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## Select Miscellany.

## The Condemned Sentinel.

BY SYLVANUS COBB, JR.

A cold, stormy night, in the month of March, 1807. Marshal Lefebre, with twenty-seven thousand French troops, had invested Dantzic. which city was garrisoned by seventeen thousand Russian and Prussian soldiers; and these. together with twenty or thirty thousand well armed citizens, presented nearly double the force which could be brought to the assault. So there was need of the utmost vigilance on the part of the sentinels, for a desperate sortie from the garrison, made unawares, might have proved calamitous.

At midnight Jerome Dubols was placed upon one of the most important posts in the advance line of pickets, it being upon a narrow strip of land raised above the marshy flat, called the peninsula of Nehrung. For more than an hour he paced his lonesome beat without hearing anything more than the moaning of the wind and the driving of the rain. At length, however, another sound broke upon his ear. He stopped and listened,, and presently called, "who is there?"

The only answer was a monning sound. He called again, and this time he heard something like the cry of a child; and pretty soon an object came towards him out from the darkness. With a quick, emphatic movement he brought his musket to the charge, and ordered the

short me! I am Natalie. Don't you know me? "Grand dieu!" cried Jerome, elevating the muzzle of his piece, and taking a step forward. "It is our little daughter?"

"Yes, and you are good Jerome. Oh, you will come and help mama! Come! come! come -slie is dying!

It was certainly Natalic, a little child only eight years old, daughter of Lisette Vailant. Lisette was the wife of Pierre Vailant, a sergeant in Jerome's own regiment, and was with the army in capacity of nurse.

"Par bleu!" how is this, my child," said Jerome dropping the butt of his musket to the ground, and taking the little one by the arm. "What is it about your mother?" "Oh! good Jerome, you can hear her now.

The sentinel bent his ear to the ground, but could hear only the wind and the rain. "Mama is in the dreadful mud," said the

child, "and is dying. She is not far away. Oh, I can hear her crying!" By degrees Jerome gathered from Natalie that her father had taken her out with him in the morning, and that in the evening when the storm dance on, her mother came after her. The sergeant had offered to send a man back to camp with his wife, but she preferred to sarn alone feeling sure that she should meet with no trouble. The way however had become dark

wandered off to the edge of the morass, where she sank into the soft mid. "Oh, good Jerome," cried the little one, seizing the man's hand, "can't you hear her? She will die if you do not come and help her."

At that moment the sentinel fanciod he heard the wail of the unfortunate. What should be do? Lisette, the good, the beautiful, the tenderhearted Lisette, was in mortal danger, and it was in his power to save her. It was not in his heart to withstand the pleadings of the child. He could go and rescue the nurse, and return to his post without detection. At all events, he could not refuse the childish pleader. "Give me your hand, Natalie. I'll go with

With a cry of joy the child sprang to the soldier's side, and when she had secured his hand she hurried him along towards the place where distance to Jerome, and once he stopped as though he would turn back. He did not fear death; but he feared dishonor. "Hark!" uttered the child.

The soldier listened, and plainly heard the voice of the suffering woman calling for help. He hesitated no longer. On he hastened, through the storm, and finally found Lisette sunk to her arm pits in the soft morass, Fortunately a tuft of long grass had been within her reach, by which means she had held her head above the fatal mud. It was no easy matter to extricate her from the miry pit, as the workman had to be very careful that he did not himself lose his footing. At length, however, she was drawn forth, and Jerome led her towards his post. "Who comes there?" cried a voice from the

"Juste ciel!" gasped Jerome, stopping and trembling from head to foot, "What is it?" asked Lisette,

"Grand dieu!" I have been longer away than I thought," answered the soldier. "It took me a long time to get you out."

"Who comes there?" repeated the voice. Jerome heard the click of a musket lock, and he knew that a sentinel had been stationed at

the post he had left. The relief had come while

He was ordered to advance, and when he had given the countersign he found himself in the presence of the officer of the guard. In a few hurried words he told his story, and had the officer been slone he might have allowed the matter to rest where it was; but there were would not be safe. Jerome did not even think of such a thing; but when ordered to give up silently accompanied the officer to the camp, where he was put in front, and placed under

guard. On the following morning Jerome Dubois was brought before a court martial charged with having deserted his post. He confessed that he was guilty, and then permission was granted him to tell his own story.

He told how the little child had fallen upon him in the storm, and how she plead for her dying mother. At first he had resisted the im-pulse—he would have died readily to save Lis-ette, but he feared dishoner. The child still plead and finally the thought of the poor woman-the woman who had done so much for the comfort of his regiment-suffering the tortures of a lingering death in the dreadful morass, was more than he could bear. He had not meant to be gone long; he had not known how far away he was; but he was farther than he expected. He knew he had done wrong, but might not the peculiarity of the circumstances be allowed to mitigate the offence. Was there a true hearted man in the regiment who would not have done the same, similarly situated?

tition praying that Jorona Dubois might be dead men and dead horses, and the head of the pardoned; and this petition was sent to the column stopped and wavered.

chief of the brigade, and through him to the chief of division, by whom it was endorsed,

and sent up to the marshal.

Lefebvre was kind and generous to his soldiers almost to a fault, but he could not overlook so grave an error as that which had been committed by Dubols. The orders given to the sentinel had been very simple; and foremost, of very necessity, was the order forbidding him to leave his post until properly relleved. To a certain extent the safety of the whole army rested upon the shoulders of each individual sentinel, and especially upon those who, at night were posted nearest the lines of

"I am sorry," said the gray haired old warrior, as he folded up the petition and handed it back to the officer who had presented it. "I he has been tried and condemued, and he must suffer."

They asked Lefebvre if he would see the con-"No, no!" the marshal cried quickly. "Should

see him, and listen to one half of his story, I might parden him; and that must not be done. Let him die that thousands may be saved."

The time fixed for the execution of Dubois was the morning succeeding the day of his trial. The result of the interview with Marshal Lefebyre was made known to him, and he was not at all disappointed. He blamed no one, and was only sorry that he had not died upon the battle field.

"I have tried to be a good soldier," he said to his captain, who came to visit him after the marshal's decision was known, "and I have | much more than they had gained. intended to do my duty. I know that according to military rules I must die, but I hope that my companions will remember me with kindness and compassion. I feel that I have done no crime that should leave a stain upon my name."

The captain took his hand, and assured him that his name should be held in respect, and that his memory should be held in love. Towards evening Pierre Vaillant, with his

wife and child, were admitted to see the prisoner. This was a visit which Jerome would gladly have dispensed with, as his feelings were already wrought up to a pitch that almost un-manned him; but he braced himself for the interview, and would have stood it like a hero had "Mercy!" exclaimed a childish voice. "Don't not little Natalie, in the eagerness of her love and gratitude, thrown herself upon his bosom and offered to die in his stead. This tipped the brimming cup, and tears flowed freely. Pierre and Lisette knew not what to say. They wept, and they prayed; and they would have willingly died for the noble fellow who had been thus ble cup. It was made of horn, is lined with condemned; but alas! they could give him no silver and banded near the bottom with a strip

> Later in evening came a companion who if ome's boyhood home. First, the condemned ly great hearts can feel.

and uncertain, and she had lost the path,

the peninsula!" In an instant all was changed in that division. she hurried him along towards the place where heard upon the out-posts and they very well ured.—Star. to make an attack, it would be in full force and of a desperate character.

"What shall we do with the prisoner?" asked the sergeant who had charge of the guard.

"Lead him back to the camp," said the cap-The direction was very simple, but the execution thereof was not to be so easy; for hardly had the words escaped the captain's lips when a squadron of Prussian cavalry came dashing directly towards them. The division was quickly formed into four hollow squares, while the guard that had charge of the prisoner found themselves obliged to flee.

"In God's name," cried Jerome, "cut my bonds, and let me die like a soldier!"

The sergeant quickly cut the cord that bound his elbows behind him, and then dashed towards heim, Geo. V. Strong, Cyrus L. Hunter and Corthe point where his own company was station- nelia Phillips Spencer, their associates and sucwhich to arm himself, and presently he saw a entitled "Corporations," as well as those con-Prussian officer, not far of, reeling in his sad- ferred by this act.

Dubois was fully resolved that he would sell Prussians could not break those hollow squares, so he rode away thinking to join the French others present-some of the sentinels who had cavalry, with whom he could rush into the lating to the government of the corporation, as vants. His dead face, impressed with all the been relieved-and with so many such a secret deepest danger. Supposing that the heaviest fighting must be upon the Nebrung, he reined his horse in that direction, and when he reachhis musket he obeyed without a murmur, and ed it he found that he had not been mistaken. Upon a slight eminence towards Hagelsburg erty as may be proper for carrying out the obthe enemy had planted a battery of heavy guns. supported by two regiments of infantry, and already, with shot and shell, immense damage

had been done. Lefebrre rode up shortly after this battery had opened, and very quickly made up his mind that it must be taken at all hazards.

"Take that battery," he said to a colonel of calvary, "and the battle is ours."

Dubois heard the order, and saw the necessity. Here was danger enough, surely; and, determined to be the first at the battery, he kept as near to the leader as he dared to. Half the distance had been gained when from the hill came a storm of iron that plowed deeply into the ranks of the French.

The colonel fell, his body literally torn to pieces by a shell that exploded against his bosom. The point upon the peninsula now reached by the head of the assaulting column was not more than a hundred yards wide, and it was literally a path of death, as the fire of twelve heavy guns turned upon it. The colonel had fallen, and very soon three other officers went down, leav-The court could do nothing but pass sentence ing the advance without a commissioned leadof death; but the members thereof signed a pe- er. The way was becoming blocked up with

Lefebvre, from his elevated post, saw this, and his heart throbbed painfully. If that column were routed, and the Russian infantry

charged over the peninsula. But-see! A man in the uniform of a French private, mounted upon a powerful horse capar-isoned in the trapping of a Prussian staff officer, with his head bare, and a bright sabre swinging in his hand, rushes to the front, and urges the column forward. His words are fiery, and his look is dauntless.

"For France and for Lefebvre!" the strange horseman cries, waving his sword aloft, and pointing towards the battery. "Our father will weep if we lose this day?"

The brave troopers, thus led by one who feared not to dash forward where the shot fell thickest, gave an answering shout, and pressed on, am sure that the man meant no wrong, and yet caring little for the rain of death so long as a great wrong was done. He knew what he they had a living leader to follow. Hoping was doing-he ran the risk-he was detected- that he might take the battery, and yet courting death, Jerome Dubois spurred on. The bursting shells threw the dirt in clouds about him, and the plunging shot plowed up the earth in deep furrows even beneath the very feet of his horse. The daring thus displayed inspired his followers, and finally the troop came upon the battery like a host of demons. It was not in the power of the cannoneers to withstand the shock, and the Russian infantry that came to their support were swept a see like chaff. The battery was quickly enptured, and when the guns had been trained upon those who had shortly before been their masters, the fortune of the day was decided. The Russians and the Prussian-"horse, foot, and dragoons" -such as were not taken prisoners, made the hest of their way back into Dantzie, having lost

Jerome Dubois returned to the guard-house, and gave himself up to the officer in charge First a surgeon was called to dress several wounds which he had received. Next his colonel was called to see what should be done with him. The colonel applied to the chief of brigade, and the chief of brigade applied to the chief of division, and the chief of division ap-plied to Marshal Lefebyre. "What shall we do with Jerome Dubois?"

"God bless him!" cried the old veteran, who had heard the whole story; "I'll pardon him to-day; and to-morrow I'll promote him!" And Jerome Dubois, in time, went himself to see the loved ones in Burgundy, and when he went he wore the uniform of a captain.

#### REMARKABLE CUP-ITS HISTORY ANOTHER CENTENNIAL CURIOSITY.

We were shown a few days since, by Capt.

W. A Cumming, of this city, a most remarkaof the same precious metal. The inside is much worn and battered, and a crack, extending nearhe lived, would at sometime return to Jer- ly to the bottom, is noticeable. It is also somewhat worm-eaten at the bottom, but is still in a thought of his widowed mother, and he sent condition to be used. In dimentions it is about her a message of love and devotion. Then he three and a half inches in height, one and onethought of a brother and sister. And finally he | half inch in diameter at the bottom (which is spoke of one—a bright-eyed maid—whose vine-clad cot stood upon the banks of the Suzon— the top. This cup has had a very strange and one whom he had loved with a love such as on- eventful existence, and we will try and trace out its history for the benefit of our readers. "Oh, my Ged!" he cried, bowing his head It was used through the Revolutionary war by upon his clasped hands, "you need not tell them a falsehood; but if the thing is possible, let them believe that I fell in battle!"

William Cumming, the grandfather of Capts.
W. A. and J. D. Cumming, and Mr. Preston
Cumming, who was an officer in the Continen-His companion promised that he would do tal service. In his custody it passed through d' he could; and, if the truth could not be the battles of Trenton; Princeton and Brandykept back, it should be so faithfully told that wine, and also figured in the Southern campaign the name of Jerome Dubois should not bear dis- at Camden, Cowpens, King's Mountain and honor in the minds of those who had loved him | Guilford Court-house. In the war of 1812 it Morning came, dull and gloomy, with driv- of the Cape Fear River by James F. and John ing sleer and snow, and at an early hour Jer- R. Comming, sons of William Comming; and ome Dubois was led forth to meet his fate. Juring the late war, Wm. H. Cumming, an-The place of execution had been fixed upon a other of the sons of Wm. Cumming, into whose low, barren spot towards the sea, and thither bands it had fallen, carried it for a short time, his division was being marched to witness the but owing to his advanced age was compelled fearful punishment. They had gained not to retire from the service, when it descended to more than half the distance when the sound of his three sons, by whom it was borne througha strange commotion broke upon the wintry air, out the fiercely contested struggle for Southand very shortly an aide-de-camp came dash- ern independence. What is considered as a reing to the side of the chief of the brigade, with | markable coincidence connected with the cup is the fact that a grandfather of its present own-"A sortie! A sortie! The enemy are out in er, his two sons, and three grand-sons, all sucforce. Let this thing be stayed. The marshal cessfully held it in three wars, in the same directs that you face about and advance upon place, viz: at the mouth of the Cape Fear

This somewhat extraordinary relie of the and the brigadier, who had temporary command, olden time is intended, we learn, to be used as thundered forth his orders for the countermarch. a drinking cup by the speakers on the stand at The gloom was dissipated, and with glad hearts the approaching Centennial Celebration of the free wild scenery of the hills of Dan, he enjoy the soldiers turned from thoughts of the execu- Mecklenburg Declaration of Independence. tion of a brave comrade to thoughts of meeting | which will add another link to the chain of rethe enemy; for already the sound of a battle was markable historical events in which it has fig-

> THE HISTORICAL SOCIETY. An act to incorporate the Historical Society of

North Carolina: The General Assembly of North Carolina do

G. Reade, Nercus Mendenhall, John H. Wheel-Shakespeare Harris, K. P. Battle, G. D. Bern- Mind.

dle as though he had been wounded. With a Sec. 2. The first meeting of the members of settled in Greensboro, where he has ever since ing officer from his seat, seized the heavy sabre. place as the three first named in this act or eith-

ill business. not needed where he was. He knew that the terms of their admission, the mode of voting. duty and affection of his children, by the kindmay be deemed proper, not inconsistent with the laws of the land.

thority to acquire such real and personal prop- old servants and their kindred. jects of its creation, especially books, manuscripts, documents, papers and memorials of meral attended by a very large concourse of cit-whatever kind, relating to the history of this izens, and the services conducted by Rev. Dr. State, particularly those possessed by the late Historical Society of North Carolina. It shall likewise be authorized to accept donations of money or property, for the purpose of enabling it to prosecute researches into said history and

make publications relating thereto. Sec. 5. The officer in charge of the Capitol shall be authorized to furnish said society a vided, that this can be done without inconvenience to any officer of the State, or to any officers or committees of the General Assembly.

Sec. 6. This Act shall be in force from its In the General Assembly read three times late senior partner. and ratified the 22nd day of March, 1875.

Jno. C. Breckenridge is spoken of as a dying man. Majestic in appearance, unattainable in disposition, he was the perfect embodiment of the noble, chivalric Southern gentleman.

never when it is gone by.

### LIFE IN NAPLES.

Every mule wears hundreds of buttons and little jingling bells. The carriages creak as if creaking was the object of their construction. The sellers of newspapers, and, in general, all itinerant traders, shout in the most astonishing manner. Every tradesman at the door of his shop, or over his stall, makes a pompous programme of his rich merchandise, begging every stranger to purchase. The seller of scapularies, without knowing anything of your country or religion, fixes his amulet on your neck, while the shoe-black, no matter whether your hoots are dim or shiny, rubs them over with his varnish, with or without your consent. The flower-seller, who carries bundles of roses and orange blossoms, adorns your hat, your button-holes and your pockets, without ever asking 15, act of February 8th, 1875), was to cut off the their representatives in the convention which your permission. The lemonade maker comes ont with a flowing glass, which he places to your lips. Scarcely have freed yourself from his importunity, when another termenter approaches you with he cakes, fried in oil, which it may be true that the powers of government act granted by the great charter then adopted. While it may be true that the powers so conferred by the people of proaches you with hot cakes, fried in oll, which he asks you to eat whether you will or not. The children, accustomed to mendicity, although their plumpness and good humor are indicative upon their being stamped. of proper feeling, seize you by the knees, and will not allow you to advance until you have check-where a person who has money on de- it has never been contended seriously that the given them some money. The fisherman draws posit with a bank and draws but a portion of it. Federal Government in time of peace near with a costume the color of seawced, barefooted, his trousers tucked up and exposing his
brown legs, his head covered with a brown cap,
his blue shirt unbuttoned, opening oyster and
his blue shirt unbuttoned, opening oyster and other shell-fish, and presenting them to you as holder has been credited to his deposit account if by your orders. The cicerone goes before upon the books of a bank, it has become a de-and displays his eloquence, interlanded with in-posit; and a receipt given for it, or for any por-result as that the conclusion to which I might numerable phrases in all languages, and full of tion of it, would, in my opinion, be liable to rive should be correct. anachronisms and falsehoods, historical and stamp tax. artistic. If you dismiss him, if you say his ser-vicers are useless, he will talk of the peril you officers or clerks, for their salaries, should be are in of losing your purse or your life from not stamped. 'Cashiers' checks in general, issued void, for want of power in the Legislature to having listened to his counsel, or been atten- or delivered to outside parties for payment, etc., pass it, if any reasonable doubt is entertained tive to his astonishing knowledge. Do not fan-cy that you can get out of all this by being in Checks drawn a carriage. I have never seen people jump upon a carriage more more quickly, or stand upon the step, or follow clinging to the back. Tations, and tssued, should be stamped."

oeded that it is the duty of the court to declare it even if it be against the validity of the law.

I charge you, gentlemen, that the criminal or to any part, regardless of your displeasure. But if you have the air of a newly-arrived traveller, they will not annoy you with their wares, but will force you to engage a carriage of their choosing. In half a second you are surrounded with vehicles, which encompass you like serpents, at the risk of crushing you, whose drivers speak all at once, a distracting and frightful jargon, offering, to take you to Posilpa, to Buice, to Fezzueli, to Castellamare, to Sorrento, to Cumæ, to the end of creation.

#### SKETCH OF THE LATE JAMES T. MORE-HEAD, Sr.

the following brief sketch of Mr. Morehead, writ- to constitute a violation, and the mere selling fully illustrates the opinion I hold that I prefer ten by one who knew him well:

Mr. Morehead belonged to the past age. For | with no intent to engage in the business, does | Judge, one so long and so honorably distinguished in not constitute a violation under the law. He It should be remembered by you that the professional and public life, it is fitting that we also said that the destruction of still fixtures question determined in that case was as to the recall some of the prominent points in his char- and property by marshals and deputies, was validity of a law of the State of Louisiana, acter and career. In mental and moral culture, | unlawful; and all parties who have suffered or | which was mainly resisted upon the ground in his sense of honor, and in his manners, he may suffer, can bring suit for damages in the that it was in violation of the Fourteenth Amendwas a gentleman of the old school. In his pro- State court, and have the matter carried before ment to the Constitution of the United States. fession he was laborious and faithful to his him for adjudication. As to the Civil Rights It will be conceded that Congress had no powclients; well learned in the law; observant of bill he said it was simply unnecessary, as all er to pass the law now under consideration, unthose amenities of the ber which made the prac- "rights" which any one could be given under less that power had been given by the prayistice agreeable to his brethren; as an advocate, the Constitution are already fixed in the stat- ions of the amendment mentioned. [His Honor original, interesting, and, as occasion required, utes of our State. He would not pass on the here read from Mr. Justice Miller's opinion.] rising into those higher flights of eloquence constitutionality of the law. which stirredmen's souls. Occasionally called into the legislatures of the State and the nationhis course was marked by sound judgment, very opportune. His directions were that all no division of opinion with the Judges. independence of thought and act, and honor above repreach or suspicion.

in his disposition than most public men. Gov- petty cases. erned but little by the opinions or prejudices foirs from his knowledge of man's history in son would have been spared. One was, that "The object of the amendment was to restrain the past, more than from the ephemeral whims officers of the court should neither arrest nor the States, not the inhabitants of the States, no while in Congress, he voted with only some half dozen others against paying national honors to Kossuth. And he often voted with very none the less good because late. He removes lean minorities in the State Legislature. But all U.S. Commissioners in this District, to the immediate consolidation of the whole land perhaps in every instance fime has vindicated take effect the first day of July. Hogeafter, if into a consolidated empire whose authority and his sagacity and illustrated his independence.

profession, and his love of nature. A ramble in the woods with his gun and dogs, among the ed with keenest relish; and next to that the discussion with his legal brethren of the "beantiful points" arising in their cases at law. His Citizen. literary attainments were of a description that afforded to himself and the social circle high enjoyment. We hardly knew a man better acquainted with the old classic literature of England, or more ready in illustration from ex-

haustless stores. On religious matters he was reticent. Evidently governed in his business intercourse and public life by the stern commands of the Section 1. The following named persons, Decalogue,—yet he talked little of these things, viz: William A. Graham, William Hooper. except perhaps, in the inner circle of his friends. Thomas Atkinson, Charles Phillips, Fordyce M. | An expression that fell from his lips forty years Hubbard, Charles F. Deems, Braxton Craven, ago has nevertheless come frequently up in the William H. Battle, Mathias E. Manly, Barthol- memory of the writer, like the sound of a far omew Moore, Richmond M. Pearson, Edwin off bell: "I would not exchange my hope of the resurrection for all the world!" Probably er, Zebulon B. Vance, Calvin H. Wiley, George most men, like him, devote more thought to Davis, William Eaton, Richard B. Creecy, Gen. | death and the future than we give them credit D. H. Hill, S. D. Pool, W. C. Kerr, Wm. for-thought inspired and noted by the Divine

Mr. Morehead was born in Rockingham the point where his own company was stationed. The rattle of musketry had commenced, and the Prussians were vainly endeavoring to break the squares of French troops. Jerome Carolina with the remove of the Historical Society of North and completed at the then young University of should be kept on during the day. If taken break the squares of French troops. Jerome Carolina, with the powers conferred on corpoDubois looked about him for some weapon with
which to arm himself, and many the first of the Historical Scelety of the Historical Scelety of North
Chapel Hill. His guide and preceptor in the
study of the law was Chancellor Taylor, of
water, rub dry with a coarse towel and with
in a weak place." Now, this expresses in plain Virginia. Soon after entering upon the practice of the law, he married Mary Lindsay, and Mucous membranes have three kinds of inand since the civil war, have been gradually Sec. 3. Said corporation shall have power more and more marked by bodily and mental his life on that day—sell it in behalf of France to make such rules, regulations and by-laws, in failure, caused by age and the public troubles.

—and sell it as dearly as possible. But he was the functions of its officers, the number requis- ly and hearty sympathy of his neighbors, and ite te form a quorum, and all other matters re- by the affectionate respect of his former sermanliness and more than the benignity of his earlier and better days, was bedewed with no

His remains were buried by the side of his wife, in the Presbyterian church-yard, the fa-Smith, in his solemn and impressive manner.-May our dead friend and neighbor rest in peace!

It is said that now, since the death of John Harper, which occurred recently there is theria it forms in the throat and extends downsome prospect of a more moderate tone in the ward. political feeling evinced in Harper's Weekly. room in said building for the safe keeping of the old gentleman seems to have died out with the books, papers and effects of the society, protors of this justly celebrated house, and it is said that the other and younger members of the ting a pound or two of lender-loin in a glass firm are of more liberal political sentiments, and can, or bottle, scaling it tightly and immersing that the bitternoss which has characterized the Weekly has been due to the inspiration of the and kept there until the julies of the meat are

> The death of Samuel R. Wells, the noted phrenologist, took place in New York on Monday, 19th uit, This event takes from the world of science one who has done much towards its advancement in many directions, yet chiefly in widely known as a lecturer on scientific subjects. | out!" It was stopped.

SUPPLY AND SHOP THE A

to the service of the

DECISION ABOUT THE USE OF REVENUE JUDGE BROOKS CHARGE ON THE CIVIL STAMPS

From the last edition of the Internal Revenue
Record we make the following extracts from
Commissioner Douglas' decision concerning the
Rights bill, from the Wilmington Journal:

Under a strict interpretation of the law, they

cerely glad Judge Dick is pursuing this course; ion I express to you. In the Spring of 1873, we are always pleased to have occasion to the Supreme Court of the United States decided speak of our judiciary in the highest terms .- the cases known as the Slaughter House cases, Several points dwelt upon by the Judge, were in which Mr. Justice Miller (a Judge of the new and important. One is, as to what con- very first order of ability, even of that Court) From the North State of last week we elip be decided that it must be done as a susiness guage of this exhaustive and able opinion so of a pint or less, once, or even more times, to read to you the language of this eminent

His charge to the grand jury, as to minor or opinions, but upon every principle applicable frivolous cases of mere technical violation, was

or wishes of other people-he had a way of his should have been made several years ago, and States vs. Cruikshank and others speaking of own. Making up his decisions on public af- possibly the lives of several poor men in Madi- the same constitutional amendment which says: and atterances of the hour, his views were often serve capieses on parties on days of election or assumed by the government. The consequence at variance with public opinion. As an instance, at any lawful public gathering. His remarks of a conclusion being adopted as a law, that the any one wishes to serve as commissioner, he process would wholly disregard the limits and must file a petition with him signed by five of laws of the States." We recall two distinguishing traits in the must file a petition with him signed by five of laws of the States."

character of our departed friend: his love of his the best citizens of the county wherein such Again, the invalidity of this act was more applicant may live.

have been most gratifying. We do believe a his charge to the Grand Jury. The force of better day is dawning for our country, and none | the opinion of Judge Emmons is most sensibly welcome its approach more than we .- Asheville | felt when we are reminded of his ability as a

## SORE THROAT.

Cold manifests itself differently in different find a true bill against any person charged unthe limbs, in others catarrh, and still others sore that Congress had not the power to pass the throats. Whatever part of the system is weak- law, and I will mention that my esteemed est will be attacked by the cold.

the intimate connection between the throat and mation is of very recent date and affords me the ear-by means of the custachian tube. Hence great pleasure. the importance of keeping the throat in a healthy condition. The tendencies of sore throat are to the contrary by any Federal Judge or Court the worse and not the better; hence any affect which has been brought to my attention. tion of this part of the body should receive prompt attention. In case of ordinary sore throat the simplest and best treatment is the

quick bound he reached the spot, pulled the dying officer from his seat, seized the heavy salve of the members of lived. The duties of his profession were at sevilie. Everybody knows how the first appears; he had been absent, the had been absent absent the heavy sabre, the had been absent absent the heavy sabre, the hea or removed without injury to the nucous coat is worked off in exercise: the tension on every beneath it. In the diptheritic the liquid pour- artery and vein is at a maximu rate, the even, od out infiltrates itself into the mucous mem-brane, and if forcibly removed leaves the nu-point, throwing a dangerous pressure on anothcous coat raw and sore. Diptheria is blood er; the vessel which has lost its clastic strength polson. The patient complains of feeling stu- gives way, blood is poured out, a clot is formed, pid; the angle of the throat swells; there is which, by its pressure on the brain, produces likely to be more or less nasal catarrh; there complete unconsciousness. This is the appear appear in the throat patches looking like dirty lectic stroke. It will be perceived that there wash leather, which being removed leaves a are two leading conditions upon which the pro-Sec. 4. The said corporation shall have au- heartier tears than those which fell from his raw spot; the odor of this exudation is offen- duction of the stroke depends; a lessened sive, but the disease is not usually contagious strength in the vessel, and an increased tension unless the exadution comes in contact with the on it. mucous membrane of another individual, Hence the greatest care should be taken that no towel, drinking vessel or spoon used by the patient touches the lips of any other person. Croup is inflamation of the largax and usually attacks the patient suddenly in the night. The membrane is formed in the larynx, is white, and extends each way up and down. In dip-

The food of a patient suffering from diptheria cannot be too nutitions and stimulating. All physicians agree in this. There is nothing bet-ter for the patient than beef tea, made by putextracted. Give a much of this as the patient will take. Old sherry is also prescribed as a stimulant by the most devoted adherents to temperance principles.

Said a Missouri preacher: There's a power-ful sight of gigling back that in the corner, Time may be redeemed as it is passing, but the line of his speciality—phrenology. He was and it's got to be stopped or the Lord will delever when it is gone by.

RIGHTS BILL.

commissioner Douglas' decision concerning the use of Revenue Stamps. He says:

"It is not believed to have been the meaning and intent of Congress to require stamps upon promissory notes made in the usual commercial form and payable at a bank, when such notes I allude to the Civil Rights law, (if in my view are given in good faith and in the ordinary it may be termed a law.) It is proper that I course of business. other acts passed by the Congress of the United might perhaps be held liable as "vouchers." It States, depends for its force and validity upon is well known, however, that the leading purtice power under the Constitution of the United

such as were necessarily implied or to be in-A receipt which performs the work of a bank ferred from the expressed grants of power, yet

consider the act referred to, and this I have

In determining upon the validity of any act passed by a legislative body, it is a well established rule that no court will declare such act as to that power. But if a conclusion is reach-Checks drawn by a bank upon itself, for the ed, undisturbed by doubt, then it is as well con-

provisions of this law are void for want of au-

JUDGE DICK'S CHARGE.

We had not the pleasure of hearing his honor's charge on Tuesday but learn that it was a been determined directly by the Supreme Court of the United States; nor indeed could have

To this decision there were three dissepting

such should be disregarded. Now the docket If other authority was necessary, I would will be spared the outrage of having upon it so refer to the more recent opinion of Mr. Justice Mr. Morehend was doss chunish or partizan many very small picayunish and contemptible Bradley, of the Supreme Court of the United States sitting with Judge Woods in the Circuit His Honor made some new rulings which Court at New Orleans in the case of the United

> recently expressed by Judge Emmons of the Altogether, his Honor's charge is said to Circuit Court for the District of Tenneston, in lawyer and his well established reputation for other essential qualities of a great Judge. In the charge referred to, Judge Emmons advised the Grand Jury that they could not properly friend and brother, the District Judge for the A large proportion of cases of deafness comes | Western District of this State, does not essenfrom neglected sore throat. This is because of tially differ with me in this opinion. This infor-

There have been no expressions of opinion to

## THE APPOPLECTIC STROKE.

A middle aged physician said one day to the wet pack, using a linen cloth wrung from cold writer: "As I was walking down the street after water, and over this a knit or crocheted yarn | dinner I felt a shock in the back of my head, as if band, four feet long and four inches wide. Ap- some one had struck me: I have not felt well

THE SEA SERPENT has again made his appearance, and this time measures one hundre and twenty feet. Evidence of his existence is found on the bloodstained pike with which he was stabbed by a sailor. There is certainly no reason known to the naturalist why the immense snakes which exist on land should not have their duplicates in the water; but the tertimony on record does not justify a firm belief in such oceanic monsters. No one has ever killed a sea serpent, the body of one has never been washed ashore, and all we know of them rests upon the untrustworthy word of startled sailors. It is no wonder that scientists classify them with the sirens Uly-sos heard, and the mermaid which Mr. Barnum made out of a codfish and an African monkey.

A \$6,000,000 LAW SUIT .- An extraordinary suit for the recovery of a rich estate will shortly be commenced by the heirs of the Waldron property. The land in question embraces all between 82d and 109th streets and North and East rivers. For a long time it was partially covered by a swamp, but was improved by the Tweed ring and sold for taxes. The property is worth \$6,000,000. Several of the heirs reside in California.