

## HIS FIRST LAW CASE.

## HOW DANIEL WEBSTER BROUGHT SOME SELECTMEN TO TIME.

He Was a Young Student in the Law Office of Judge Thompson in Boscawen. The Story Told by the Son of the Engineer Who Built an Old Turnpike Road.

I can probably furnish the reader with Webster's earliest experience in managing a difficult legal case. I give it on the authority of my father, for the scene dates back to 1855.

At that period there was no good road from what were called the "Parks," to wit, the towns of Boston, Salem, Newburyport and Portsmouth, through the State of New Hampshire to the Connecticut river at the point now known as White River Junction. The means of communication were so wretchedly bad that the merchants could not send goods to the interior except at a great inconvenience. The Legislature of New Hampshire finally chartered the "Fourth New Hampshire Turnpike" to be constructed over the route mentioned. The stock was principally taken in the towns on the seaboard, and the corporation of Newmarket was organized largely for the undertaking. A special tax was levied to meet the subscription, the money collected and paid into the treasury. This money was only to be paid over to the turnpike company when the road had been finished to a certain point.

My father was the engineer for the upper part of the road, and when all was ready the proper documents were prepared to verify what had been done. These were taken by him to the office of Judge Thompson in Boscawen, the attorney for the turnpike company. I give what follows in my father's own words:

"On handing the papers to Judge Thompson he told me he would send his son-in-law, who was his partner, immediately to Portsmouth, and requested me to call in a couple of days, when the money would be ready for me. At the appointed time I was at his office. His partner had returned without the money. It seems there had been a change of political parties, and the new selectmen decided that the action of their predecessors was unconstitutional, and declared they intended to test the question in the court.

"I was dumfounded. I had felt sure of the money. The company was in great 'dread' of it, and I know how much this failure would embarrass them. My face must have exhibited intense disappointment. Suddenly Judge Thompson exclaimed:

"I believe I will send Dan." "At this a thin face was turned up from a desk near by, showing a pair of innocent blue eyes and a smiling visage. It was Daniel Webster, then twenty-two or twenty-three years old. He was a law student in Judge Thompson's office and had nearly finished his course.

"Yes, I will send Dan," Judge Thompson repeated. "Come again in three days." "All this time Dan did not utter a word, but continued his reading.

"At the end of three days I returned. Young Webster had collected the money. I exchanged but a few words with him at the time. When in Judge Thompson's private office I asked how it was done. This was his explanation:

"Taking a letter of introduction to the Judge's correspondent in Portsmouth, young Webster presented himself and asked permission to use his office to transact a little business. He at once proceeded to issue, in Judge Thompson's name, separate writs for each of the town officials, holding each to bail, after the practice of that time, in his individual capacity. The sheriff was sent for, the writs put in his hands with directions to serve immediately and to inform the persons against whom they ran that Judge Thompson's representative was here, for that day, at the office designated."

"In a short time they came running in." "Young man," said the spokesman, "you are making a mistake. You should sue the corporation. We as individuals have nothing to do with the matter."

"You are yourselves mistaken, gentlemen," was the reply. "The corporation has nothing to do with it, for the corporation has done its duty. You are individually responsible for malfeasance in office. The money has been paid in for this specific purpose, and the turnpike company will hold each of you personally responsible for heavy damages for obstructing its works."

"The result was that the proper order was signed and the money paid the next morning."

My father afterward saw much of young Webster, and it was in this way their acquaintance commenced.

What gives a special value to this anecdote is that many years later, after I myself had become intimate with Mr. Webster, I repeated it to him. He heard the story distinctly, and even corrected me in one trifling particular.

During the later years of his life I was often at Mr. Webster's house, especially when he visited his New Hampshire home in Franklin. I have frequently been with him when he was giving a lecture, and he would give the service by uttering a few intelligible words. His nature was devoted. "No one can fully appreciate the Psalm of David until he is past fifty," he said to me one evening. On another occasion, after he had been making a search for a second cousin, who he thought lived near Franklin, he said: "When we are young every one is for himself. We give little thought to relatives. As we grow old and approach the confines of age we cast about for kindred."—Richard B. Kimball in New York Times.

He Pumped the Organ.

Ell Saunders was a tall, thin, gawky man who had always lived in a little village, and had never accomplished anything worth mentioning, but he had a little money, more than most of his neighbors, and considered himself a very valuable member of society.

He was decidedly eccentric, and there were people who contended that his "head wasn't right." However of criticism, he was fond of music, and insisted on "pumping" the little organ in the church, Sunday after Sunday, year in and year out, "just for love," as he said.

"What's the use of him? A flighty boy that most likely won't pump even strokes," he inquired, "when here I be, ready as I will!"

As he grew older he became more and more convinced that his part in the music on Sundays was one of great importance, and often spoke of the skill it required to pump an organ as it should be done—neither too fast nor too slow.

One day a fine organist from a distant city came to the little place and played on the organ on Sunday. He held a short conversation after church with Ell, who went home much elated.

"He said I pumped stolidly, as sure as anybody he'd ever had," announced Ell in triumph to his wife, who said:

"Sposin' I had give you pumpin', as some of 'em have stjupied, I'd like to know how you think that hop skipin' Mason boy's manner of pumpin' would have struck this city man? Threw him all off his base, more like."

"But I let him see I knew I pumped bet-

ter'n common. So when he'd passed me a few compliments, I jest said:

"I'm used to it, an' there can't nobody beat me at it, I presume to say. Jest let me give you pumpin', an' a little insight into the ways, an' I can pump any piece you've a mind to try."

"An' he said," added Ell, "that was more'n he could say, for no doubt there was any number of pieces I could pump that he couldn't play. So what'd you think of that, Sarah?"—Youth's Companion.

## AN ANECDOTE OF "UNSER FRITZ."

He Saved for Philippe the Cow Which His Soldiers Were About to Eat.

A contributor to The Saturday School Visitor relates the following characteristic incident of Frederick William, crown prince at the time the incident occurred and afterward emperor of Germany: It was during the war of 1870, when the German troops were marching on Paris, France, a young French girl living not far from the city, just a pet cow, Fauchette, which was almost the only support of her family. To save the animal from the Germans she was taken out to graze only at night and kept hidden in the daytime.

It was Philippe's task, as soon as she had cleared away the supper things, to take the cow to the stables, where she was to be grazed, and stand guard over her for the hours necessary to give her sufficient time for her meal. It was a lonely and dreary vigil, and many times Philippe felt her heart sink while undergoing it.

One night, when the moon gave just enough light to make out objects clearly, Fauchette was suddenly startled by the sound of horses' feet coming along the road. It needed no guess in that direction to know that a body of horsemen were approaching at a slow gallop.

With the swiftness of the wind she flew to Fauchette's side, and, with her hand on the gentle creature's shoulder, was about to push her away toward a clump of tall bushes. But through some carelessness the bull had not been removed, and either it gave out a tinkling sound or Philippe's swift running had drawn attention to herself. At any rate, before she could move the cow, a gruff voice called to her in her own tongue:

"Hold on, there! We see you! Don't take that cow away!"

Overcome with terror, Philippe could only stand with her hand against the cow's shoulder, looking in the direction whence the gruff voice had come.

The soldiers had halted. Some had already dismounted and were climbing the fence. Others tore a wide gap and entered through it on their horses. How their guns and sabers glittered in the moonlight!

"Oh, Fauchette!" exclaimed Philippe, with a burst of grief, as she threw her arms around her dear cow's neck. "I am afraid they are going to kill you!" Then with a sudden determination she cried, "But if they do they shall kill me first!"

"Let go that cow, girl!" said the same harsh voice, now unpleasantly near to her. "We must have her!"

"What do you want of her?" said Philippe, raising her head and wondering at her own bravery.

"To eat!" was the gruff response. At these words Philippe burst into tears. To eat! Her beautiful Fauchette! No, no, no!

"Are you going to get away or not?" the man asked again. "If you do I shall take you away by force. Come!"

She did not move, but stood with her arms firmly clasped about the neck of Fauchette. The officer turned to two of the men, who had dismounted and were standing near.

"Seize her!" he said. Philippe saw them coming, and her screams rang far and near. They were echoed by an angry exclamation from the direction of the road, and the next moment a horseman on a powerful horse came galloping through the moonlight.

He was a man in the prime of life, with an air that bespoke the commander. When he saw him the men who had been about to seize Philippe moved away. Only the officer held his ground, looking confused.

"What does this mean?" sternly demanded the new comer. But he didn't wait for an answer; he seemed to comprehend the situation at a glance.

"There, little girl, do not cry!" he said in the kindest tones. "They shall not take your cow. Go home with her. It is late for a little girl like you to be out."

Then while Philippe, smiling through her tears, was uttering her thanks, the officer, who had been turned and who could hear him, after she had gone some distance, angrily reprimanding the soldiers.

"Philippe did not know until long afterward that the noble looking horseman who had come just in time to save her dear Fauchette was no less a personage than Frederick William, crown prince of Germany, the future Emperor of France."

"Philippe," said the physician, "all there is to it, but if taken as I have prescribed it will save suffering humanity many dollars in doctors' bills, to say nothing of pain, and aches and twinges. No, I charge nothing for this advice. It is simply given for the benefit of mankind."—New York Herald.

A Prairie Dog's Well.

A Wyoming man has settled the question of how the prairie dogs obtain the water they drink. He says they dig their own wells, some villages having one with a conical opening. He says he knows of several of these wells from 50 to 200 feet deep, each having a circular stairway leading down to the water.—St. Louis Republic.

The fig is the favorite fruit among animals, and horses, cows, hogs, sheep and goats will eat this fruit as readily as man. The elephant considers it a delicacy, while all the fowl greedily devour figs.

CHANGE.

Darling, you have changed so often Since I met you, long ago I so oft have seen you soften When your lips still murmured "no."

But, lo! now the days are going, And no word, sweet or unkind, Comes from you for a moment, shoving You again have changed your mind!

Yes, I know your "mind was faltering," And I know your "heart was altering," You were changed, you "scarce knew how."

But, my darling, O my dearest, I ask only one step more— One step that is the nearest— Change, as you have changed before!

Darling, you have changed so often— "Is but now, or then, or never?" Can you not your dear heart soften And change once again?—E. Hough in Argosy Traveller.

## NEW CONQUEST OF EGYPT.

Modern English Society Has Accomplished More Than Ancient Heroes.

When the khalf of Granada returned from the conquest of Cordova, in which he had slain a rival khalf by the aid of Christian allies, and rode in triumph through the streets of his palace, the Alhambra, he was hailed as a conqueror by the populace. "Alas!" said the weary monarch, with a pathetic recognition of the fact that he had only aided the downfall of his own religion in the subject of a rival, "what God is the only conqueror of this world. He would understand the matter better if he could be in Egypt in the year of grace 1891.

He would see that Egypt is for the first time conquered, but not by armed force, but by religion. What was accomplished neither by the Hyksos nor by the Ethiopians; neither by Nimrod nor Shishak nor Tiahuti; not by Suleibor or Esaraddon or Sardanapalus; by Psammetichus, by Cambyses, or Darius Hystaspes; not by Alexander the Great, nor by the Crusades, nor by the Moslems, nor even by Omar and Ali; not by the Memloks or the great Napoleon, nor by Mohammed Ali—what none of these illustrious warriors could accomplish has been effected by the fashionable young women and the delightful young men of England.

It is not any Gladstone or Salisbury or Sir Garnet Wolsey who has done this thing, or ever could do it, any more than Cambyses or Haroun al Raschid. The Assyrian, the Persian, the Arab, have conquered Egypt and overrun it and occupied the land, but the invaders on Egypt forages before have done, and left no such impression on the country as the annual rise and fall of the Nile.

But one day English society conceived the idea that Egypt would be a good winter resort, and the young men and the young women of England, with their enjoyment of life, descended on it, and set up the worship of their goddess here, the ancient temples and the sacred mosques. In ten short years they have accomplished what the great conquerors could not effect in centuries before. The English tax gatherers could not have done it, nor the British soldiers, nor the British sailors. Both Fellah and Arab are powerless before the new goddess, Fashion.—Charles Dudley Warner in Harper's.

Intentional Taking of Diseases.

We learn that the inducement of a first attack of smallpox was an antique practice in Africa, Persia and China, and that the method of inoculation was brought from there to Constantinople in 1673, and from that town to England by Lady Mary Wortley Montagu. The idea was evidently to produce a mild attack of the disease in individuals placed under circumstances most favorable to recovery in order to induce immunity. The practice, although open to serious objections, must have had no little success, as was much resorted to in the middle of the last century.

Another practice which is not so rare as one might be inclined to believe is the inducement of measles. Many people are under the impression that unless children have had all the ordinary exanthematous fevers it is almost desirable that an opportunity should occur for them to have mild attacks of these fevers; and I have known of instances in which, one out of several children being attacked with measles, no attempt has been made to isolate the sick child, for, it was argued, it was as well for the other children to have the fever also and be done with it as soon as possible.

Since this has been done under the influence of a popular belief, I think I am justified in suspecting that the practice of inducing measles for protective purposes is far from uncommon, although not generally carried out by professional men.—Sheridan Delepine, M. D., in Popular Science Monthly.

## Emerson's Last Sitting.

The last time that Emerson ever sat for his picture was just before his mind gave way. He came into the gallery one day with some relatives, who assisted him with his wraps and in making ready for the photographer. It was very difficult that day to make a picture of the great man that would stand the test of time, and he was with him. It wasn't because Emerson was fussy or nervous; he was, in fact, a most delightful sinner, and on this occasion his courtesy was no less marked than at other times. But when he directed his gaze steadily at the object which the artist selected the features relaxed very peculiarly, and the expression of his eyes and mouth was strongly irrational, if that word may be used in such a connection.

The relatives, who were accustomed to his features and their expression, saw in the negatives what they could not see in the original of the picture. So they ordered that the negative be not developed, but destroyed. And this was paid for, but no photographs were ever delivered.

It was noticed that as Emerson left the gallery that day his eyes were bent steadily on the floor and he smiled continually. Very soon after the story of his mental trouble was published, but this story of the last sitting was never heard.—St. Louis Globe-Democrat.

## Postponing the Battle.

A bright suburban youngster in kilts, who for some time has been promised his first trousers, came across a setting hen at his home the other day. The aroused chicken, seeing the boy, pecked his legs, flapped him generally, but without effect. He then stood on his hind legs, and with a pair of courageous hands and returns from the boy. Once he screamed. Then he cried and kicked, then he ran again with the chicken tugging at his kilts. And so the battle went on until the urchin was driven indoors. But no sooner had he reached a place of safety than he turned on his feet, and pursued with tears in his eyes and passion in his voice, and shaking his fist threateningly he cried:

"You just wait till I wear pants; I'll kill you!"—Kansas City Times.

## The Dog Salutes the Steamers.

The keeper of the Bear Island light is the owner of an intelligent dog. When a steamer comes near the light it whistles its salute, and in response the lightkeeper rings his bell, or rather did ring before the dog took the job out of his hand. Seeing that the passing of a boat and the ringing of the bell were two things that went together, the dog took it into his own hands—or mouth—to ring the bell, and when a boat comes along, without waiting for her whistle, he seizes the bell rope with his teeth and rings a vigorous salute.—Rockland Free Press.

Dr. Messenger Money, who was physician to Chelsea college, and a noted wit in London society in the last century, was a struggling country doctor until Lord Godolphin, son of Queen Anne's treasurer, was seized with illness near the place where he lived. Money was called in, and his noble patient, who was a follower, continued what is now generally known as the school of No-Darwinians, deny such transmission. If they are right, education has no value for the future of mankind, and its benefits are confined exclusively to the generation receiving it.

So far as the inoculation of knowledge is concerned this has always been admitted to be the case, and the fact that

## BACK TO HONEST LIVES.

## GOOD WORK DONE BY THE BIBLE AND FRUIT MISSION.

Convicts Returning from Prison Are Taken Care of, Given Employment, Kept Away from Bad Influences and Helped to Make a New Start.

An age of penology is this, and the question arises, how much is New York City contributing toward the better treatment of the criminal classes? An oncer of prevention is certainly better than a pound of cure, but, then, the cure is needed just the same. Penologists are agreed that the classification of prisoners is imperative, but while this reform is being carried into effect what is being done to classify men and women just released from prison?

It is conceded that young and old criminals ought to be separated while in confinement, but the influence of penologists must be carried beyond the prison to have lasting effects. Any policeman can tell the story of a man who, after being released from prison, goes back to his old life, and to assert it vehemently, that the first clause is true of our men of all classes, stations, vocations and degrees of wealth. His evidences parade themselves in our palaces, where a lack of means cannot excuse him. In fact, cleanliness, neatness and money have nothing whatever to do with each other.

Animals can teach men important lessons in self respect. An American lady residing in London a part of each year, when asked suddenly what especial superiority she found in the English over her own people, replied gravely: "Oh, their men are so clean!" The thrust was as unconscious as it was unadvised. It was well for our men to accept it as such.

Take one of my morning trains and ferries carrying an average American crowd to the city of a morning. Here we have a fair representation of all types and grades of classes, and a sorry enough spectacle it is which presents itself to our view even at this early hour. Spotted clothes, unbrushed shoulders, frowny hair and frayed shirt cuffs are not uncommon. When this herd returns at 5 o'clock, after the struggle of the day, we will draw the veil.

If I meet a man in the late afternoon with uncertain finger nails, depressed countenance and soiled cravat, and he laboriously explains to me that he takes his cold water bath every morning at 6 and a sea dip upon his return to his country home before he has his dinner, I refuse to be impressed. I repeat to myself, "He is a convict, even though I do not for an instant doubt their veracity. I do not care to be informed that he was clean early and will be clean again soon. His present aspect is none the less revolting. [I desire him to be clean now, while I am in the way with him, and not postpone it to a day with his present form performance.]

The average American, who shuffles with his feet. His head is sunk and held low between his shoulders. His arms are carried like the grocer boy's, busy in his conscientious delivery of the brown paper parcel. If he bows to you, he will either give you a grimace or an imperceptible nod, or shove his head back and forth with his head without dignity. Nothing less impressive and distinguished can be imagined than an American's salute.

There has been a good deal of righteous wrath covering the ill concealed pin pricks of a foolish judiciary in the trades of our countrymen against the American woman's predilection for foreign lovers and husbands. Pray remember, my indignant gentlemen, that feminine creatures are always allured by externals. The male bird found it out long ago, if you did not. Nor have I always discovered it a certain assurance of mental brilliancy and moral rectitude that the poor body should be neglected. This, however, is the prevalent opinion, and it seems hard to persuade our countrymen that it is an error.

It may be said that our women, on the whole, are extremely clean in their person, their dresses and their houses. They are even dainty. Probably no establishments are more scrupulously well kept, and this under that peculiar restriction to a proper number of domestics which remains a tradition even in our upper classes, and which so greatly increases the difficulties of housekeeping. This is a digression. If the American woman is a martyr in the ordering of her home and so exacting in respect for her fastidiousness that her husband, father and brother should, as they must do, so constantly shock her delicacy?

There is a much abused creature going about in our streets and drawing rooms, hooded, veiled and in a hanging stock of the cloth and the scapular, and over a harmless, mild creature enough as to retaliation—possibly because he is so perfectly self-satisfied—the dude. Now the dude has done for us a great deal more than he deserves, for all the abuse that is heaped on him, and he is a creature of the floor who has helped us, which is excellent, and beyond this the dude keeps himself clean. All honor therefore to the dude, say L.—Julien Gordon in Cosmopolitan.

The Omnipresent Microbe.

Not many years ago few persons, if any, surmised that certain microscopic living beings—microbes, or micro-organisms—could be potent causes of disease. The discovery, and the subsequent recognition of plants and animals, not merely in dead organic matter, but even in the mineral kingdom. Some time ago the researches of Schleiss and Muntz, of Maracagno, of P. F. Frankland and of others showed that the decomposition of dead organisms into their component elements, and the action of microbes, which break up blood, flesh, leaves and even wood into carbonic acid and ammonia.

Living organisms further convert the ammonia into nitric acid, which, if potash is present, forms saltpetre. By a due selection of different elements—all of them living organisms—we can produce in a laboratory of sugar or a decoction of malt alcoholic liquors having the actual aroma and flavor of the choicest wines. More remarkable still, it is now proved that the green rust on antique bronzes is a product of microscopic plant life.—Professor William Crookes in Forum.

Men Who Have Acted Hamlet.

The best Hamlet of the past twenty years is that of Edwin Booth. Among the greatest impersonators of the character in earlier days were Bettendorf, Garrick, John Philip Kemble and Edmund Charles Keen. Richard Bursage, who was one of the first men to take the part, is said to have pleased his contemporaries, among whom was Shakespeare himself, but, so far as we are aware, no critical estimate of his powers has come down to our time. Macready gained his little distinction in the part, and so did his old rival Forrest, and Charles Edward Pechter, and the same may be said of Irving and Salvini, among living actors.—St. Louis Globe-Democrat.

Accompanied with a Horse Laugh.

Joker (to friend with sore throat)—One would think you were a professional turfdancer.

Friend—Why? Joker—Oh, you're always talking horse!—Kate Field's Washington.

Time to Pay.

"You'll have to pay half fare for that boy, madam," said a conductor. "He is certainly over five years old."

"I don't let him!" replied the passenger. "I have taken that child free for over six years. I'd have you understand, and I don't intend to begin paying for him now."—Epoch.

each new individual must begin at the beginning and acquire all knowledge over again for himself is sufficiently discouraging, and has often been deplored. But the belief, though vague, has been somewhat general that a part at least of what is gained in the direction of developing and strengthening the faculties of the mind, through their lifelong exercise in special fields, is permanently preserved to the race by hereditary transmission to posterity of the acquired increment.

We have seen that all the facts of history and of personal observation sustain this comforting popular belief, and until fair doctors of science come to differ on this point, and shall reduce the laws of heredity to a degree of exactness which shall amount to something more like a demonstration than the current speculations, it may perhaps be as well to continue for a time to hug the delusion.—Professor Lester F. Ward in Forum.

## SEVERELY AMERICANS.

Seething Words About the Appearance of the Average Business Man.

The American, and I allude only to the man who is least likely to be mistaken for a foreigner, is a man who is not a man, but a machine, and to assert it vehemently, that the first clause is true of our men of all classes, stations, vocations and degrees of wealth. His evidences parade themselves in our palaces, where a lack of means cannot excuse him. In fact, cleanliness, neatness and money have nothing whatever to do with each other.

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## Why He Demanded a Raise.

Speaking of theatrical managers, one of them who is very successful in his enterprises, but who is very nervous and absent minded and also after a "first production" when he stumbled into a stranger. "Oh, I beg your pardon," he said. "I beg your pardon, Mr. X—," said the stranger, "You see," explained the manager, "I was thinking about some one. I was thinking that B— was a good bit. Have you ever seen him?" The stranger looked at him. "Yes," he said dryly, "I think he's the best man in the piece, don't you? 'Yes, I do,' answered the manager, and the conversation ended there. But afterward, when contracts were to be renewed, B— demanded an increase of salary. He got it, and when the papers were signed he said with a laugh: "Thank you for the hint you gave me that you liked my acting. The answer ought not to be printed.—New York Tribune.

## Quite Probable.

Old Chapin No. 1—My dear fellow, you are too fascinating for a man of your years.

O. C. No. 2—Flattery! Well, I guess I was born fascinating. But you keep your youth wonderfully, don't you?

O. C. No. 1—Flattery! Well, I guess I must have been born young.—Pittsburg Bulletin.

## Stood Corrected.

Weeks—Ah, that fellow Lushley leads a fast life.

Wentworth—No, you mean he follows a fast career. Lushley never leads in anything.—American Grocer.

## THE RIVER.

For centuries oceanward it has flowed on, Through morland land, beneath the hill's great foot.

Past orchards rich, and flowered meadows sweet, Sing the happy lay: the sun has shown In silver splendor o'er it, and the moon Has blazoned silver etchings there and there Upon its glancing waters: the soft air Has crisped it, and the winds made sudden music.

Above it, like wild spirits seeking rest, So flows my life through scenes of joy and woe.

Around me now sweet summer flowers blow, And now I see the dreary desert's guest; Yet, like the river, ever on I move To the vast ocean of Eternal Love.

—William Cowan in Chambers Journal.

## THE MAGISTRATE'S MULE.

His Honor Thought He Had a Bargain, but It Did Not Pan Out Well.

Winn, a rough frontiersman of the genus cowboy—is the proprietor of a job upon a certain rustic justice of the peace, and the tale will bear repeating. His home is in the quiet town of Richfield, and when he visits the settlement he celebrates by painting the town