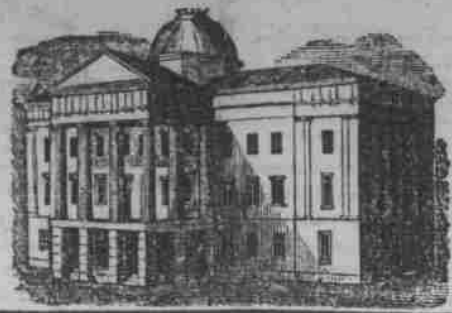


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Reply of William B. Shepard.

TO THE COMMUNICATION OF THE HON. EDWARD STANLEY, PUBLISHED IN THE REGISTER, OF MARCH 28TH.

When I published a Card in the Register some weeks ago, correcting a statement in Mr. Stanley's speech, I did so, solely with the view of exonerating myself from the charge of inconsistency, in voting for Mr. Rayner in preference to Mr. Badger, for the United States Senate. I sincerely hoped my statement would answer its purpose, and that the matter would be permitted to pass into the oblivion which awaited it. The friends of Mr. Badger, however, seem not to be so disposed, and my delinquency in voting against him, is I presume, not to be forgotten.

Mr. Stanley thinks it very extraordinary, that I was not aware of Mr. Rayner's opinions upon the slavery question, because Mr. Rayner was the elector in this District, and frequently addressed the people. Extraordinary as it may seem, the fact is so. I was not present on any occasion, when Mr. Rayner addressed the people, and if he discussed or approved of Mr. Badger's views upon slavery, I never heard it. And if he did so, his arguments produced but little effect, for I believe every member from the District, except himself, voted for each of the resolutions which passed the Legislature. If my vote against Mr. Badger needed a vindication, it received a most triumphant one, in the passage of those resolutions, which Mr. Stanley thought "ridiculous." It is not for me to reconcile the absurdity of electing a man to the United States Senate, and then passing resolutions in direct conflict with his opinions. The only excuse for such conduct is, that a large majority of the Whig party in the Legislature, were ignorant of Mr. Badger's opinions on that subject. Nor was it the first time in the history of the legislation of North Carolina, that gentlemen have been elected to represent the interests of the State, whose feelings were lukewarm, and who rather obstructed than advanced these interests.

A similar state of things existed in our Legislature in 1840, which resulted in the loss of Mr. Clay's land bill; which, if it were now the law of the land, would furnish North Carolina ample means to execute all her cherished works of internal improvement, without resorting to the precarious resource of taxes, upon an impoverished people.

I have neither the desire nor intention to vindicate my course in the legislature: I presume the public feel no interest in the matter, nor am I disposed to trouble them with it.

The only point in which the people of North Carolina can feel any interest, as regards this controversy, is simply, whether Mr. Badger's opinions upon the power of the Federal Government over the subject of slavery are such as should be entertained by a Senator professing to represent the opinions and interests of the State. This is a grave question, and one amply deserving the attention of the whole people; and as Mr. Badger is a public servant and his friends have provoked this controversy, I will take the liberty of expressing my opinion on the subject. In doing so, I shall judge of Mr. Badger's opinions from his published speech, and his recorded votes, the only fair test by which a public man can be tried.

In order to examine this subject fairly, let us first understand what was this famous Compromise bill, about which we have heard so much, but which is so little understood. I have not the bill within my reach, but I think I can state its meaning very accurately. When the bill to organize a territorial Government for Oregon was before the Senate, a violent controversy arose between the Northern and Southern Senators, upon that feature of the bill which excluded Slavery; the controversy became so warm, that all moderate men were very much alarmed for the safety of the Union, and with a view of an amicable disposition of the subject, the matter was referred to a committee of eight members, four from the North and four from the South: this committee met and after consultation, reported through its chairman, the Hon. Mr. Clayton, the present Secretary of State, the compromise bill. This bill was regarded as a peace offering, and nearly all the moderate and considerate men, both in Congress and in the country, were in hopes it would pass, and calm this endless and dangerous discussion of Slavery, upon the floor of Congress. What were the features of compromise which this bill embodied? The Northern Senators had contended that they had the right to extend the Wilmot proviso over the Territories of the United States, and that it was the imperative duty of Congress to do so—the Southern Senators denied. The com-

promise bill yielded this question on the part of the North, and imposed on Congress the duty of non-interference. Here was one point gained by the South. Again, many of the Northern Senators contended that the inhabitants of the territories had the right to restrict Slavery within their limits, which the Southern denied; the compromise bill prohibited territorial legislatures from passing any law either to prohibit or establish Slavery within the territory. This was another point of concession to the South. The Northern Senators insisted on ratifying the provisional laws of Oregon, one of which prohibited Slavery; the Southern Senators objected. The compromise bill declared such laws should continue in force only until three months after the first meeting of the territorial legislature. Here was a third point of concession yielded by the North. These three questions being settled by the bill, the controversy between the North and the South was narrowed down to a single point; and that was whether under the guaranties of the Constitution and laws of the United States, the Citizens of the South possess the right to carry their slaves into our Territories? The Southern Senators maintained the affirmative, the Northern the negative of this proposition; to reconcile which difference, it was agreed in the compromise bill, the question should be submitted to the Supreme Court. If the Constitution, under circumstances, guarantees the rights of the South, the Court would so decide; if it does not, the South would not have resisted; all she asked, was a fair decision of the question.

This is a plain, and I think a fair statement of the conditions of the compromise bill; and no man it seems to me, can doubt, that it would have settled this vexed question, upon terms honorable to all sections of the Union.

It was against this bill, that Mr. Badger voted in company with, (I write from memory,) but two other Senators from Slave States, viz: Mr. Underwood, from Kentucky, who said his State was desirous of getting rid of Slavery, and Mr. Benton, who is known to be peculiar.

Such, however, was the desire of the Senate of the United States, to dispose of the exciting topic, that the bill passed the Senate, by a majority of, I think, three-fifths of the Senators. The bill left the slave question, where the Constitution left it; this was the leading feature of the bill, and every friend of the peace and quiet of his country should regret that it did not pass the House of Representatives.

Mr. Badger, in his printed speech, assigns his reason for voting against the bill, to be, that the South gained nothing, but surrendered everything; he says it is his deliberate conviction, that slaveholders should be allowed to settle in California and then make an ingenious and technical argument to prove, that Congress has the right to exclude slaveholders from doing so. Knowing then, as he must have known, that there is no probability of Congress ever passing any law to that effect, why did he oppose the only plan which probably ever will be offered to the slaveholders, of doing what he says, they ought to be allowed to do?—Mr. Badger argues in his speech, that slavery having been abolished by the laws of Mexico, the Supreme Court would decide against the slaveholder, carrying his slaves into the Territory; even if this were so, which many able men deny, why did he not give the slaveholders the benefits of the doubt, and permit them if they choose to run the risk, to carry their property with them to New Mexico and California? They would have been no worse off then, than they are at present. What the South surrendered by the compromise bill, I am unable to perceive; the question of Slavery in the Territories is either a political or a judicial one; if political, it must be settled by Congress, where we have every assurance the Wilmot Proviso will prevail; if a judicial question, the Supreme Court must ultimately decide it. It is the opinion of some of our ablest constitutional lawyers, including Mr. Webster, that Congress has no right to acquire foreign territory, that it is a *casus omnisus* in the Constitution. If this opinion is a sound one, is it not monstrous that Congress should first usurp the power to attach a foreign territory to the Union, and then govern that territory in such a manner as virtually to exclude a large portion of the people of this Country from emigrating to it? Yet this is the legitimate deduction from the argument of Mr. Badger's speech. If there was any reasonable ground for doubt, as to what were Mr. Badger's opinions upon the slave question at the time of his re-election to the Senate, all doubts must be removed by the course he pursued during the last session of Congress.—When the annual appropriation bill was before the Senate, Mr. Walker offered an amendment which extended the Constitution and certain laws of the United States, over our conquered territories; this amendment was violently opposed by the ultra Northern Senators. Mr. Dayton, a Senator from New Jersey, said in his speech, that he objected to it, because it would alter the position of certain great interests in the Country; it would give the Southern slaveholder, removing to California, the protection of the Constitution of the United States; he (Mr. Dayton) contending that at present the Constitution does not extend there. Mr. Badger's name, without a word of explanation, is recorded in the minority, voting against this amendment, in company with Mr. Dayton, Davis, of Massachusetts, Hale, Corwin, and all

the violent fanatics. If the old proverb is politically true, that a man is known from his associates, Mr. Badger selects his company, in voting, very unfortunately. He opposed the compromise bill because the South gained too little, I suppose; he voted against Walker's amendment because the South gained too much. I am afraid there never will be that equal justice meted out in Congress, which his nicely balanced mind requires, and in the mean time his constituents must "go to the wall."

Mr. Badger intimated in his speech, on the compromise bill, "that he could point out a very just and equitable mode which would save the honor of all parties to this exciting question" and although twice asked on the floor of the Senate what that was, I believe he has never yet divulged; I suppose it is quietly reposing along side of his friend Benton's plan of the Mexican campaign; and it is to be hoped for the benefit of posterity, when all the wars are over, they will both be published.

That Mr. Badger is a Southern man with Northern principles, it seems to me no man can doubt who is willing to admit his speech and his votes as evidence of his opinions. When the resolutions which passed the last Legislature were before the House of Commons, they were bitterly opposed by his particular friends, one of whom called them, "a trap for Mr. Badger." These resolutions are mild and temperate in their character, and under other circumstances, they would have passed the House of Commons as they did the Senate, without serious opposition. Mr. Badger and his friends certainly have no right to complain that the members of the Legislature did not shape their course to suit their peculiar views. He was treated with extraordinary courtesy and great tenderness, considering the nature of the case. The resolutions are presumed to speak the sentiments of the people of North Carolina; at all events, they were the sentiments of the body which elected Mr. Badger; and if they are not his, he is bound to suppose that he was elected under a misapprehension of his political opinions. Under such circumstances, he has a bright example of what conscientious men deem to be a duty, in the conduct of his immediate predecessor and neighbor; an example the more forcible, as it is taken from a party who by some of his friends, are said to be particularly fond of office.

One extraordinary feature in this controversy is, that the advocates of Mr. Badger claim to be the peculiar friends of the Union, forgetting that his votes against the Compromise bill and Walker's amendment, were calculated to keep up the excitement and ultimately enlarge the Union.

Mr. Stephens, of Georgia, one of the eight Southern members of the House of Representatives who voted with the free soil party to defeat the Compromise bill in that House, said on the floor, that he would vote against the Territories in every shape, unless slavery was admitted expressly. This course, although hopeless of a good result, is at least manly; and I suppose the bold Georgian intends, when voting is found useless, to stand by his arms. As Mr. Badger is not, I presume, prepared for that extremity, I cannot understand how, whilst voting against a measure calculated to strengthen the Union, his friends who sustain him, can claim any merit, as peculiar friends of the Union; unless Mr. Badger's friendship for the Union is exhibited in the same extraordinary way that his friendship for our Southern institutions is exhibited. "Call you that backing your friends? A plague upon such backing!"

I have now stated reasons which, in my judgment, sufficiently justify my not voting for Mr. Badger. If the gentleman for whom I did vote, entertained similar views, I am sorry for it; as a citizen of North Carolina, I am rejoiced they were not entertained by a large majority of the Legislature. I did not attend the debates and proclaim my objections to Mr. Badger, because I was well aware that by so doing, I would merely incur a great deal of ill will, without doing any good; and I preferred keeping aloof from the contest about the Senatorial election. It always affords me very great pleasure to act with my political friends, when I can conscientiously do so without violating a still higher obligation—my duty to my constituents. When such a crisis occurs, I have no other guide than the dictates of my own understanding; nor was I aware that in voting according to its promptings, without attempting to influence others, I was giving just cause of offence to any one. If the day has arrived in North Carolina, when the intolerance of party will not allow private judgment to any one, I admit it is of no consequence to the people, what are the opinions and votes of their public functionaries.

WILL B. SHEPARD.
Elizabeth City, April 2d, 1849.

"SINGLE PACKETS."

We comment the following pithy remarks, from the Presbyterian Advocate, to those of our subscribers who receive single packets by mail. The remedy proposed is a capital one, and we hope it will be tried.

We have on our mail books scores of what are technically called in the offices "single packets," that is where only one paper goes to a post-office. These "packets" have the name of the subscriber, with that of the post-office, written upon the wrapper, and not on the paper. The wrappers are directed first, to save time, and the papers put into

them afterwards. Where more than one paper goes to an office the names are written on the papers. Whenever, therefore, a subscriber gets a paper with his name written not on the paper, but on the wrapper, his is a single packet. What we want to be at is this. We would like to have all our single packets doubled, trebled, quadrupled, or more, if it might be. It is troublesome to send out these single packets—very troublesome in proportion to the gains. We can fix up two or three papers for the mail nearly as soon as we can one.—Besides, we always realize a feeling of anxiety in regard to these little packets, in sending one paper away by itself so far. We feel for them in their lonely and uncertain journey. As to the larger packets, the very bulk will command some respect for them from post office clerks. But these solitary little fellows, in their seeming insignificance, may probably be kicked into some corner, or miss their way, and be lost among the hills and hollows. A small package does not arrive so certainly at its destination as a large one. We have a remedy to propose for this state of things: Let each subscriber who gets a "single packet," obtain another subscriber or two whose papers may go with his for company. It is a pity to have one paper take such long journeys, as some do, "solitary and alone." Give them company, and they will travel more swiftly and reach their destination more surely.

This pernicious vice is not peculiar to our day and generation. Temperance reformers lived and temperance reformations were agitated in days whilom; and the virtue in statutes and proclamations against drunkenness, was fully tested, long before the American Continent was stained with its pollutions. The history of ebriety, and the various drinking customs which have encouraged and continued the vice among men, would indeed be a curious history. I have gleaned the following facts from the history of olden Time, which may advise some of your readers for the first time that the original stock from which most of us originated, were as familiar with excessive drinking as we are our descendants; and also that the experiment of enacting statutory laws, as a preventive to drunkenness, is no "new idea," as many suppose.

The French, Italian and Spanish people are not justly chargeable with the national sin of drunkenness—they partake of the luxury of the grape, which, it is written, maketh glad the heart of man, and do not indulge in strong drink at so many parties and exciting matches, as do the Northern nations of Europe, and we their descendants.

Bacchus is said to have been the appropriate deity of the joy and conviviality which the juice of the grape occasions; and he is represented as a youthful and graceful divinity, in all the ancient gods, statues and paintings—joyous and voluptuous, it is true, but never intoxicated. Among the ancients, and among the wine producing nations to this day, drunkenness was and is represented by the hideous and disgusting figure of Silenus, the foster-father and attendant of Baccus. The convivial customs of Northern Europe and of this country assimilate to the heathen Silenus, rather than to the joyous and graceful Bacchus; but they are uniformly termed the "Bacchanalian" from the notion, probably, that a wine-bibber is quite likely to become a confirmed libertine.

Caesars, the historian, asserts that the vice of intemperance was contracted by the English in their long wars in the Netherlands, first learning to drown themselves with immoderate drinking, and by drinking others' healths to inspire their own. He also says of all Northern nations that the English had been before this, most commended for their sobriety! And Nash, a wit of the reign of Elizabeth, has also left recorded these words: "Superstition in drink is a sin that ever since we have mixed ourselves with the Low Countries, is counted honorable; but before we knew their laughing wars, was held in that highest degree of hatred that might be." He further adds, that before these wars, a drunken man in the streets would be spit upon, and "all friends warned out of his company." So prevalent had the vice become that Camden says, "in our days it was first restrained by severe laws." Many statutes were also passed against drunkenness, in the reign of James I.

Excessive potation had a dialect and phrases as peculiar and barbarous among our ancestors, as those employed in these days. "Half-seas over" is of Dutch origin, from a stupefying beer from the Low Countries—*opzee*—over sea.—"Rouse and carouse" are Danish terms of jollity—*rouse* was a large glass, in which a health was given, the drinking of which by all the company was a carouse—but there could be no rouse or carouse unless the glasses were emptied. Although we may not at this day use the same terms, still we have not lost the practice. Who has not heard of the animating cry of "gentlemen charge your glasses," at a public dinner or supper party? And from the host, at a private dinner or supper, "gentlemen up with the beer-taps."

In Germany the word is "geraus," drink all out. Then there was the drinking "super-macculum"—this required the cup or glass to be inverted, the edge placed upon the thumb-nail, "in proof that every drop had been swallowed"—if more than a drop remained, or there was a failure

to invert the glass, then the host would cry out, *super-macculum*, and the guilty one, by the laws of drinking, would have his glass filled again, and he must drink it off a second time. "Carouse the hunter's hoop," alludes to an ancient custom of having hoops marked on the drinking-pots, by which every man was to measure his draught;—thus Jack Cade in Shakespeare, says the three-hooped pots shall have ten hoops, and I will make it felon to drink small beer." Our worthy ancestors also used "peg-tankards" at their drinking matches, which it would be well for our modern Bacchanalians to adopt in their rival combats—these peg-tankards had a row of eight pins from top to bottom—the tankard held two quarts, Winchester measure, so that there was half a pint between each pin—the first person was to drink to the first peg—the second to the next, &c., making all drink alike; and it is written, that "as the distance of the pins was such as to contain a large draught of liquor, the company would be very liable to get drunk, especially when if they drank shot of the pin or beyond it, they were obliged to drink again."

So prevalent had these "drinking-bouts" become, that we find in Archbishop Anselm's Canons, adopted in the Council at London in 1102, that the "priests were enjoined not to go to drinking bouts nor to drink to pegs." And King Edgar, "because his subjects should not offend in swilling and bibbing as they did, caused certain iron cups to be chained to every fountain and well-side, and also at every vintner's door, with iron pins in them to stave every man how much he should drink, and he who went beyond one of those pins forfeited a penny for every draught."

I will mention but one more "invention" of our ancestors "of blessed memory," which was not tested until the "hollow cask" proclaimed "How the waning night grew old." This was the "flap-dragons"—being small papers set on fire and floated in a glass of liquor, which an experienced toper could swallow unharmed while yet blazing—if not too drunk.—Thus Falstaff says of Poins' feats, that he "drinks off candle-ends for flap-dragons."

It is a very common expression to say of a drunken man, that "he is as drunken as a bear," or that he is "beastly drunk." This libellous phrase upon the brutes, which we are daily guilty of uttering, is said to have originated during the reign of the virgin Elizabeth—and its origin is forcibly illustrative of the manners and morals of those glorious days. It was discovered in those days, not that bears got drunk, but that men, while in the different stages of ebriety, showed out the most vicious quality of different beasts:—and Nash, the strictest of that day, has recorded eight kinds of beast drunkards, all of which he says, "I have seen practiced in one company at one sitting, when permitted to remain sober among them to note their several humors." The description is as trifling as curious.

"The first is *ape drunk*, and he leaps and sings and hollows and danceth for the heavens; the 2nd is *lion drunk*, and he flings the pots about the house calls the hostess bad names, breaks the windows, and is apt to quarrel with any man who speaks to him; the 3rd is *swine drunk*, heavy lumps and sleepy, and cries for a little more drink and a few more clothes; the 4th is *sheep drunk*, wise in his own conceit, when he cannot bring forth a right word; the 5th is *mutton drunk*, when a fellow will weep for kindness in the midst of his drink, kiss you, and then he puts his finger in his eye and cries: the 6th is *maria drunk*, when a man is drunk and drinks himself sober ere he stirs; the 7th is *goat drunk*, when in his drunkenness he hath no mind but on lechery; the 8th is *fox drunk*, when he is crafty drunk, as many of the Dutchmen be, which will never bargain but when they are drunk."

When a man was drunk enough to exhibit any of the above animal traits, then he was "as drunk as a bear," or "beastly drunk."

During the times of Charles II, it is said the people kept "perpetually warmed in drinking the King's health on their knees;" and during Cromwell's usurpation, when it was criminal to drink the King's health, the "raucous cavaliers" adopted a most ingenious method to continue their "drinking habits," and at the same time drink a sentiment equivalent to the King's health. It was this:—"they put a crumb of bread into their glasses and before they drank it off, with cautious ambiguity exclaimed, 'God send this CHARLES WELL DOWN!'"

Charles the Second was a prodigal prince.—Soon after the Restoration, he issued a most remarkable proclamation, dictated by Clarendon, respecting upon his debauched companions and which strongly marks the moral disorders of those depraved and wretched times. So grave, pungent and truthful is this proclamation, it is worthy of attentive consideration by the Temperance Reformers of our times. It is against vices, debauched and profane persons, in the words following:

"A sort of men, of whom we have heard much and are sufficiently ashamed, who spend their time in taverns, tipping-houses and debauches, giving no other evidence of their affection to us but in drinking our health, and inveighing against all others who are not of their own dissolute temper, and who in fact have more discredited our cause, by the license of their manners and lives, than they would ever advance it by their affection and courage. We hope all persons of honor, or in

place and authority, will so far assist us in discountenancing such men, that their discretion and shame will persuade them to reform what their conscience would not, and that the displeasure of good men towards them may apply what the laws have not and it may be cannot well provide against, there being by the license and corruption of the times and the depraved nature of man, many enormities, scandals and impieties in practice and manners, which laws cannot well describe and consequently not enough provide against, which may, by the example and severity of virtuous men, be easily discountenanced, and by degrees suppressed." Most truthful words, fully written and worthy of all acceptance.

Gleanings from the history of every nation and people that has had a historical habitation and name, since the Ark rested upon Ararat, might be made in proof of the existence of the desolating vice of Drunkenness. From the days of Noah until now, man, originally created in the likeness of his Maker, has continued to degrade himself and dishonor the Almighty, by excessive drinking.

Centuries ago, men indulged in drinking bouts, drinking-matches, rouses and carouses, &c., and centuries ago they drank till "half-seas over," till they became ape-drunk, lion-drunk, goat-drunk, &c. Centuries ago these vile drinking habits were sought to be suppressed by "peg-tankards," Church canons, statutory penalties, Royal denunciation, and the displeasure and example of "virtuous men." Still the vice continues, if it has not increased. We have now our "sprees, revels, jollifications and buffooneries." Men are now seen, not only half-seas over, but also drunk as beasts, while the laws condemn, and the Church and good men unite to suppress it.

Adversity or misfortune causes some men to seek forgetfulness in their troubles and sorrow by excessive drinking—others partake too freely of the cup by reason of the unrestrained license and excitement which succeeds; or continual prosperity often occasions—and others again become drunkards by yielding to the dissolute habits and corrupt practices of the times. But there are many men who have strength of mind and integrity of purpose enough to experience all the changes of their earthly sojournment, and still live and die temperate men.

However politically true it may be, that all men are created equal; it surely is not physically or mentally true. Some men are made constitutionally and physically inferior and weak—others sound and strong—some men have vigorous intellects, others not—some men will become drunkards "any how"—some can be restrained by the influence and example of the good and virtuous, "to taste not," while others can partake with impunity of those "poisonous luxuries, the temperate use of which is the Gospel emblem of 'gladness.'"

Ebriety is a vice to which mankind has been more or less addicted ever since the Flood, and all past efforts and experience to suppress it, predict its continuance as long as human nature is human nature.

—But although it cannot be entirely suppressed, it can be easily mitigated and lessened; and it is surely the duty of all men by their example to discountenance this enormity scandal and impiety, which the license and corruption of every age, and man's depraved nature, have occasioned, and which statutory laws and penalties have not and cannot enough provide against."

CURE FOR BAD TEMPER.

David, a man of meek and kindly spirit, had long suffered from the pater-factio, never-ending, scolding tongue of his worse half. One day, a herb doctor greeted David at his work with a "well Master David, and how be you?" "Oh, I be very well, thanks to ye, but my wife's me so very nicely!" "Indeed," said the gatherer of simples, with a quick ear for an ailment. "What may be the matter wif she, Master David?" "Well," said David, in his usual dry and quiet way, "she be a bad breaking out about her mouth every now and then, that troubles her, and me very sore. I wote ye, Master Doctor." "Well," said the latter, "I could make a grand cure of her, I warrant: I have a salve 'at I makes for the juice of the juniper tree, and by billing up a vast o' different kind o' things 'at quite cures that in no time!" "Dud," said David, "and what might your charge be, now, for a box o' that herbal 'at would cure her?" "Oh," said the herbalist, looking anxiously up in David's face, "only a manner of a shilling!" "Well, that's dirt cheap," said David. "If you cures her, I'll give you eighteen pence; there now!" With this offer, the doctor set off home to prepare his nostrum, and straightway hid the very next day to David's house, box in hand. There he found Mrs. Price, and went at once to business. "Well, Mrs. P., your master tell me that you be better; a bad breaking out about the mouth, 'at will come ye?" With this announcement, Mrs. P. bring up, at once seeing her husband's joy, raised the latch with which she was unlocking the door, and presented the doctor to her heart's content, each intending to beat him in a field from her house, he scratching all the while. "Oh, Meech Price, be you gone mad?" From that day, however, Mrs. Price has been wholly cured of her scolding humors. David has only to look up to her face and say, "I'll get a box o' that 'herbal,' and there's an end of the matter. David honorably paid the doctor his fee, and treated him to make him forget his pummeling. The whole of these circumstances are strictly true.—Durham Chron.