

Recent Legal Decisions.

NEGOTIABLE INSTRUMENTS—PREVIOUS INSOLVENCY OF MAKER.—TITLE TO PROCEEDS OF SALE.—L. & Co., of New Orleans, were sued in attachment, and their establishment was seized at half-past 10 o'clock A. M., New Orleans time, on November 29, 1881. The action was brought by local creditors upon a demand for \$5035, of which \$2500 became due November 26, 1881, and the balance December 13, 1881. H. of New York, owned a note of L. & Co., which brokers sold to the Hanover National Bank after 11 o'clock A. M. of November 29, 1881, and on information being received of the attachment the same day, the bank demanded the proceeds of the sale of the note from the brokers, and H. also claimed it. In this case—Harris vs. Hanover National Bank—in the United States Circuit Court, Southern district of New York, Judge Cox, in deciding in favor of the bank, said: "The bank is entitled to the money. The almost unbroken line of authority seems to establish the doctrine that if bills of a broken bank or the notes of a party who has previously failed are transferred in payment of a debt, both parties being ignorant of the failure and innocent of fraud, the creditor may repudiate the payment upon a tender of the dishonored note and recover the amount due. It is a mutual mistake of fact. The plaintiff contends that, contemplation of law, the attachment did not imply either the insolvency or a failure of L. & Co. The attachment was granted on the ground that L. & Co. were disposing of their property with the intent to defraud their creditors. They were unable to meet their obligations as they fell due, and suffered their property to be taken on a charge of fraud, which was not denied, and they were legally if not actually insolvent. The questions in this action are by no means free from perplexities and doubt, but the weight of authority seems to uphold the positions taken by the defendant."

INTOXICATING LIQUORS—NUISANCE.—RIGHT OF PROPERTY.—D had C keeping a liquor saloon in his name (C's) for him, and M, who had an execution against C, caused it to be levied on the liquors. D brought replevin against M and took the liquors, but on the trial of the action the Court held that the liquors being for sale by C were, under the statute, a nuisance, and directed that they be returned to M. The plaintiff carried the case—Donohue vs. Maloney—to the Supreme Court of Errors of Connecticut on the ground that the statute applied only to liquors seized as a nuisance by legal proceedings. Judge Pardee, in deciding against the plaintiff, said: "The statute declares that 'all intoxicating liquor, intended by the owner or keeper thereof to be sold in violation of law, shall, with the vessels in which it is contained, be a nuisance.' It is the plain intent of the statute to remove all temptation to the illegal keeping and selling of intoxicating liquors, and to accomplish this by making these acts unprofitable. To that end it is framed of language which is in all inclusive—which does not admit of the limitation claimed. The plaintiff having made these liquors a nuisance, he cannot use the process of the Courts to recover them, for they will not be recognized as property."

PARTNERSHIP—REAL ESTATE PURCHASED FOR FIRM—INDIVIDUAL CREDITORS.—Land was bought by a firm with its funds and used for partnership purposes. It made an assignment, and in the distribution of the proceeds of the sale of the land individual creditors claimed a dividend. In this case—Spaulding vs. Wilson—the Court of Appeals of Kentucky decided in favor of the creditors of the firm. Judge Prior, in the opinion, said: "Real estate purchased with the firm funds and for partnership purposes becomes partnership property. It is objected here that as 600 acres of land were bought, upon which the firm ran a distillery, that portion of the land which was not necessary to the distillery ought to be regarded as a mere incident to the running of the distillery. This might be convincing if the land had not been purchased with the partnership funds and used for partnership purposes. Its products were all applied in that way, and besides, the partners seem to have been doing an extensive business in buying land, stock, etc., and why the land should not constitute a part of the partnership assets under such circumstances is a question not easily answered. If the land is not an incident to the distillery, the latter may be an incident to the land."

NAVIGABLE RIVERS—IMPROVEMENTS BY STATE—TOLLS.—The Canal Commissioners of Illinois, in pursuance of State statutes providing for the construction of locks and dams on the Illinois river, had the locks and dams built and established the payment of certain tolls; and merchants who ran steamboats on that river filed a bill in equity—Hase vs. Glover—in the United States Circuit Court, Northern district

of Illinois, for an injunction to restrain the exaction of tolls at the locks. Mr. Justice Harlan, in deciding against the merchants, said: "In order to develop the greatest utility of navigable rivers as outlets to sawed logs, sawed lumber, coal, salt and the like, it is often essential that dams, booms, piers and like structures should be used. They are substantial obstructions to general navigation—more or less so to rafts and barges; but to the Legislature of the State may be most appropriately conferred the authority to authorize these structures when their use will produce a greater good than the harm done by their existence, and to impose such limitations and regulations in their construction and use as will best reconcile and accommodate the interests of all concerned in the matter. Until Congress interposes its paramount authority the State cannot be controlled by the Courts as to the mode and intent of improving the navigable rivers within her limits."

MUNICIPAL CORPORATION—ACTING AS A DISTILLER—STATUTORY LIEN—LIABILITY OF CITY.—Salt Lake City distilled spirits and paid \$10,760 as a special tax on the liquors to the United States, but the authorities misrepresented the quantity distilled and the Collector of Internal Revenue sued for and recovered \$12,051.75, for the balance of the liquor. The liquor had been sold and the United States claimed the amount of its lien from the funds received from the sale. In this case—Salt Lake City vs. Hollister—the Supreme Court of the Territory of Nevada, on the judgment being carried to it, decided against the city. Judge Twiss, in the opinion, said: "The question whether the city had the power to do a distilling business is not in this case. By receiving the proceeds of the sales of these spirits into the treasury the city became possessed of a large sum of money—the amount of the lien—which was justly due to the United States, and to which she had no legal or moral right, and money so received and appropriated by a municipal corporation is subject to the demand of its legal equitable owners to the same extent as if held by a private corporation or a person."—Philadelphia Record.

Riding Habits.

There is never much change in regard to the manner of making habit-dresses and the style now is as near perfection as may be. Nor is it of any great use to describe them in detail, for those who ride seriously and can afford to keep horses and grooms can afford to get a riding-habit from a good tailor; still it may be remarked as a guide to the selection of material, that while rich shades of color, plum, wine, claret, bottle green, bronze and indigo blue are admirable, and furnish a welcome relief to the old blacks and browns and navy-blues, light shades, such as ecru, do not look well on horseback, nor very slowly shades, such as terra cotta. The cloth needs to be fine in order to exquisitely outline the form, and should be cut to perfection in order to display it to advantage. Narrow bands of black fur have been used on some habits during the past season, and indeed it is quite a problem how to make a habit warm enough for cold weather without additional wraps, which would be in the way, yet cool enough for warm weather, as no one wishes to duplicate so expensive and exceptional a dress. At this season there is, of course, no difficulty in regard to warmth: a cloth bodice of light texture is sufficient for such cold days as we may expect in April, and the danger lies in choosing a color or texture for approaching summer that will not be appropriate later, and that will not be worth the cost of the making and the necessary accessories. The skirt of the habit is not now made quite so long as formerly, it having been found dangerous and hurtful to a thoroughbred horse. It must also be full enough not to embarrass the rider in case of an emergency. The bodice is high, close and perfectly plain with the narrow standing collar, the row of small buttons for fastening the narrow tie—the only bit of color—and the close sleeves which the loose gloves more than meet, and which require no cuffs; gilt buttons and silver buttons are now alike discarded, the small round bronze or enamel buttons matching the cloth in color being preferred. Most ladies, too, have adopted the high silk hat, as more distinguished than the Derby, and twist about it a strip of tulle or gauze as a trimming more than as a veil. Riding is one of the most healthful of all accomplishments, and the dress should be carefully studied so that it may be permanent and combine convenience with grace and elegance.

Any man can lie, but it takes brains to arrange facts and present truths in an intelligent shape. This is why there are so many liars in the world.

The New Postal Law.

The new postal law, which is to go into effect at any time at the option of the Postmaster General within six months from the date of passage, March 3, provides that while domestic postage on letters is reduced from three to two cents, that on drop letters (city postage) is left at the old figure—two cents. Another important feature of the law is that authorizing the new three-cent postal note, and is of special interest to persons transmitting small sums through the post-office. The note is about the size of a greenback. At the right-hand side are two columns giving the months and the dates of twelve years, beginning with 1883. On the left hand side are three columns of figures, one representing dollars, and numbered up to four; another, representing dimes, numbered up to nine, and the third representing cents, numbered up to nine. The note is for sums less than \$5. The postmaster who issues the note punches the date, the dollars, dimes and cents, thus preventing any alterations of date or amount. No written application is necessary, and the note can be issued for any amount from one cent to \$4.99. It is bought like postage stamp and is payable to bearer any time within three months. The body of the note is a form stating the place of issue and where to be sent, and when paid endorsed by the bearer. Though there is not the same degree of security about the note as there is about the postal money order, its cheapness and convenience compensate for other disadvantages.

It has been in operation in Great Britain two years, nearly four and a half millions being used in a year. The new American system is less cumbersome even than the English. For sums over five dollars the money order will still be used, though the cost is reduced. The charges for orders on sums not over \$10 will be eight cents; from \$10 to \$15, ten cents; from \$15 to \$30, fifteen cents; from \$30 to \$40, twenty cents; from \$40 to \$50, twenty-five cents; from \$50 to \$60, thirty cents; from \$60 to \$70, thirty-five cents; from \$70 to \$80, forty cents; from \$80 to \$100, (the highest order), forty-five cents. The present rates are ten cents on orders not over \$15; fifteen cents on orders from \$15 to \$30; twenty cents on orders from \$30 to \$40; twenty-five cents on orders from \$40 to \$50; the present limit of money orders.

Sanitary.

Hoarseness and tickling in the throat are best relieved by the gargle of the white of an egg beaten to a froth, in half a glass of warm, sweetened water.

TREATMENT OF TYPHOID FEVER.—In an editorial on the recent epidemic of typhoid fever in Paris, the Medical Record, January 6th, 1883, says that the conclusion to be drawn from the Paris epidemic, as regards the therapeutics of typhoid fever, is that the disease must be watched, not actively treated. We believe that the sooner this view is taken, and typhoid fever is looked upon as a disease like the small-pox or scarlet fever, whose course the physician cannot greatly modify, but whose dangers we can, in part, avert, the better it will be for our science and our credit.

NEW REMEDY FOR DIPHTHERIA.—A German apothecary, R. Munch (Kronen-Apotheke in Leipzig Sohls), who enjoys a great reputation for veracity and reliability amongst those who know him, recommends in No. 27 of the Pharm. Centr. Anzeiger, "as a new remedy in diphtheria, and the effect of which he had noticed on his own seven year old daughter—oleum terebinthine rectificatum. Children take one teaspoonful morning and night; adults, a tablespoonful. In children tepid milk is given after it; it might also be mixed with the same. The effect of this remedy, which has of late been highly praised by different authors, is said to be really a miraculous one. Within already half an hour after the administration of the drug, a bright redness begins to spread from the margin of the diphtheritic exudation, and this redness becomes generally diffused over and taking the place of the false membrane, and the disease is said to disappear within twenty-four hours without leaving the slightest trace. While this wonderful effect is said to be invariably met with when the remedy is made use of at the very commencement of the disease, those who recommend it so highly contend that it is also successful, only less rapidly, in cases that have already progressed for several days.

To detect fuel oil in alcohol which is fairly strong, Dr. Hager dilutes the liquid with an equal amount of water, then adds glycerine and evaporates the whole upon filter paper. When the alcohol escapes the odor of the fuel oil may be very easily perceived.

A Terrible Time in a Lighthouse.

The keepers at the Eddystone Lighthouse had very unpleasant experiences during the stormy weather of the past three months. One of these men was entitled to have been relieved some eight weeks ago, but it was not until Monday that he was brought on shore at Plymouth, and for several days prior to relief arriving he and his comrades were reduced to very great straits, for, excepting that two or three hard biscuits still remained in the lighthouse, they were without the necessities of life. Their ordinary stock of food was exhausted; they had been living on their reserve for some weeks, and their last installment of flour had to be fried in lamp-oil on Thursday in order to furnish a meal. They continued to use this oil as an article of diet until assistance from the shore reached them last Monday. In addition to this they were without fuel for several days, and the only warmth they were able to obtain was the slight amount of heat furnished by the oil-lamps which they were burning. The men, in fact, were reduced to such a depression and weakness that they were only able to converse with each other in monosyllables. Seeing that no relief from the shore was forthcoming the keepers kept signals of distress flying daily for a fortnight or more, in the hope of attracting the attention of passing vessels. These signals were seen by several vessels, but so boisterous was the weather during the whole time the distress signals were flying that it was found impossible to effect any communication with the unfortunate men, whose condition was getting more serious every day. It is alleged there were several occasions since Christmas, and prior to Monday last, when the men at the lighthouse might have been relieved, but that on each occasion the steamer usually employed on this duty was engaged on other work, and her services therefore, could not be secured. The condition of the store at Milbay seems also to furnish cause for complaint on the part of the relatives and friends of the lighthouse-keepers. In this store are temporarily lodged articles of food which the wives of the men leave there for conveyance to their husbands when opportunity offers for the steam-tug to go out to them. But the premises are so infested with rats that these articles disappear. On one occasion a leg of pork, intended for consumption at the lighthouse, was suspended by a cord to the beam in the hope that it might escape the attention of the rats which overrun the stores. But the device failed, for the rats reached the beam, bit through the cord, and when the meat came to the ground it was speedily devoured.

A Town Unearthed.

A most important discovery has just been made in the neighborhood of Poitiers, in France, where an entire Gallo-Roman town has been unearthed. It contains a temple 114 yards in length by 70 yards in breadth, baths occupying two hectares, a theatre, the stage of which alone measures 90 yards; streets, houses and other buildings covering an area of nearly seven hectares, or about 17 acres. The excavations are being continued with further success, disclosing more edifices, sculpture in the very best style and in good preservation, dating it is thought from the second century—and a quantity of iron, bronze and earthen articles. M. Lisch, the inspector of historic monuments, is enthusiastic over this discovery, and declares that the town is a little Pompeii in the center of France.

The Queen's Reception.

The London correspondent of the Boston Gazette writes:—"When ladies go to the Queen's drawing-room, if they have any experience of the ordeal awaiting them, they will occupy the hours passed in the carriage waiting its turn to set them down at the Palace entrance by reading some entertaining book. A private account of a recent presentation, written by an American lady who had the 'honor' of being taken to Court, gives some amusing details. She says she hopes never again to endure such an hour of suspense as the one passed in the road to St. James. For some reason or other the curtain of getting out of order and the 'populace' coolly stared in at them, making criticisms on their head-dresses of feathers and the style of their gowns, until her companion devised a curtain with the end of a wrap, and the ladies found protection, if not suffocation, behind it. Many ladies provide themselves with books and try to read or study, but that requires an abstraction a debutante cannot quite command under the novel circumstances. But were the ordeal many times worse than it is the women would gladly go through with it for the pleasure of saying they are received at Victoria's Court."

Agricultural.

Conditions for Germination.

The conditions favorable and unfavorable for the germination of seeds are:

- 1. Depth.—This must depend upon the size and nature of the seed. The smaller the seed the less depth of earth is required. Cabbage seed, celery, turnip, radish, onions, etc., should be covered lightly—barely covered. Corn may be covered to the depth of one to two inches, and peas to the depth of six inches; but it is better in the case of peas to plant them in a furrow six or eight inches deep and cover two inches deep, and as the plant grows fill in the earth.
2. Moisture.—Seeds require moisture to enable them to germinate. If the earth becomes dry the seed will not germinate; on the contrary, if there is too much moisture it is liable to rot.
3. While light is essential to the healthy growth of plants, it is detrimental to the process of germination. Seed-beds may be covered with cloth, boards or any substance that will not prevent the rays of the sun from heating the earth. When cabbage, celery or tomatoes are planted in boxes they may be covered with cotton-batting, cloth or paper. The darker the material the better, as it absorbs heat. This covering not only facilitates germination, but aids in keeping the surface moist. A single lath laid over a row of carrots has made several days difference in the germination of the plant, and, also, the seeds have come up more uniformly. Under these circumstances a smaller quantity of seed is required. In field culture this would be impracticable, but in a garden a few hundred laths might be of great service.
4. The soil must be kept loose over the seed, or otherwise it may not be able to push its way up through the surface soil. The soil should also be loose and mellow below the seed, so that the root may shoot downward for food and moisture. The soil should be loose also in order that the air may have access to the seed, and thereby afford oxygen, to develop the embryo. By being loose, I mean not baked hard so as to form a crust. If a crust forms it should be broken up carefully with an iron-toothed rake. The soil over the plant should be pressed gently so as to prevent its drying out.

With air, moisture and heat the germ quickly develops, sending its plumula upward and radicle downward. Oftentimes good seed is sown but fails to vegetate because the conditions referred to in this article are not attended to.

Potatoes for Planting.

Few operations on the farm receive so little attention as the selection and keeping of potatoes for planting, yet the success of the crop depends very much on the condition of the potatoes planted. How often we hear farmers complain that their potatoes do not come up well or that they fail to make a vigorous growth, usually attributing it to the state of the weather, when in many cases the trouble is with the potatoes planted. In selecting and keeping potatoes one important fact is usually entirely overlooked, which is, that the potato is not the seed; therefore is more liable to be injured by keeping. Most of seeds are covered with a hard substance which protects them from the light and sudden changes of temperature, if kept in a dry place; but the potato being simply a tuber has no such protection, therefore is very sensitive to light and variations of temperature, even though kept in a dry place. In fact, a potato is similar to the root of a tree when severed from the tree, which we are so careful to keep in a dark, cool place if we wish to keep it in a healthy condition and grow well when set in the ground. The potato may endure more than the root of a tree without completely losing its vitality, but it suffers in the same way and, if not entirely killed is injured in some degree by being kept where it is too hot, too cold or too dry. If it is kept too hot it sprouts badly, and thus loses its vitality, never again producing such vigorous stalks as come from the first sprouts. If kept where it is so cold as to chill it, it is worse than keeping it where it is too warm, as it does not take much of a chill to prevent it from growing at all. The farmer in selecting potatoes for planting should ever keep in mind that he is dealing with tubers and not with seed, therefore size and form is not so important as health. When he selects scions he cares more to have good buds and a healthy shoot than he does for the particular form; and in keeping his scions he uses great care to keep them where it is cool, and neither too wet nor too dry. The same principle which holds good in the scion applies to the potato, especially that which applies to the strength of the buds and the health of the shoot or the tuber. As the potato when planted is simply the renewal of the old life, it carries with it many of the diseases which it may have gathered up, while a seed only carries with it the constitutional weakness of

the parent. Thus the importance of selecting potatoes as free as possible from disease and of keeping them where they will lose none of their vitality.

The Spring Pigs.

It seems a general desire to have sows farrow as early in the year as possible, in order to allow the longest period of time for growth. The system works excellently during mild winters, but it is doubtful if anything is gained when the pigs come in during a season of cold weather. They have no protection against cold except that provided for them, and not only suffer, but become crushed more easily from the movements of the dam owing to their inactivity. An April pig, though having but nine months in the year during which to grow, has the advantage of a good start in life, as it is usually safe from extreme cold, and it is the beginning of a pig that controls his future prosperity. Should he become checked in growth early from exposure the check is perceptible for several months afterward, and the later pigs that come in when the severity of the season is over often grow faster and outstrip those that are several weeks older. If the pigs, however, are properly provided for they may do well when farrowed in February, but, for economy of labor and attention, April is as good as any month in the year. The pigs need only being pushed to grow fast and make large hogs.

There is a mistaken idea that pigs must have corn at all times. For a growing pig corn is not at all essential, and especially after the warm days set in. It is too heating and fattening, and fat is unnecessary while the pig is growing. The first requisite of a hog is the frame on which to place the meat. This can only be given him during the time he is growing, and the food should consequently be of such character as to assist in the process of bone-formation. The range of a clover pasture, in which the hog has a choice of several kinds of food from the clover, foreign grasses, roots and weeds, is usually of such variety as to afford nearly all that the system needs. The exercise of diligently searching for preferred morsels is another source of thrift and healthfulness. It is considered expensive to give up clover to hogs, but there are often unprofitable ranges, or sod pastures, that have been left for turning under, and in such the hog can find profitable employment, and also utilize much that might be wasted. Corn, however, is not cheap feeding if allowed throughout the year, not only from its cost, but because there is no economy in feeding material that is not wholly suitable for the purposes required.

Statistical.

THE total exports of the United States for the twelve months which ended March 31st, 1883, amounted in value to \$808,726,356, an increase of \$17,917,336 on those of the preceding twelve months. Our total imports for the twelve months which ended March 31st, 1883, were \$742,442,369, an increase of \$41,599,385 on those for the twelve months which ended March 31, 1882.

THE value of the imports of the Dominion of Canada during the last six months of 1882 was \$64,763,486, on which was collected a duty of \$12,249,231. The value of the Dominion exports during the same period was \$62,535,910.

THE wheat acreage of Minnesota in 1882, was 2,572,000. This year it will be about 2,500,000. Dakota in 1882, had 850,000 acres in wheat; this year it will reach 1,600,000, swelling the crop fully 12,000,000 bushels over 1882.

—The Reading Railroad is laying tracks across the Pennsylvania Railroad entrance into Reading. This is a stale trick and seldom pays those engaged in it.

—The decrease of the public debt in April was \$2,851,402.

A father has been complaining to a friend of the family of the conduct of his prodigal son. "You ought to reason with him seriously," says the friend of the family. "So I do! so I have!" says the father in despair, "but it has no effect. The young scoundrel will listen to nobody that isn't a fool like himself. I want you to go and talk with him!"