LE PEE DEE HERALD.

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THE Pee Dee Herald.

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TERMS.

The Pee Dee Herald is published every Tuesday at $2 per year, *strictly in advance.*

ADVERTISEMENTS.

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Of every description, done with neatness and dispatch at this office.

Original Tale.

FOR "THE PEE DEE HERALD."

THE VILLAGE LAWYER!
OR
THE INDEPENDENT CANDIDATE.

CHAPTER I.

Young Frank Elton had just graduated with distinction in the College of his native State and had returned to his home, de ned to commence the study of the la, the directions man who ranked among the bar, in section of the country where he resid L. Frank made known to his father his intentions and they were not only approved but applauded; his sister, Susan Elton, was present when her brother conversed with his father on the subject, and of course considered it a part of her duty to express her opinion upon the propriety of Frank's choice of professions, and his idea of going so soon to commence his preparations for it. She was an affectionate and amiable girl, and was more proud of her brother's collegiate honors than he was himself. It was in this wise she expressed herself upon the occasion referred to: "Brother, I like your selection of occupations very well, but don't agree with you as to the time of beginning your studies, you have just come home from College and have not had an opportunity of enjoying yourself in the society of your friends or in sharing any of the pleasures and amusements of life. When you enter upon your studies, I know you well enough to know, you will never consent to give them up for any thing else, (if indeed you ought.) So wait a year or two, and then go to your books if you will."

"Ah, Susy, I know *myself* well enough to be assured that if I do not go right at it I shall feel no disposition to study after a while, for once out of the *habit* it is hard to be driven back into it, besides I am anxious to be at the bar, and at the *top* of it too."

"But don't you think much may be learned by travel and the society of intelligent men? and will not information acquired in that way be of great benefit to you in the practise of your profession? So you see I am not asking you to *throw away* your time, but rather to improve it in such a way as you will perhaps never have another opportunity to do. You will at the same time be recruiting your health, which you can't deny has suffered materially from your recent close application to books."

"Susy, you reason so though you [illegible] some pet [illegible]

"Yes, I confess I have, but that doesn't overthrow my *logic*, I am not so great a metaphysician as to pretend to cope with a young graduate, but I know that an argument depends not upon the purpose which produces it, but upon its applicability to the subject and the truth of its premises and conclusions. Now am I not your match, Mr. Graduate?"

"Well, daughter," said Mr. Elton, "you are right, I think, in wishing Frank to wait a while before he enters into a lawyer's office, for he need be in no haste; he is rich and will not *need* the profession as a support, and I think he ought to take time to consider the matter well, as the selection of a calling is a very important thing to a young man. I like his choice but would prefer he should consider the subject maturely—but I, *don't* like this way of Southern people going to the North to spend their money with the Yankees; if you want to travel, go into the northern part of this State among the mountains; the scenery is as good as any in New England, and the people a *great* deal better."

This latter sentiment was such as many other South Carolinians, besides old Mr. Elton, held at this time. It was finally determined, in this family consultation, that the old gentleman's plan should be adopted for the summer, and that Frank should begin his studies in earnest upon his return if he still desired to pursue that calling. The necessary arrangements for the journey were soon made, and the happy Susan was on the road with Frank by her side in the family carriage. They travelled into the adjoining States of North Carolina, Georgia and Tennessee, as well as among the mountains of their own Carolina. At one of the watering places in their own State they fell in with a party of young persons of both sexes, and entered, with them, into all the pleasures of such a place. Balls, riding parties, and innocent amusements of every description, completely monopolised the time of our young friends, and drove all thoughts of study and visions of fame far from the mind of young Frank Elton. But there was yet one greater cause for this complete obliteration from Frank's mind of the thoughts which not long since had possession of it. He here became acquainted with a fair damsel who resided at the Capitol of South Carolina, Annie Somers, and to know her was to love her. For beau grace, intelligence and amiability of disposition, Annie had but few equals, no *superior* in the whole State. Frank met her for the first time at a riding party, and was at once captivated, so that ever after, his eye sought her out in every crowd he saw, and having found her, his heart led him to her side. It was not long before Annie began to feel as though his presence was an addition to the pleasures of the gay watering place, and his absence from any of the parties created a void. Yet no words of love were spoken, and each was ignorant of the others feelings. Susan, however, began to grow tired of the place and longed to change the scene, Frank had become so unsociable—still Susan too had become fond of Annie's society and half suspected her brother's sentiments towards her. At length she proposed to Frank to go to some other place, and said: "Brother, I think we have seen enough of this section of country, let us move on and try the virtues of some *other* springs upon your spirits, you seem not half so gay as when we came here."

"Oh, Susy, you are mistaken," he replied as he roused himself from a fit of deep abstraction, "I enjoy myself finely here and scarcely think we can do as well at any other place, the society is good and the scenery fine, let us remain a while longer."

"Why, Frank, I do believe you have fallen in love with some of the girls here, I hope it is Annie Somers. Is it? say yes, say yes."

"I won't say yes, for I don't know why you should suspect me of such a thing. Why Susy I am not so susceptible as to be overcome with the first glance of a pretty eye, am I?"

"You are certainly not more [illegible] able than all the rest of mankind Frank, and I do believe every body here has fallen in love with Annie already."

"So I must expect many rivals," he answered with a sober and thoughtful face, but quickly added in a more careless tone, "I mean if I *were* to take a fancy to her."

"Oh yes, you have let the secret out, have you? ha! ha! I've caught you sir."

"If you have you have learned more of my heart than I know myself, but here comes Miss Somers."

The subject of their conversation came into the piazza where the brother and sister were sitting, and Frank quickly offered her his chair and brought another for himself. Here they sat for some time, during which Susan told her of her desire to resume their travels, and expressed a hope that Annie's party would accompany them.

"I should be pleased to travel in your company, Sue, I am sure, but father says we must go home in a few days, but should you ever visit Columbia be sure and come to our house, I would be delighted to see you."

"Oh, I would certainly do so, and you, Annie, why can't you come into the Pee Dee country sometimes, nothing would be more pleasant than to have you visit me."

Frank wanted to say something but could not quite make up his mind to more than this: "Miss Somers you surely don't leave so soon I hope?"

"Yes, sir, father is getting impatient to be at home."

The next day Annie informed Susan that she was going to leave on the following morning, and Susan of course told Frank of it, now Frank made no further objections to Susan's plans except that he went so far as to intimate a preference for returning home. He sought Annies company more anxiously however than he had, before, and at length found an opportunity to speak with her alone. What he said, and she replied, needs not to be here related, but it may be well enough to say he told his love, and she admitted hers. This was just about twilight on the evening before Annie was to leave, so that Frank sought her Father immediately to make known to him what had occurred, and ask his approbation. They were slightly acquainted before, but as Frank while in College went but seldom into company he had scarcely seen Annie during his long residence in Columbia, he had *heard* of her, for her beauty and intelligence was the theme of all his classmates, though they were none of them often permitted to enjoy her society, from the fact that Annie cared very little for balls, and parties, and loved a domestic life. Mr Somers told the happy young man when he found him, and revealed the state of affairs, that he knew him only by reputation, except the short acquaintance he had with him at the springs, but so very flattering was the character which he had heard given him by every one, and so favorable was the impression his short acquaintance had created in his own mind, he was willing to leave the whole matter in the hands of his Daughter, in whose discretion he had unbounded confidence. Frank seized the old gentleman's hand before he had finished speaking, and thanked him warmly for what he had said. Susan, was by this time of course cognizant of all that had passed, and as happy as could well be imagined. The whole party in a few days left the springs and after visiting other places of celebrity returned to their respective homes. Frank went to work immediately, and in the course of a year was married and opened an office in his native village for the purpose of beginning the pratice of law. He and his young bride were the *favorites* of the villagers, nothing they did or said, but was applauded and cherished. They deserved it all, for Annie was a pattern of every thing lovable in woman, and Frank was a noble, talented, generous, soul. Rich themselves, they sought to relieve the distresses of the poor, and many were the blessings called down upon their heads by the grateful recipients of their charity.

Soon Frank's office was crowded with clients and the older members of the bar, (though with the remarkable generosity of that profession towards the younger brethren, gratified to see his success,) [illegible] feared they ought be suppressed. Court week" rolled around and Frank made his first speech before a crowded audience in a case of great interest. He was successful, every body was delighted with his eloquence, astonished at his learning and convinced by his logic, congratulations accompanied by business poured in upon the young lawyer, and a brilliant career was predicted on every side. Annie was delighted, Susan *was* proud of her brother, and old Mr. Elton wept for joy. Frank himself stood up manfully under all this intoxicating flattery, it made him think no more of himself, than before, nor did he conduct himself with his brethren at the bar or the community in general as any thing of a *Lion*. True he was gratified by the universal expression of confidence in him as a professional man, but he sought more and more to *deserve* that confidence, by proving his superiority to that sickly sentiment of vain glory which so often wreck the most brilliant genius. Just at this time he was strongly solicited to become a candidate for the Legislature, but resisted the temptation, (*if indeed it was one*) and replied to those who urged it upon him, "I have no desire to go to the Legislature and would only ever give my consent to go there, upon the assurance that I could be useful to my fellow citizens, but I cannot think that my services are now needed as there are so many older, wiser, and more experienced men in the district who would go. I must stick to my profession."

Some now began to say for the first time that he was *proud*, and wanted stronger solicitations that he *cared money* and would not leave his business for a few weeks to serve the District, others charged him with being too much *governed by his wife*, who was known to be opposed to his being a candidate, and others still gave him credit for *liberality*, in prefering his friends to himself, as they supposed. However he did not consent to run.

CHAPTER II.

Susan Elton (as the reader knows) was a fine, amiable, and light hearted girl, and it was not long before at least one young gentleman found it out, for she was about the time when her Brother was declining the "*honor*" of a seat in the Legislature, accepting the profered love of young Charles Stanton an old schoolmate of Frank's who resided not many miles away from the village. Now it was Frank's and Annie's time to plague poor Susy, and they did not neglect the opportunity, but she took it well and survived it all. The wedding came on, and the invited guests were getting themselves in proper attire to attend upon the festivities, while not a few of the *uninvited* were giving expression to their mortified feelings. Frank being now somewhat of a public character—inasmuch as some had even *thought* of him as a candidate for the Legislature, while he positively declined to be one—it was the opinion of many that a wedding ought not to be had in his Father's family unless all 'the dear people' were to be there and suffered to kiss the bride, but there were some whom Mr. Elton did not for a moment think of asking, and now the storm bursts upon him, his daughter, and chiefly upon poor Frank. "I'd like to know" said Joe Strapper to Bill Winder, "I'd like to know if old Elton thinks his fine carpets would be hurt by letting a poor man's foot fetch 'em, I'm as good as he 'is any day I'll let him know if I do have to work for my living," "yes" answered Bill, "I'd like to know what squire Frank Elton speets to make by it, he aint a goin to the Legislater nor no what else without the help of poor folks, he's got tarnal proud an stiff over sense he was talked about for the Legislater any how," "He aint fit fun fo nobow Bill, he's just one of them young 'scholars." And the fair sex too had their notions about the wedding. "Why Sally Snooks, aint you goin to the wedding? I thought every body but me was invited, I did'nt want to go I'm sure, so they need'nt a been so stingy of their sugar cakes and fixins." "No Jane Pooches you know I aint a fit person to go among the quality folks, but I reckon I've seen rich folks before Susan Elton was thinkin about gettin' married; you know her brother brought that alabaster wife of his'n, here the whole family has got above common folks."

Nor was the discontent confined to the *uneducated* classes. Dr. John Simpson was one who, before, had been on a visit to the wealthy Mr. Thompson (who by the way was never a friend to the Elton family) and the Dr. after inquiring about the health of the family, and narrating some incidents illustrative of his wonderful skill in medicine or surgery, and the still more wonderful qualities of his horse, turned to Miss. Eveline Thomson and remarked "I am surprised Miss Eveline that you should not be invited to the wedding, what can be the meaning of such extraordinary conduct?" "And I am astonished Dr. that *you* have been slighted; for my own part, I neither expected nor desired an invitation, indeed I should not attend if I had been asked, for I do not wish to cultivate the acquaintance of people who keep all *sorts* of company." "I understand" said Mr. Thompson, "that it is to be quite a mixed company, among them the very men who make our shoes, shoe our horses, and mend our ploughs, and a whole bevy of seamstresses, and house keepers; *my* daughter should not go into such society. Elton and his son have always been low and grovelling in their tastes. "It is a matter for self congratulation to those of us who are left out, Mr. Thompson to know that the *truly* respectable members of society are small in number. Elton has never spoken to me since I declined to see that old consumptive widow Harris when she sent for me, I knew I would never get my fee and I dont intend to practice for *nothing*. "Oh well Dr." said Eveline "we can live without the attentions of the Elton's, and live in purer air than they, oh dear what would I do if I was doomed to remain in a close room with such a company? what a smell of tobacco, garlic, and shoe leather, there must be there"—and [illegible] thing almost fainted with the idea. So wags the world, and so wagged on the limber tongues of the curious and malicious. And yet every body of good character and respectable standing in society—who visited the family or showed any disposition to be on friendly terms with them—whether rich or poor, learned or unlearned, was at the wedding, and enjoyed themselves as much as though there were no other beings in the whole wide world, and no slander loving tongues to roll the sweet morsel of defamation.

The next day Frank was at his office as usual, but rather preferred to be alone than to have clients or any body else coming in, inasmuch as he had some writing of importance to do which could not be postponed. He was not so fortunate however, for scarcely had he taken up his pen before one of the most talkative and troublesome men in the whole country, walked in. With his native politeness but with ill-concealed mortification, Frank asked him to take a seat and hoping soon to dispatch whatever business he might have with him, immediately inquired with a forced smile, "what difficulty have you got into nothing *serious* I hope?" "Well no squire I reckon not, and if I was in any real serious difficulty, I would be afraid you Lawyers would charge too much to get me out." "Oh no, the Lawyers are quite reasonable in their charges when you take into consideration the services they render, you must recollect that it costs us time, money, and hard application to books, to prepare ourselves for business, and then we have to work like slaves to earn a support by the profession."

"So you all say, but it looks to me like mighty easy work and great pay."

"Well so you all say, but try it awhile, what is your case though? let's hear it."

"Oh I aint got any case, but I thought maybe some of these days I might get into law—but I see you're a busy man in law yet, and as I was a-goin down to the store I thought I would just step in and see if you could'nt tell me how I could get a writ for a man that owes me a little matter of forty or fifty year old, that I may keep out of it for the balance of my life, I aint much account no how, and I guess nobody thinks they are any thing out of me."

"I must ask you to excuse me unless you have important business for I am engaged in [illegible] papers which immediately to be ready for the Court, and it will be too late for the purpose if attended to." Saying the Lawyer went on with [illegible] paper, but the visitor kept his seat, saying "Don't let me bother you squire, but I know you lawyers can write and talk just as well all at the same time. What is it you are going to do now?"

"Nothing," [illegible] ago when your case was [illegible] and I made a resolution that by no [illegible] when called [illegible] by [illegible] of tobacco spit upon his floor. At length silence was broken. "Squire (if it were not bother you) I reckon you had a dog that if could be proved by as good witnesses as there is in the State of South Carlina, to in the habit of killing people's poultry and killing up, and I was to shoot him, could you do anything with me for it? I'm just sposin a case, I dont know as there will be any case, but just sposin."

"That depends upon the facts of the case entirely. If you killed the dog in the act of destroying or injuring your poultry I could'nt make much out of you." "So I did, I seed him catch a turkey and kill him right in my own yard, and I shot him right off on the spot—well I *thought* we had mighty poor laws for a *free* country if a man could'nt perfect his own property."

"Whose dog was it?" "One of my neighbors, Tom Taylor, and he's sawed me about it, and I want you to defend me, I know'd you'd know what was law if *any* body did."

"Have you the copy of the paper served on you." "Yes here's the writ" look at it squire and see if you cant pick a flaw somewhere; I'll pay you well if you'll fling him." "Well just leave the writ here and bring your witnesses to me before court and I'll do the best I can with it."

"Well I will, and you needn't be uneasy about your fee, I'll pay you well," he started out of the door, but returned to say, "Squire I'll tell you what I'll do if you'll fling him; I'll give you five dollars, and if you *does* you mustn't be so hard on me." "I cant make such a bargain as that, for I shall have just as much trouble with the case in one event as the other, but five dollars would do, [illegible] usual fee." Fearful of Er the case the client stopped him just here with "well, well, charge what ever is fair I'll trust you, good day squire," and Frank was relieved, though he could not help thinking that the *trusting* would all be on the other side, and that for some time to come.

Court again approached, and Frank had made a large return. Among his cases for trial, was one which was creating great excitement in the community where the parties resided, Frank had issued the writ. It was against a wealthy and very influential man, for the slander of a poor girl in very great terms. The friends of the Defendant were making great exertions on his behalf, and a large number of the best Lawyers in the Country were engaged, so that the Plaintiff's attorney became somewhat alarmed for his client. Involving as it did, the good name of an almost friendless female who hitherto had sustained an unblemished reputation, he gave great attention to the case, and nerved himself for the encounter with the giants of the profession. The case was called towards the close of the week, and on Defendant's counsel moved for a continuance. Frank resisted it stoutly, saying that "this is a case which neither party should desire to postpone, the investigation of, because character is at stake on both sides. On behalf of my client I must insist upon trial, for every moment that she is under the gross imputations which are the cause of action here, she is suffering more than the Defendant would if a verdict should be rendered for the whole amount of damages laid in the Declaration." The court refused to continue the case, and the people anxious to hear every word that was spoken, pressed up to the bar in a dense crowd. The evidence was heard on both sides, and the counsel for the Defendant, exhausted their eloquence logic, and law upon the case.

Frank rose against the profoundest silence. He ran hurriedly over the law in such cases, recapitulated the testimony, and the arguments of his opponents, and then made an eloquent, an appeal to the jury to sustain the character of a slandered female, that not an eye was dry, and even the grave Judge upon the bench, exhibited much emotion. The defendant did not escape without the most withering rebuke, and the base witnesses who no doubt had been paid to testify as they did, were driven in confusion and shame from the court room, by the bold and scorching sarcasm of the speaker. Only for a few moments did his honor detain the jury, with the charge altogether favorable to the plaintiff, and they rendered a verdict "for [illegible] at a time, which, while it vindicated the reputation of the poor girl, it became [illegible] the price of Co [illegible]