in error, put in language nice.
 Why the bonds are gone, that they're stolen they admit;
 These facts they can't gainsay by argument or wit.
 Whether this or that bondsman pay don't amount to cough,
 For 'sufficient unto the day is the evil thereof.'"
 Mr. Bernard Carter then next took his place,
 Speaking with more than usual eloquence and grace.
 He said: "Admitting much of Bro. Poe's speech is true,
 He is trying the decisions of the Court to undo.
 Your Honors and all of us can see through his plans,
 He's speaking for the Jury, not reply to Bro. Gans."
 They spent an hour in speeches o'er new offer
 Of the State to trace bonds, stolen from its coffer.
 New offer, after argument, was handed to Court,
 Who thereupon decided to "decline said report,
 Except in part," and the counsel proceed
 To arrange and harmonize matters as agreed.
 State read for Jury, evidence of Wm. H. Doxen,
 Poor jurors' minds seemed sluggish as oxen.
 State offered to "read indictment of Archer's conviction
 As evidence," bondsmen's counsel protested "*eviction!*"
 Mr. Gans protested in forcible, strong speech,
 Saying, "Authorities to sustain them are not in reach—
 I defy State to show proof that 'tis admissible,
 I defy them, please Court, if this be permissible."
 They try with silver tongue to catch a gold fox—
 To kill State with technicality and put it in box.
 They talk of prayers and pleas, to give the other fellow,
 They'll have to send down to Colorado for Teller.
 The State now propose *replication* to amend,
 The third one filed for the Court to attend.
 They write it in words as fine as paper tissue,
 And counsel for bondsmen at once take issue.

On this motion to amend the lawyers now hustle,
 Pulling at breaches, with coats they make bustle—
 Displaying great energy, being smart and alert,
 Reporters here tell me "they'll pull off shirt."
 This item was sent me by reporter Howard,
 Of the *American*, in his duties no coward,
 For he takes down speeches and lawyer's capers,
 Both accurately and faithfully for one of the papers.
 Mr. Gans now proceeded, in careful oration,
 To impugn the fairness of third replication,
 But is sharply interrupted by Poe and by Whyte,
 Saying: "Gans is *mistaken*, far from the right—
 He must not read *part*, but all the report.
 This point is "sustained as fair" by the Court.
 He's again interrupted by question by Poe,
 "I'll explain it," he said, "as I said while ago—
 Now, please your Honors, to break this box,
 I'll cite this one case of 'Thorn vs. Fox,'
 Which clearly shows that in matters financial,
 Our Brothers' *new motion* is not substantial."
 If *ever* man on earth earns a man's pay,
 This January ninth has been Gans' day;
 For his strong, manly speeches earned a glory
 Worthy of the fair fame of Yorhees or Story.
 On concluding his speech, Mr. Poe thus began:
 "May it please your Honors, fairness will demand
 That I should make this plain to my friend,
 And to its real merits, I hope you'll attend.
 The issue is *did he or not* steal these bonds?
 We *know* they were stolen, some one absconds.
 As a lawyer, it strikes me as wonderfully strange
 That our brothers should charge us with change;
 I positively declare our motion is in order,
 Our Bro. Gans approaches the fighting border
 When he says, "It's extremely refreshing! very!
 To see counsel for State acting in manner *airy*.
 Their objection is unheard of—'it's all in my eye'—
 I'd like to hear one instance, and pause for reply."
 Thus in strong, earnest speech, he plainly did show,
 They might "cross the Rubicon," but couldn't cross Poe.
 "Whether our amendment shall be 'absolute or conditional,'
 The statute will show this fallacious, traditional.
 It says, '*It shall*, if ends of justice require it,'
 Not whether either you or I shall desire it."
 Gov. Whyte, closing argument said: "As Bro. Gans
 Asserted that I knew all about their plans,
 I take it for granted from this precious gem,
 They knew all about it, and it's no surprise to them."
 Authorities were read to show, that if surprise,
 Had been used to give defendants black eyes,
 Then case, as it commenced, must proceed,
 And on this chunk Court adjourned to feed.

On Monday morning Attor. Gen'l began by reading
 Some leading authorities to sustain their pleading.
 As to third replication, on which there's a motion,
 Whose great importance extends to the ocean—
 Said Carter: "I shall be brief, in view of the change
 Substantial, of the issue our brothers make strange."
 He spoke in measured tones, his manner was mild,
 Splitting hairs and weighing words on motion filed.
 Such fine spinning and splitting we don't often see,
 Supporting technicality's "tweedledum, tweedledee."
 In denying right of change, alleged in replication,
 He closed in these words, his grand oration:
 "For days, for weeks; yea, for months they've talked
 To sustain their child, and now they are balked,
 They ask your Honor, with satanic range,
 To grant their unjust motion, making this change."
 The Court, having carefully weighed the question,
 With earnest thought in its healthy digestion,
 Said: "In the issue presented, with counsel's range,
 The Court can't see any substantial change."
 Said Poe: "Our brothers won't say, on personal honor,
 They're taken by surprise, because 'in a corner.'"
 Said Carter: "I say it slowly, I learned it at college,
 We *are* surprised, as State had this knowledge."
 And now the lawyers made fearful uproar,
 In order and out of order, claiming the floor.
 Court said: "Gentlemen, amendment's allowed,
 And the case will proceed."—*defendant's shroud!*
Third replication is now entered by State;
Third demurrer's filed by bondsmen for its fate.
 No argument is made, and Court well-schooled,
 Gave decision promptly: "Demurrer's overruled."
 After decisive victory for State in this fight,
 Bondsmen seemed stranded—in a sad plight.
 They wanted peace and rest after these knocks,
 And Jury was called and filed in their box.
 Carter explained about Constable being ill.
 His speech with many kind words did fill.
 He said: "Your Honors, we're done splitting hairs,
 But want some time to devote to our prayers."
 Said Court: "As the State has closed its case,
 And bondsmen ask for time in their race,
 Court and Jury stand adjourned till to-morrow,
 That lawyers may attend to prayers" (in sorrow).
 This closed case to-day, and Court adjourned,
 Giving time for rest for all parties concerned.
 If lawyers give proper thoughts to prayers to-night,
 To-morrow will decide who's wrong, who's right.

CHAPTER 5th.

Court has resumed the trial this day;
 Everybody anxious to hear the lawyers pray.

Judging from their looks, we can't help feeling,
 They did not prepare their prayers while *kneeling*.
 Court said: "When you're ready, gentlemen, please go on."
 Mr. John Prentiss Poe being the first to adorn
 The floor, proceeded to read the State's prayers,
 While lawyers and laymen are filling the chairs.
 While all are as quiet as "babies in slumber,"
 He read the State's prayers, *five* in number,
 Which Edgar H. Gans most promptly did meet,
 Reading bondsmen's *three* prayers, complete.
 In addition to prayers, he offered two motions,
 To exclude testimony that, 'twas one of his notions,
 "Was not admissible, and he'd be mad as fury,
 If this damaging evidence was given to Jury."
 After lawyers had finished reading the prayers,
 Court and counsel spent *half hour* splitting hairs,
 Which made people wish they'd give more time
 To softening of hearts with prayers sublime.
 Oh, that Divine power of most high Heaven,
 Would pour in lawyers' hearts a little "leaven
 To leaven the whole band;" alas! 'tis their style
 To make prayers thus: "*Aut Cæsar, aut nihil.*"
 In trying to hunt down and catch gold fox,
 To lock him securely in State's safety box,
 Poe used the strong power of his strong brain,
 To make strong the links in the State's chain.
 Court decided the "Gov. or other official's neglect
 Of duty, on whom bondsmen's lawyers did reflect,
 Didn't exonerate sureties," and brings in light
 The strong, bitter contest between wrong and right.
 'Tis Technicality's plea, unmanly and rude,
 And has been, since Eve flirted with a dude.
 But Equity says 'tis "all leather and prunella,
 To try to put the blame on some other fellow."
 Mr. Gaus, with great force, proceeded to deliver
 His speech, to throw State's chain in the river.
 He said: "Please your Honors, the links are faulty,
 Chains are not fresh; their arguments *salty*,
 Their prayers are confusing and far from bright—
 Your Honors will find our prayers all right."
 Mr. Bernard Carter, with eloquence and grace,
 Strengthened, materially, his side of the case.
 Attor. Gen'l Whyte then obtained the floor,
 Characterizing bondsmen's prayers a bore.
 On the Frederick City bonds each lawyer sticks,
 To show the cunning and doublings of Archer's tricks.
 In language and manner, emphatic in style,
 He says defendant's prayers are "*Aut Cæsar, aut nihil.*"
 On Archer in penitentiary, he made strong rush,
 The "fox being captured, we're after his brush."
 "Oh, where! please your Honors, can a man find
 Such cunning, such treachery and duplicity of mind?

We had funds in safety-box, told him to lock it,
 And when we wanted them, they were in his pocket.
 I will not insult intelligence of this Court
 By dwelling longer on this disgraceful sport.
 I'll cite one strong case with precision of elf,
 I know its importance, I was caught there myself.
 Archer, by his own acts, most clearly admitted
 These bonds belonged to the State he had outwitted.
 'Tis the most damning evidence in a Court of Justice,
 Offensive in the sight of God, in whom our trust is."
 The Governor having finished, lawyers took chairs,
 And Court said: "Gentlemen, hand us your prayers."
 The learned Judges arose and to their rooms retire,
 To look over prayers while sitting by the fire.
 On returning, Court said: "On this ground we're planted,
 All the prayers of the State we have granted.
 We do not wish to be ambiguous and confuse,
 So all the prayers of defendants we refuse."
 The Court having settled and disposed of prayers,
 The jurors were called and filed in their chairs.
 The lawyers now gathered volumes of breath,
 To serve them while talking poor jurors to death.
 I scan with care and precision these men,
 And put down result of such scrutiny with pen.
 "Gleam of intelligence" from face does not shine,
 Measured by Scripture, here'll be "casting pearls before swine."
 I feel 'tis mistake when I look at these *twelve*—
 Tho' competent quite to wield the axe helve—
 They can't handle *technicalities* of lawyers' axe,
 Which they oil with sophistries to cut cold facts.
Mr. John P. Poe was first the Jury to address,
 To "explain to them *plain facts*, no more, no less."
 In his calm, classic face, I very plainly scan
 A powerful argument, and thus he began:
 "Gentlemen of the Jury, but a few months ago,
 Not one of you thought you'd be called on to show
 Strict justice in this case between your State
 And Archer's bondsmen, but such is your fate.
 We'll appeal to intelligence of *men*, not the ox,
 To deal with strict justice in trailing this fox.
 We'll appeal to your *conscience* to give us justice,
 By your oath to your God, 'in whom your trust is.'
 We do not propose that these bondsmen be attacked,
 'Tis no hardship to them to perform their contract.
 These bondsmen are true as the best in the land,
 But by the *plain facts*, strict justice we demand.
 When Archer was Treasurer, not one of us thought
 He'd worship a boss and in stealing be caught.
 But poor Archer fell and, in strict compliance
 With law of his *boss*, reduced stealing to a science.
 Now, gentlemen, we want you to banish from feeling,
 All that's antagonistic to *justice* in your dealing,

And when all the facts you have carefully weighed,
 Your verdict will show if *her voice* you've obeyed."
 Mr. Poe then recounted various tedious details
 Of the *mammon fox's* doublings in devious trails.
 In recalling sad pictures of a human being's fall,
 The Court remained silent, while jury heard it all,
 In his treatment of Cairnes, (Archer's confiding friend,)
 Most damaging shots, Poe continued to send,
 Exposing by demonstration mathematically true,
 His treachery of this friend, which Archer knew.
 "Why did Archer make scores of visits to safety-box,
 Unless engaged in transactions like a sly fox?
 His official business did'n't require him to appear
 In Safe Deposit boxes more than twice a year.
 Now why should'n't bondsmen pay back these bonds;
 Didn't they swear to do so, if Treasurer absconds?
 Did not the State *own* them? Most surely it did.
 This can't be denied; *this fact* can't be hid.
 I state this proposition and don't fear contradiction,
 We are dealing with facts and not with fiction.
 When following the tortuous ways of adders,
 We are handling *plain facts* and not shadows.
 Didn't State *lose* these bonds? Most surely it did,
 And didn't Archer steal them like an *old kid*?
 Aren't these sureties responsible? Of course they are,
 And should pay up like men, instead of making jar.
 I don't want a juror in that box to think
 That I've not for bondsmen a sympathy link.
 I don't want anyone in the sound of my voice,
 To suppose I would bias anyone in his choice.
 These sureties *guaranteed* his honesty as Treasurer,
 Of *strict justice and honesty* you must be measurer.
 I trust you'll be *men* and not act like monkeys,
 Because *some Annapolis officials* act as donkeys.
 I want you to measure up to your high duty,
 And present a bright picture of manly beauty.
 I leave the case with you to determine its fate,
 And cannot but see you'll give verdict for State."
 My *heart* is disturbed at grinding of this mill,
 Yet *mind* is amazed at the learning and skill,
 And *memory*, especially, of State's counsel Poe,
 As he slowly proceeds Archer's stealings to show.
 While o'er sad details the lawyers are dancing,
 With yearning for justice, *sweet mercy* enhancing,
 My spirit records here, while speeding her way,
 Her views of proceedings enacted to-day.
 As *plain facts* in solemn procession appear,
 My heart, touched by sorrow, drops a silent tear,
 When *Strict Justice* says, "These facts must be weighed,"
 And *Sweet Mercy* whispered, "Justice must be obeyed."
 After Poe had concluded State's long, weary case,
 Mr. Edgar H. Gans, in turn, took his place,

Addressing the Jury with much ease of manner,
 Showing strong points while under gentle banner.
 He says: "Gentlemen of the Jury, I want you one and each,
 To give me close attention in my efforts to teach
 That our defence is *plainly* one of *technicality*,
 Which I will soon place on ground of morality.
 We'll show you, therefore, we're not bound in morals,
 We'll tear from State's brow fair Justice's laurels.
 Every defence by *technicality* is honest in law,
 For it plainly means 'drowning man catching at straw.'
 After going through details, not one of you'll say,
 These true men—bondsmen—this money must pay.
 After paying to prayers granted, closest respect,
 You'll see those should pay, guilty of gross neglect."
 The Attor. Gen'l called Mr. Gaus, here, to order,
 Saying: "Please your honor, my brother's o'er the border;
 If you permit him to indulge his ingenious sport,
 'Twas idle for us to get instructions from the Court."
 Judge Fowler, most promptly, with courtly grace said:
 "By Court's instructions, I hope counsel will tread."
 Continuing, Mr. Gans said: "'Tis criminal complicity,
 Or gross neglect, in its naked simplicity;
 With it, State with all its deformity is reeking,
 Punishment of Governor and Comptroller we're seeking.
 State's counsel are walking on pavement mosaic,
 Taking this foundation, their standing's prosaic.
 If you take it away, then counsel must fall,
 They will not take part, but say they'll have all.
 Their claim's in the language of Portia to Shylock,
 'Take your pound of flesh, *no more from my lock.*'
 I call for the proof, if their proof be correct,
 Some Annapolis officials are devoid of respect.
 While Governor and others, thro' neglect, were struggling
 With bond and test-book there was some juggling.
 Their proof and their argument's built on neglect
 Of Governor and others forfeiting duty's respect.
 Their legislators, too, so funny and frisky,
 Nearly all *vied* with monkeys from bad whiskey.
 'Tis piling 'Pelion upon Ossa,' plain honesty swears,
 And now, just let us take a look at their prayers."
 Thus technicality tries to show, 'tis some other fellow,
 Which equity says is all "leather and prunella."
 "Is it bonds? Is it money? Oh, no!" said Brother Poe,
 "We can't catch our brothers; where will they go?"
 'Tis the most outrageous case that ever was brought,
 And we've a right to *our* defence in Justice's court.
 If there's any of doubt, obscurity or ambiguity,
 Give us its benefit, I charge with assiduity.
 When Archer came here with black scar on his soul,
 My utmost denunciation on tongue I did hold
 To throw in the face of those who may scorn
 Him, disgraced and crushed, condition forlorn;

With bright, flashing eye, his refusal he tossed,
 Half redeeming the favor of friends he had lost.
 Absolute justice requires you this case decide,
 Loss between State and bondsmen equally divide.
 The bulk of liability is on negligence of State,
 I leave case with you, gentlemen, to decide its fate."
 After hearing this argument, expressed with skill,
 My heart with old Adam's song quickly did thrill.
 My readers will remember it after a pause,
 The same old answer, when he broke God's laws.
 It was *Technicality's* answer and ever will be,
 And has been since Eve climbed the apple tree.
 "If those other fellows had done their duty,
 That fellow, Archer, wouldn't've got the booty."
 Mr. Bernard Carter entered with zeal in the fight,
 To show to the Jury that bondsmen were right.
 He said: "Gentleman of Jury, I must envy really,
 My colleague for his skill in presenting *ideally*
 This case, on its honest grounds—*technicality*.
 And now I shall show that, in eye of legality,
 We are not bound to pay any moneys expended,
 Because Treasurer's term and the bond was extended.
 If Gov. and Compt. their sworn duty had done,
 Treasury Relief Bonds wouldn't be gone, *not one*,
 Because of proper vigilance, *Treasury* was shorn,
 The 'woodpecker came and took another grain of corn.
 If duty had been discharged by officers of State,
 Poor Archer would've escaped the convict's fate.
 If *question* of money lost is found with impurities
 Beyond peradventure of doubt, give it 'gainst sureties,
 But as to the balance, why leave it in their hands,
 This will accord with stern justice's demands.
 This proposition's plain to ordinary students—
 This crime was due to want of ordinary prudence."

CHAPTER 6th.

Carter hotly scored the Gov. and Compt. for neglect,
 And on their disregard of duty did severely reflect,
 Implying that, *through politics*, there were flunkies,
 In the Legislature as thoughtless as donkies.
 He used the power of his strong, legal brain,
 To break the strong links of the State's chain.
 On the sympathies of Jury Gans used his power,
 While links of State's chain received Carter's shower,
 And stoutly he built up the castle—Illusion,
 In which jurors' minds would meet with confusion.
 Technicality with sophistry being bondsmen's reliance,
 Mr. Carter just reduced technicality to a science.
 He carefully dissected, and analyzed State's pleas,
 Using ingenuity and science to diagnose disease;
 His new discovery—*Technicality*—being in vogue,
 He called Archer *good man* and also *good rogue*.

That Treasury of State was afflicted with consumption,
 "That this is so in morals, is legal presumption."
 "We want you," say the bondsmen, "to be pacific,
 Our lymph—Technicality—is genuine specific.
 Give us your verdict, or we'll send o'er our nymph
 To Germany and procure supply of Koch's lymph.
 If you take State's remedy, you'll find it "quack,"
 And the bondsmen closed their caustic attack.
 "Please Court, Gentlemen of Jury," says Attor. Gen'l Whyte,
 "I've come before you in a grand cause, knowing I'm right,
 And shall claim your close, undivided attention,
 While the chief points of this case I shall mention.
 Our Government, you must know, is one of the law,
 The safety of our institutions admits of no flaw
 In its administration, honestly and without denial,
 Sympathy or bias; and *people watch* you in this trial.
 You have sworn, with God and country before your face,
 To try on the evidence, not your feelings, in this case.
 This is your compass, and this your chart,
 And I warn you as Jurors to act well your part.
 When a man assumes office as Juror or Judge,
 From strict path of duty he never should budge;
 Tho' he walk in paths that blister his feet,
 His duty, trusting in God, he should walk on to meet.
 I'm not here the cause of Governor to advocate,
 Nor Comptrol'r nor those who are sent to legislate,
 But I stand here to champion the people's cause,
 To whom you're responsible in upholding laws.
 Shall the voice of the people in this tribunal be heard,
 For protection of rights, when despoiled as the bird?
 This suit is to get back in Treasury those dollars,
 Earned by the sweat, ruuning down men's collars.
 I'm not hostile to bondsmen, they are my friends,
 And while I'm in office, *I can't* make amends.
 No love, no gratitude, though pleasing to nerve,
 Shall make me an inch from my duty swerve.
 Will our brothers say they're here to play 'the baby act,'
 When intelligent enough to have known every fact?
 Are they willing to plead, as children in their teens?
 Oh, no! bless your soul! 'Just tell that to the marines!'
 If you will allow these sympathy appealing,
 To have an ounce of weight to bias your feelings,
 You'll be false to your children, your country and God,
 And go hide your faces beneath the cold sod.
 Whether an official bond is only worth a bauble,
 Or whether we should abolish bonds, we won't squabble;
 But Brother Gans says, 'there's no moral obligation!'
 Great God, what a doctrine! what a declaration!
 God help the poor students who sit at the feet
 Of such a Gamaliel, such false doctrine to meet.
 If one Juror's influenced by damnable sophistry as this,
 Let him stand at the bar of Justice without bliss.

If such bastard doctrine as this is allowed,
 Which, day after day, our brothers have plowed,
 When children, hereafter, are asking for bread,
 On Technicality's husks they must be fed.
 Why, what is 'public office, but a public trust?'
 This is sound doctrine, not Technicality crust.
 The theory of defense they cannot make plain,
 Tho' formulated by tricks of lawyers' cunning brain.
 Why my Brother Gans told you, the dear, kind soul!
 The suit in this case we didn't rightly unfold.
 He's like a direction-post with its finger-board—
 But the court says, 'we know something,' bless the Lord!
 They appeal to you for benefits, by technicality inflated,
 To cheat the State of its rights and laws repudiated.
 This is dangerous doctrine: and without foundation
 In law, ethics or morals in any sound nation.
 To quote Brother Gans' words, in his bold speaking,
 The whole financial structure of State is reeking
 With negligence.' This is a grave and serious charge,
 To hurl against the State's officials at large;
 But the Court has told you this is not true.
 Our brothers with ingenuity as developed in shrew,
 Hang out a false light to mislead the Jury,
 As the pirate hugs shore, to escape Court's fury.
 They ask you to make verdict as little as you can—
 This is our ingenious brother's whole plan.
 Like the old Scotch preacher, who once did yell,
 'Lord hang my flock over the jaws of hell
 But don't drop them in;' and so our brothers
 Soothe the bondsmen, when technicality smothers.
 Great God! gentlemen of Jury, was that your oath?
 Yet this is the doctrine of our brothers, both.
 It is false as doctrine, in morals and law;
 It is false to your fellow citizens, light as straw.
 Archer was a suspected man and wrote that letter—
 'Twas act of a guilty man, who couldn't do better.
 That day, Brother Gans, for Archer was prosaic,
 While treading, with deceit, your pavement mosaic.
 Every man will hedge with technicalities in his fears,
 When the devil is pouring villainies in his ears.
 They are trying to strew Stanley's path with dead leaves,
 From forests of Africa to protect some thieves.
 I'll clear away brushwood and dead leaves efface,
 With which our brothers have strewed this case.
 Our dear friend, Henry W. Archer, is now dead,
Requiescat in pace, of him there's no dread.
 He and Murray Vandiver, our friend, signed his bond,
 And they were not thinking that Archer would abscond.
 'Twas the bondsmen's duty to see that Mr. Archer
 Was honest, not other people's—this is a starcher.
 I will yet tell you something to make you bellow
 When they try to put the blame on some other fellow.

My Brother Poe, my colleague in this great cause,
 Has explained the details and pointed out the laws
 In such a splendid manner, if such a word
 May be used, as rarely in any Court is heard.
 As to Treasury Relief Bonds, of figures men are shy,
 Archer put it there, 'twas an intolerable lie!
 This to my mind the old nursery song does bring—
 'When the box was opened the bonds began to sing,
 Oh, what a dainty dish to spread before old Maryland,'
 'Tis worthy the technicalities of our brothers' *fairyland*,
 That bondsmen of defaulting Treasurer, with jury of straw,
 Can walk without being singed by the fire of law!
 In a Court of Justice I've never seen a cramming
 Of such evidence, so undeniable and so damning.
 We can't use it, you say, to fasten guilt on defaulter,
 'Tis a remarkable proposition! only fit for a halter.
 In order that these dangerous pitfalls may be shunned,
 I will try to make clear for you the Treasury Relief fund,
 So that I can brush away all fogs, all the smoke,
 And show you these are plain, honest facts, no joke.
 Ah! they wouldn't allow poor Archer to be sworn,
 I heard Brother Carter tell him to be quiet, with scorn!
 Had he gone on the stand and said 'these bonds are mine,'
 Then a clear, broad light over bondsmen would shine.
 The State of Maryland requires me to resort to no tricks,
 God forbid that I should squeeze either men or sticks.
 They thought Brother Poe and myself 'innocents abroad,' aye?
 And would walk in the net spider set for the fly.
 Why my entire course in this case has been
 One of kindness to bondsmen, 'tis plain to be seen,
 Our brothers failed to remember that 'silence is golden,'
 In trying, by technicality, to keep back money stolen.
 Their defence, with such great secrecy they blind it,
 'Twould've taken the lamp of Diogenes to find it.
 Brother Gans, with face luminous and words blunt,
 Tries to make you think that we have changed front.
 Oh, no! we broadened our front and enlarged our flags,
 'Tis no wonder you cry, when struck by our snags.
 We took your own Gatling guns and raked you 'fore and aft,'
 Hence, this great commotion from your injured raft.
 When finding they're standing on perilous brink,
 Defense now cries, 'Save us, Cassius, or we sink!'
 Why bless you! gentlemen, this is thimble-rigging,
 Unknown in your county, while plowing and digging.
 They abuse me with words as black as the tinder,
 Because I called Archer an adroit swindler.
 Why Archer is a crook, and as bad as 'Hungry Joe,'
 His treachery to poor McComas and Hoffman make it so.
 When I think of poor McComas, my blood stands still,
 Astonishment, with paralysis, my tongue does fill.
 Then there's poor *Allen Hoffman*, with innocence paved,
 Just think of these bondsmen, pleading to be saved!

Oh! that, Mark Twain would cease awhile, to roam
 And portray *his* peaceful ignorance and innocence at home;
 He goes on the stand and with innocent simplicity
 Shows how he was tangled up in Archer's duplicity.
 My colleague's so full of this case that, like a trout,
 You can't put your hand on him that it doesn't ooze out.
 If we had in this room that man, Mark Twain,
 He'd show his innocent simplicity of heart and brain."
 Just here the Attor. Gen'l most hurriedly, sails
 Over the entire field, describing many details,
 And made grand exposition of his own dealings
 While in office, that touched his hearers' feelings.
 "I come now to next item and am nearly through,
 But must speak of frank statement of lawyer No 2.
 When *we* recall evidence that our brothers pinches,
 He'll say it isn't *good* and he squirms and flinches.
 I heard him say, the State can't recover—unless
 The sale of these bonds was fraudulent? I confess
 My astonishment! but begin to see land in sight,
 For the Frederick City Bonds throw in much light.
 The humorous side of my Nature runs o'er with joke,
 And such a good one, my Brother Carter did poke.
 'How did State know they were not Archer's funds?
 How did it know he hadn't unloaded some guns?
 Now aint that a joke? aint it the best of the season?
 Why 'tis quite manifest to any man of reason.
 The good reporter, Pentz, had it in The Sun
 That 'shines for all' with its fact and its fun;
 Are the *four Car-trust-bonds*, buried in a crock
 Somewhere in the State, and under some rock?
 Where is all this money, stolen from the State?
 Has it all met 'Davie Jones' locker fate?
 Where! all this money and these bonds will we find?
 We've striven with wisdom to direct human mind,
 And now I'm most done, and yet I will not close
 Till I measure up to my duty, the whole to expose
 Of this iniquitous history, and do my whole duty
 To the people in trying to recover all the booty,
 For to do all my duty, has been life's chief charm
 Doing right for the right, if it does bring thief harm.
 When Counsel plead sympathy for bondsmen's distress,
 About prosperity of the people, they leave you to guess.
 But this *one truth*, in all candor I confess,
 I love bondsmen more, *when their technicality's less*,
 This contest, all along, is between wrong and right,
 We've tried in our honesty, to let in the light,
 And if I've seemed *mad*, in recovering the booty
 There's no one shall say, I am wanting in duty.
 Just one word, gentlemen, and then I am done
 I want our whole claim as bright as the sun,
 Strike off *four Car-trust-bonds*, the state will not,
 Ask for one dollar on which there's a blot.

This important case will now be handed to you,
 Take it and give verdict, both honest and true,
 If I've said anything not in line of beauty
 To the bondsmen, they'll know, 'twas my official duty,
 The Court will give you all proper papers,
 To assist you in tracking out Archer's capers,
 You'll retire to your room and take our prayers
 Where you can read them, sitting in your chairs.
 And now, gentlemen of Jury, in this cause of the people,
 If an *adverse verdict*, you should plant on the steeple,
 You'll walk through this land with fraud's cold stigma,
 And honest thinkers will say, 'justice is enigma!'"

CHAPTER 7th.

The Attor. General here, conclusion did reach
 Of a powerful, eloquent and wonderful speech.
 He shows his grand points in pleading for right,
 For he "throws wide the door to let in the light,"
 The "Archer Bond Case" thus closed at two,
 Was handed to the jury to take false from true
 And to Jury's room they, straightway, retired,
 "Spirit of Justice" hoping for verdict desired.
 When "old time's finger" pointed to three
 The Jury sent in word, "we can't agree!"
 Judge Fowler, immediately, adjourned the court
 And lawyers went home to enjoy the sport.
 Court opened, *Jan. 16th*, with lawyers in place,
 Each bright city reporter, with right, witty face,
 The jury had been locked in their room, all night,
 Trying to decide between 'wrong and right,'
 Jury came in Court, announcing, "Verdict for State
 For sixty thousand dollars," thus earning fraud's fate.
 Which lovers' of equity learned with surprise
 That men had tried, through sympathy, *right to compromise*.
 So closed this long battle of "The Archer Bond Case,"
 That has caused lawyers to torture language and face.
 But they cannot prevent the eye of Reason
 Seeing that *compromising right* is treason,
 State, at once, entered motion for *new trial*,
 Bondsmen, as promptly, presented denial.
 Thirty-first of January, by the Court was named
 To hear question argued, on the case now famed.
 Court assembled, to-day, its appointment keeping,
 —While o'er child's verdict clouds are weeping,
 And thinking men are pouring o'er jury a "vial
 Of wrath,—to hear State's motion for new trial.
 Mr. Poe made strong speech to put verdict aside
 Appealing to dignity of honest court-people's pride.—
 Saying: 'tis verdict that outrages common sense
 'Tis so palpably absurd, that it has no defence.
 It fills honest people with feelings of fury
 That a learned Court should be ruled by jury

Every suggestion should be weighed by each judge
 That the world may know if Courts are 'all fudge.'
 Justice wont have her scales weighed by donkeys,
 If so, then Courts, as well as lawyers are monkeys,
 When juries, through sympathy try to compromise
 By striking down right, *High Reason* it defies.
 It gives notice to the world that "Old Mammon's" minions
 Will strike down and overrule a learned Court's opinions.
 When right is struck down, equity will weep
 That wrong should be upheld by men, like sheep."
 In the beginning, when equity laid down the law,
 Old technicality, with serpent, made the 'cat's paw.'
 And Adam, when called, to account for his treason,
 Swallowed technicality's pill, ignoring high reason,
 In his efforts to his Great Creator deceive,
 In excusing himself, he put the blame on Eve
 But High Manhood calls him unmanly and rude
 For blaming *her*, even though she *was flirting with a dude*.
 When Eve was next called to answer for crime,
 In technicality's words, she quickly did chime.
 'The serpent beguiled me' to eat the apple, mellow,
 So *she tried* to put the blame on *some other fellow*.
 Equity then punished each one for his sin
 And did not compromise with Satan's twin,
 Thus to uphold wrong by compromising right,
 Is offensive to Heaven's God, and "God is light."
 Mr. Gans replied and with technicality filled
 Said, "there's nothing in equity on which to build,
 I hope and think your Honors will give denial
 To their absurd request, asking—new trial.
 When their legal remedy's gone, it shows their grief,
 Then they come to Court, asking equity relief,
 It seems unreasonable that, in a Court of Justice
 They should ask for equity, in which our trust is."
 Mr. Carter said, "your Honors, in verbis semper puris,
 This is plainly a case, 'strictissimi juris,'
 The Jury has given verdict, 'ex gratia argumenti,'
 And not as some juries, by spiritus frumenti,
 Court can now say, you've had your chance,
 You've been unhorsed by technicality's lance,
 And approximation of justice has been done,"
 Thus technicality fired its last subtle gun.
 Said Whyte, "if wrong's been done then we must,
 Set verdict aside, by all authorities this is just,
 If verdict is inequitable, 'tis the Court's duty
 To set it aside to recover stolen booty.
 Admit the Case 'strictissimi juris,' that's not all,
 If substantial *wrong* be done, verdict must fall,
 This is Poe's pleading and *I'll stand* on Poe,
 Though our brothers try to *sit on him*, you know,
 'Tis the Court's duty to guide and direct juries,
 To protect its officers from a mob's furies

Suppose I'd ask a bailiff to bring me a book
 From the Judge's room, and with cold, hard look,
 And lawyers' cold prose, free from all rhymes,
 He'd refuse and consign me to the hottest climes,
 Wouldn't your Honors use the guns of your fort,
 To make him know, I'm a member of Court?
 With coldness, worthy of a denizen of Alaska,
 Bro. Gans laid the foundation of his fiasco,
 And his colleague with effrontery, worthy a Carter,
 Endeavors to blind you to equity's charta,
 Before jury, by persuasion, they greatly surprise
 The people, with this verdict of compromise,
 Making bondsmen *insolvent*, in words of scholar
 Through sympathy to pay fifty cents on the dollar,
 If jury in its enthusiasm for a popular idol
 Run away from duty in a technicality bridal,
 Though beguiled by the subtlety of a serpent's pleas,
 'Tis the Court's plain duty to bring them to their knees.
 This is equity of the case, and now here's the law,
 'Tis taken from Poe's book, without one flaw,
 They tell us we've 'already had one chance',
 Think of a Court of Justice stabbed with such lance,
 I haven't one doubt that this Court will grant
 The State a new trial, and for my life can't,
 See why our brothers, our motion refused,
 If it were not *monstrous*, we might be amused.
 When on the stolen fruit man had been feedin',
 God punished Adam and Eve and drove them from Eden,
 And equity crushed *technicality* to a jelly
 When He made the serpent crawl on his belly,
 The moral of this case is plain to be seen
 Wrong by technicality you cannot screen
 And wrong is to right, most clearly high treason
 This, it can't be denied, is the voice of High reason."
 Judge Fowler now said, with his usual precision,
 "Court, for the present, will reserve its decision"
 And Court having adjourned, all went to the street
 Commending the Judges to *Equity's High Seat*.

* * *

Technicality and Equity in high reason's sight,
 Is the same old warfare between WRONG and RIGHT,
 My whole heart's enlisted in this grand fight
 To "throw wide the door and let in the light."

FINIS.



TOWSON, January 31st, 1891.