

left open for further adjustment, an ap-peal is premature, and it will not be enter-(Hines v. Hines, 84 N. C., 122; Commis-sioners v. Satchwell, 88 N. C., 1; Jones v. Call. 89 N. C., 188; Grant v. Reese, 90 N. So where a testator was indebted to the C 3: Arrington v. Arrington, 91 N. C. person he appoints his executor and leaves

WINSTEAD AND PASS, EX-PARTE.

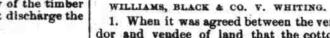
301, cited and approved).

certain property to the executor and leaves ment of the debt, which proved to be of less in value than the amount of the debt, 1. Where a sale for partition is made the executor, after proving the will, can-not elect to assert his rights as a creditor and retain his debt out of other assets of among tenants-in-common, one of whom is entitled to a life interest only, the tenant for life must have the interest on the value the estate. of the share to which he is entitled paid to him for his life, and he is not entitled to acted under a mistaken idea of the legal have the value of his life estate ascertained. and a sum in gross paid to him therefor. 2. By section 1909 of The Code, in sale for partition of land subject to dower, where the widow is a party, her life estate may be valued in money, and the money paid to her in lieu of the interest for life longed to him personally, he will only be held accountable to the estate for the part one-third of the proceeds of sale.

WILLIAMS V. JOHNSTON.

5. Where an executor takes a security 1 Authority delegated by a creditor to in his own name for a debt due the estate, an agent to collect and settle a debt leaves | it is not, in the absence of fraud and imthe medium of payment largely at the proper purpose, a devastavit. (Mendenhall v. Mendenhall, 8 Jones, 287; agent's discretion, but it does not extend to a settlement which the debtor knows a settlement which the debtor knows will enure entirely to the benefit of the gent. 2. So, where the debtor contracted with 2. So, where the debtor contracted with 2. So, where the debtor contracted with 3. So whe will enure entirely to the benefit of the

an agent who was authorized to collect a Eq., 32; Patterson v. Wadsworth, 89 N. C., debt, that he would deliver timber at the 407; Torrence v. Davidson, ante, cited and agent's mill for the agent's individual use, which was to be applied in payment of the debt; Held, that the delivery of the timber under this contract does not discharge the debt due the principal.



road Co., Ibid, 489, cited and approved).

SYME V. BADGER.

1. Where an executor proves the will,

a cannot elect to take against the will.

2. It is immaterial that the executor

3. An executor is only required to act in

4. Where an executor did not collect a

debt, under the impression that it be-

good faith and with reasonable care in the

consequences of proving the will.

of such debt as he actually collects.

management of the estate.

made by him to her, and a court of equity will sustain such a conveyance, although 1. When it was agreed between the ven-dor and vendee of land that the cotton 2. Where a hu 2. Where a husband

from association and use.

This is perhaps the sentimental side of the question. At all events, we touch a factor in it which has not been sufficiently recognized in any scheme of revision.

Aside from any doctrinal or sectarian view of the Bible as we know the King James version, it is without doubt the most wonderful book familiar to man, and all the abuse of it by a certain notorious public blasphemer never fixed his status of stupidity with half the enduring clearness as his one assertion that he could write a better book himself.

non to be made a party plaintiff in the Its poetry, its parables, its wisdom, its pending action. (Rollins v. Rollins, 76 N. C., 264; Colgrove v. Koonce, 76 N. C., 363; Phabe v. Black, Id. 379; Stephenson v. Peebles, 77 people

praisms and metaphors and Oriental exag-

 Black, 10. 373; Stephenson V. Feeders, 77
N. C., 364; Goodman v. Goodman, 72 N.
C., 508; Lansdell v. Winstead, 76 N. C.,
366; Ham v. Kornegay, 85 N. C., 119; University v. Hughes, 90 N. C., 537; Wade
v. Sanders, 70 N. C., 277; McDonald v. Morris, 89 N. C., 99; Asheville Division v. It is almost impossible to write or speak Aston, ante, cited and approved. Hardy on topics that appeal to the feelings or v. Miles, 91 N. C., 131, cited and distintreat of the destinies of the race without guished. Cases cited in the dissenting borrowing unwittingly its utterances. opinion: Goodman v. Goodman, 72 N. C.,

508; Hardy v. Miles, 91 N. C., 131; Craw-The sentences of the old Bible are assoley v. Woodfin, 78 N. C., 4; Allison v. Robciated not only in the minds but in the exinson, 78 N. C., 222; Baker v. The Railperiences of myriads of people with the tenderest, the saddest and the most solemn road, 91 N. C., 308; University v. Hughes,

It makes little difference, in estimating this memorial influence where the man 1. The duty of maintenance which a through his doubts may arrive. He may husband owes to his wife is a sufficient outgrow his early beliefs, but he cannot consideration for a voluntary deed of land escape from the early associations, and he cannot outgrow the poetry and humanity

of the book. It is of little account into what puddle doctrine or rut of selfis

go over the texts and changes. But it is my delight to see in the aversion of the public to an altered book a deep, unspoken reverence that one hardly looks for in an age of critical meddlesomeness.

dent.

Hands off! is the verdict of disuse. Some things are to be let alone. You cannot, for example, make Jeremy Taylor's widow, whose idea of heaven is that it is a place to sit in a clean white apron and sing psalms, change the well-known sentence, 'Unstable as water thou shalt not excel,' into "Boiling over as water thou shalt not have the excellency." And perhaps, after all, it is the class of

that he has already enlisted two Republi-can Senators for all necessary purposes, poor widows like her who out of their one from the far West and one from the simple faith make Bibles sell. far East. From Hoar, the fiery champion of Blaine, back again to Hoar the Mug-

## MAKING HISTORY.

Friendly Fibs about Abram Lincoln.

[Charleston News and Courier.] election times; and he can, on occasions, Well, he was at this time not grown 'rise above principle." The offensive Reonly six feet two inches high [said Dennis publican partisans are not pursuing a F. Hanks, cousin of Abraham Lincoln). course toward Senator Edmunds which i He was six feet four and one-half inches calculated to draw his shining cimeter to

when grown-tall, lathy and gangling-not their side. Hawley must do something much appearance, not handsome, not ugly, but peculiar. This kind of a fellow; If a is than his own party, for that way he man rode up horseback. Abe would be the thinks reëlection lies. first one out, up on the fence, and asking But, outside of the better class, "the questions, till his father would give him a boys" of the Senate, like Philetus Saw-

knock side o' the head; then he'd go and yer, Don Cameron, Preston B. Plumb, and throw at snowbirds or suthin', but ponderthe like, are not so hard to deal with. They never quarrel with their bread and in' all-the while."

Was he active and strong?" butter. They will do the fair thing if the 'He was that. I was ten years older. President will. Patronage, and not caubut i couldn't rassle him down. Ilis legs cus, is king. There must, of course, be was too long for me to throw him. He a noiseless attachment to the mill where

would fling one foot upon my shoulder the small offic s are ground out, and all and make the swing corners swift, and his political marble-playing on Sundays must arms so long and strong! my, how we be done in the back vard. Very few Remay would chop! His axe would flash and publican Senators will be found "making bite into a sugar tree or sycamore, and factious opposition" to any President, down if would come. If you heard him when asylum is offered to each for a reasonfallin' trees in a clearin' you would say able number of lame ducks. there were three men at work by the way Until schoolboys are found sticking to trees fell. But he never was sassy or an agreement not to invade watermelon quarrelsome. I've seen him walk into a patches, Republican Senators will not crowd of sawin' rowdies, and tell some shut themselves out from the great nadroll varn an bust them all up. It was tional soup bowl. President Cleveland's the same when he was a lawyer; all eyes nominations will all be confirmed. whenever he riz were on him; there was a

'Sometimes he would write with a

We had no geese them days. Af-

"Ah, Dennis, that name is written now,

"Did you have any idea of his future

'No; it was a new country and he was

"Did he take to books eagerly?

'What church did Abe attend?'

EXCITEMENT ABOUT OFFICES.

[New York Sun.]

letters, "Rats will please enter and turn to the left. The best of free cheese always on hand.'

Senators of no less easy virtue on the Re-Mr. Woodruff having spent much money publican side of the Chamber to surrender on traps, and having found that poison hemselves to the new Democratic Presiwas in vain and that real cats were lazy, decided to try the experiment of fright-Hayes and Garfield made alliances with ening rats by convincing them that the Democratic Senators for the confirmation house was haunted. He prepared a large of men nominated solely to spite and instuffed cat with green glass eyes and a sult Conkling, and Arthur was always ferocious and sarcastic smile, and placed able to sit down on Hoar and Miller by in her interior an electric light. There the aid of certain ex-Confederate cronies was a large closet in his bedroom which of his in the Senate; and so it will be with

BEGAN TO LOOK SQUALLY, contained half a dozen rat holes from which rats came forth every night on for-

but at this point M. Michelin happened to aging expeditions. In the middle of this closet he placed the cat and connected her misplace one of the sheets of his speech, and skipping about two hundred words, internal light with wires running to a batended with a well rounded period, "Hontery near his bedside. Having thus pre-pared his feline ghost Mr. Woodruff went to bed and waited for the rats. As soon neur et gloire à Victor Hugo, le génie de l'humanité. At forty-five minutes past eleven the band of the Garde Republicaine struck up the "Marseillaise." The troops presented as the house was quiet the rats came out, and when, judging from the noise, there were at least a dozen in the room, he arms. The coffin was removed from the catafalque and placed, according to the wishes expressed by Victor Hugo in his turned on his electric light. Wild squeaks of horror greeted the awful appearance of the ghostly cat, with her glowing eyes will, on a "corbillard des pauvres." The

frowned. Things

and Lefevre followed. M. Michelin, in

the course of his speech, spoke of Paris as

a "Commune," which caused several re-

actionary interruptions. Several voices

exclaimed, "Non, non; assez, assez!" The radicals retorted by cries of "Shame,

shame; keep quiet, keep quiet!" M. Rochefort shook his busy white hair and

simple black hearse had no ornament and shining teeth, and there was the rush of many feet as the frightened rats fled to whatever except two small wreaths of their holes. Mr. Woodruff, chuckling white roses. At noon we got fairly under over the success of his experiment, arose and examined the closet. Two rats, who had tried to enter the same hole at the hind the hearse came the family, and some same time and had become securely dozen invited guests following at an interval of a few paces. From my position, some ten yards behind the hearse, it was a jammed, were kicking fierceiy, while three female rats lay on the floor in a dead swoon. These were soon seized and committed to the vasty bathtub, and the

sight most impressive and not to be forgotten in a lifetime. As far as the eve ghostly cat was left to stand guard over could reach I could see a perfect mosaic the rat holes till daylight. of uncovered heads. On roofs and on What is still more remarkable, the rats chimneys were artists and photographers. left the house without an hour's delay. often in the most dangerous positions.

There had previously been, at a low esti Every tree was full of young men and womate, fully 7000 rats in that house, not to men. On one chestnut tree I counted peak of swarms of subsidiary mice. twenty-three human beings. All the rail From the hour when the stuffed cat's elec- ings and lamp-posts were occupied by tric light began to glow not a rat or a climbers in various attitudes of torture. mouse has been seen in Mr. Woodruff's | The windows of residences in the Champs house. The animals that had laughed at | Elysèes and the Boulevard Saint-Germain traps, mocked at real cats, and grown fat were filled with unemotional men and woon poison, were frightened off the prem- men of the world, but the serried, unises by a single apparition of an apparent- broken masses that covered every square ly supernatural cat, and their stories have of standing room from the Place de l'Étoile to the Pantheon, forming, together with given the house such an uncanny reputation that it is safe to prophesy that rats and mice will avoid it for years to come. those of the procession, itself almost a nation, were thoroughly impressed with the The farmers should take a hint from Mr. Woodruff's success. If they could insolemnity of to-day's ceremony, which has now become a historic event. vent a scarecrow representing a tramp at As we reached the Pont de la Concorde work the crows would be vanquished. everal hundred They would, of course, assume the work WHITE DOVES WERE LET LOOSE Since the siege of Paris Hugo had held a sort of veneration for pigeons, and would never allow them to be served at his table. They fluttered lazily over the hearse, and in a few moments disappeared THE INS AND OUTS. the Shiloh Colored Baptist Church. Mr. at the corner of the Rue de Bellechasse

phraseology even, with all its Gothic quaintness and Saxon boldness, has gone nto the common language of millious of Its sentences are wrought into the ordinary forms of expression. Its very He-

gerations are woven into the literature and the dialect of common life.

Nor is this all.

events of life.

## SUMNER V. CANDLER.

1. Assignment of error for the exclusion out its relevancy and materiality.

2. A party to an action is not permitted to testify in his own behalf against the executor, administrator, etc., of a deceased person, unless the executor, administrator, etc., is examined, or the testimony of the deceased person is given in evidence, when the door is opened to the opposing party to testify for himself, but only as to dence of intent. those particular transactions and commu-nications to which the testimony of the deceased person or his representative was pertinent. The Code, \$590. Knight v. Killebrew, 86 N. C., 400; Bland v. O'Hagan, 64 N. C., 471, cited cipal and approved).

TURRENTINE V. THE RAILBOAD COMPANY. 1. Where issues are framed in such a

manner that the material facts of the case as found by the jury, are confused and unsatisfactory, the verdict should be set aside and a new trial ordered.

2. In an action against a railroad company for an injury to the plaintiff, resultfrom its negligence, although the plaintiff shows negligence on the part of the defendant, he cannot recover, if by approved). reasonable care and attention on his part, he could have avoided the injury.

3 Mere negligence or want of ordinary care will not, however, bar the plaintiff's recovery, unless it is such that but for that negligence the misfortune would not have happened; nor if the defendant might by exercise of care on his part have of the reversion (Bat. Rev., chapter 55, avoided the consequence of the plaintiff's aegligence.

Gunter v. Wicker, 85 N. C., 310; Ocens . The Railroad, 88 N. C., 502; Farmer v. The Railroad, Ibid, 564 ; Aycock v. The Railroad, 89 N. C., 321; Bank v. Alexander, 84 N. C., 30; Mitchell v. Brown, 88 N. C., 156, cited and approved).

LOGAN V. FITZGERALD.

1. If the true owner enters on land the tained judgments against the ancestor of ossession at once follows the title, and the defendant, on debts contracted in 1866. both title and possession are then in him. and a homestead was allotted to the de-A possession thus acquired by the true fendant, which at his death was re-allotted wner, although he enters under a mistaken and erroneous claim, nevertheless is to his infant children, the present defendsupplied by the legal estate, and the ants. A petition was filed by the debtor's administrator to sell the homestead to owner, in law, holds by his real and not make assets to pay the judgments; Held, by his pretended title.

2. When the true owner enters, as an assertion of his right it is not necessary to the homestead allotment, and by availto expel the occupant in possession at the time of such entry. 3. Where the defendant was in actual

cluded from denying the right of the in-fants to the homestead; 2d. That the credpossession of a part of the *locus in quo*, and had constructive possession of the rest, itors were entitled to have the reversion and the true owner, the plaintiff, enters upon the part of which the possession was after the determination of the homestead, not the absolute estate in the land, sold to constructive; Held, such entry at once pay their debts. vests the possession in him, and seven years must elapse from such entry before the defendant can acquire title by lapse

(Staton v. Mullis, Ante; Howell v. Mcproved). Cracken, 87 N. C., 319, cited and approved).

THE BANK V. BLOSSOM.

1. It seems, that the affidavit to obtain an order for the publication of a summons may be made after the order, provided the order remains in abeyance until the affidavit is filed.

2. Where notice of an attachment and unmons were published in one notice for tive weeks; It was held a sufficient publication of the notice of the attachment, but not of the summons.

3. Where a publication of a summons was only made for five weeks, the court has power to retain the action and order a sufficient publication.

4. Where notice of the attachment is mitted from the order of publication, but in the published notice the defendant is

raised on the land during each of the five | land to his wife, without any valuable | get fixed, if the anthem tones of these years for which credit was given, should consideration, but it is admitted that he grand old sentences sweep back to him be forwarded to the plaintiff and sold and had no fraudulent intent, and he retaining from lips that prayed over him in his craof proposed evidence must distinctly point the proceeds applied to the payment of the property sufficient to pay all of his dle or surge up on the tide of memory from debts in existence at the time of the gift, purchase money, the cotton is in advance appropriated to the debt, and as soon as the money is received the debt is pro tanto 3. To make a deed fraudulent 3. To make a deed fraudulent as to

90 N. C., 537).

plaintiff, who is solely interested, and al-

lowing him to assign a new cause of ac-

4. When an administrator dies, no one

but an administrator de bonis non of his

intestate can call his estate to account for

5. So, where a suit was pending by the

next of kin against an administrator for

the distribution of the estate in his hands.

and the defendant died; It was held, that

the action abated, and the Court had no

power to allow an administrator de bonis

TAYLOR V. EATMAN.

the assets of his intestate.

satisfied, and can only be revived by the subsequent purchasers, such purchaser consent of the debtor. 2. This consent may be express, or remust also have purchased without notice | eral. sult from implication, and, if the latter, of the prior voluntary conveyance. must rest on clear and unequivocal evi-4. The registration of the prior volun-

tary deed is notice to the subsequent pur-8. A power to act for another, however chaser. general its terms or wide its scope, cannot 5. A feme covert, who is the donee of a

be enlarged into a power to pervert funds coming into the agent's hands without power of appointment, either collateral, clear approval or ratification by the prinband, and she may even execute it in his

4. When the referee fails to report the favor. evidence, the proper course is to move to 6. Although it is generally necessary recommit or to require the referee to proin deeds or wills which are intended to duce the evidence.

execute powers of appointment, to refer 5. It is the duty of the party excepting to show the error excepted to and to state to and recite the power, yet this is not necessary when the act itself shows that such of the evidence as is necessary to enthe donee had in view the subject of the able this court to comprehend and decide power at the time, or when such deed or vouth.

the point. When the record does not con will would be a nullity, unless allowed to tain such .evidence, this court cannot reoperate at the execution of the power. view the decision of the Superior Court, but will affirm it. conferred upon one who is a stranger to (Williams v. Johnston, ante, cited and

8. The rule that in conferring a power COBB V. HALYBURTÓN. it is necessary to create a seizin in some 1. The act declaring that the statute of one commensurate with the estate which limitations shall not run against any debt shall be ready to serve the use when cre wing by the holder of a homestead which ated by the appointment, only applies affected by the act forbidding the sale when the donee of the power has no interest in the land.

9. The owner of an equitable estate may section 26) has been repealed. 3. The statute begins to run against bring an action in the nature of ejectment. such debts from Nov. 1, 1888, when the under the Code system of procedure. repealing act went into effect. 3. The allotment of homestead ipso facto void even against debts con-Arnett v. Wanett, 6 Ired., 41; Hiatt v. tracted prior to the adoption of the Constitution. It becomes so only when the

debtor has no other property which can be subjected to the payment of such debts. 4. In 1869, the plaintiff's intestate ob-

proved). WILSON V. BYNUM. 1. Before the act of 1846 the land of a

decedent could not be sold to pay a debt upon which a judgment quando had been 1st. That by assenting for so long a time

ing themselves of the provisions of the statute which prevented their judgments from being barred, the creditors were preof the sale of the decedent's land.

the proceeds received by the personal representative. 3. Quare, whether an administrator can

be sued on his bond when he has been negligent in not obtaining an order to sell (McDonald v. Dickson, 85 N. C., 248; his intestate's land for assets.

Albright v. Albright, 88 N. C., 238; Mark-4. Where it is necessary, and the adham v. Hicks, 90 N. C., 204, cited and apministrator fails to take the proper steps to sell his intestate's real estate for assets, he may be compelled by the clerk to do so,

GOOCH V. VAUGHAN. or a creditor may file a creditor's bill in 1. While courts permit the use of powthe Superior Court against the administraers of sale in mortgages, they regard them tor or executor and the heirs at law or

with much suspicion and watchfulness, devisees for the sale of the land. and will enjoin their execution when 5. The Code has not taken away from an attempt is made to use them for the purpose of oppressing or obtaining an un-fair advantage over the mortgagor. 9 Where it over the mortgagor. the Superior Court any jurisdiction here-

2. Where it appears in an application to the jurisdiction of a justice of the peace. enjoin a mortgagee from selling the mort-6. Where the complaint alleged that the gaged property under the power of sale, that there are many and complicated acplaintiff had a judgment against the estate of a decedent; that the assets of the estate counts between the mortgagor and mortwere exhausted; that certain lands devised gagee, and the balance due is uncertain. by the decedent were in the possession of the court will restrain the execution of the his devisees, and that the personal reprepower of sale until an account can be sentative had refused to apply for an order directing the sale of said land to make as-

stated and the amount due ascertained. 3. In such case, the rule which requires sets: It was held, that the complaint set a mortgagee, in certain cases, to pay the out a cause of action. amount admitted to be due before the in-

7. Where issues of fact are raised by the plendings, it is error for the judge to decide hadst formed the earth and the world, even the number of offices in the Custom House odd times when not engaged in working junction will be granted, does not apply,

the cathedral, the synagogue or the conventicle.

It is idle to talk to him of an improved text so long as the old text sets back from. must have paid full value for the land, and the christening, the wedding and the fun-

Its phraseology has caught a new diapason from the events it helped to assuage. suthin' peculiarsome about him." You cannot paraphrase an emotion nor with?" revise a heart-beat, and most of these old periods were set by sorrow and suffering piece of charcoal, or the p'int of a burnt to a music of their own. They vibrate for stick, on the fence or floor. We got a little appurtenant or in gross, may execute the myriads of people with the significance of paper at the country town, and I made power without the consent of her hus- events. Their liturgical cadences have ink out of the blackberry briar-root and come down through the ages wet with put a little copperas in it. It was black, tears and winged with the triumphs of fervor and of faith.

but the copperas would eat the paper after awhile. I made his first pen out of a turkey buzzard's feather; them's good for They belong to the rhythm of the soul no less than the reason of the race, and, heavy with the passion of life and the pens. ter he learned to write he was scrawlin mystery of death, they are like eternal his name everywhere; sometimes he would hills in which lie hidden the echocs of our write it on the white sand down by the

creek bank, and leave it till the fresh It must be a question, therefore, always, would blot it out." whether we ought to disturb the cosmic 7. A power simply collateral cannot be dust on the pages of this book. There are not in saud; high on the heroic roll in Libersacred pictures that will not bear restorty's proud temple, above the names of all ing, and whose archaic beauty would be the consideration, except by a deed which save one. Next to the name of the immortal operates by transmutation of possession. insulted in a spic-span frame.

Washington blazes the signature of the Let us fancy, if we can, the philological blameless ruler and matchless man, Abra-ham Lincoln. That plain name is now a hand of another age more critical and even less creative than this, reaching out to rekinglier title than is worn on earth. Yes. adjust the 23d Psalm, whose pastoral simthat's so, and rightly, too. Not for his plicity and splendid antistrophe have de greatness; he was not the greatest man fied with elementary beauty the storms of that ever lived, but he was the honestest. ages. Let us improve upon the great deep I reckon he never did a mean act. I could suspiration that was also an aspiration, "I know that my Redeemer liveth." There is no knowledge, no skill of language, no see he didn't know how and he never learned. (Liles v. Fleming, 1 Dev. Eq., 185; wisdom of research that can touch the fact Elliott v. Elliott, 1 Dev. & Bat. Eq., 57; that the old words have swept Christendom greatness?" with all the wings that music and elo-Wade, 8 Ired., 840; Smith v. Smith, 1 quence could lend to their original efficacy. Jones, 135; Hogan v. Strayhorn, 65 N. C., They have issued from the mouth of gena raw boy; rather a bright and likely lad, but the big world seemed far ahead of

him. We were all slow-goin' folks, but 279; Stroud v. Morrow, 7 Jones, 463; 279; Stroud v. Morrow, 7 Jones. 463; Condry v. Cheshire, 88 N. C., 375; Murray v. Blackledge, 71 N. C., 492, cited and ap-the tread of a celestial host. Why, I have heard Isaiah recited in the

backwoods, and the forests grew into temples of immensity for the everlasting worship without words.

I remember once, somewhere in the will derness, when I was a boy just from school, rendered against the administrator; but since the passage of this act, which makes past and the old, hearing one of those forgot anything. the proceeds of land when sold assets in the hands of the personal representative heaped the contempt of science and literathe hands of the personal representative heaped the contempt of science and litera-for the payment of debts, a judgment ture upon it. He banished it with ridiquando may be satisfied from the proceeds of the sale of the decedent's land. 2. Land is not assets until it is sold, and vacuum of materialism, and wound up with Hamlet's pessimistic fist in the face of Heaven. "Indeed, it goes so heavily with my disposition that this goodly frame, the earth, seems to me a sterile promonotory; it often.'

this most excellent canopy, the air, look you, this brave, o'er-hanging firmament, this majestical roof, fretted with golden fire-why, it appears no other thing to me than a foul and pestilential congregation of vapors.'

After this peroration there came a sim ple, seedy apostle from somewhere, who threw his saddlebags over a stump and stood up and addressed that rough assem-

blage. How well I remember his clear blue eye that post. uplifted when he came to his peroration How well I remember his words!

"As for me," he said, "standing here on enough for me." this far frontier of discovery, I prefer the old archaic prayer of Moses, breathed before Homer sang, and I am mystically stirred, after all these centuries of doubt and struggle, by its still elemental tones, bringing to the orphaned breast of man the awful, simple, occult sense of the fatherhood of God back of the Cosmos.

"'Lord, thou hast been our dwelling place in all generations. Before the moun-the number of members of the General

THE PRESIDENT'S VISITORS. "What did you teach him to write

## More Colored Biblical Astronomy.

Myler's specialty is biblical astronomy,

which he wanted to demonstrate with his

charts, but the President was so pressed

move.

Cleveland if he shall so elect. Indeed.

the atmosphere here is laden with rumors

wump, is but a step, for that good man is,

as all know, a pervert from the Mugwump

church. Hale is never bigoted except in

New York Herald Letter. Soon after she passed out a middle-aged plored man, who carried an immense map, ing tramp to be a supernatural being, and or chart, under his arm, paid his respects the terror with which the sight would fill to the President. He gave his name as them would rid the whole region of crows B. Myler, and his present residence for at least during the present season. Blizabeth, N. J., where he is the pastor of

Birds and Beasts Fight for Place.

## [Herald Washington Letter.]

that he could not listen to Mr. Myler's There was a regula. pitched battle on demonstration. Mr. Myler explained to the walks leading from the White House, your correspondent, however, that he conwhich one of the participants was tended and believed that the sun is a planet, moving in its orbit like the other planets. He said that he had biblical and number of persons, but for good and sufcientific authority for his belief; that he had demonstrated it to the professors of Princeton College as well as to all the more prominent scientific institutions in New York. Jerry, one of the colored messengers at the White House, told Mr. Myler that he had always been a believer in Brother Jasper's theory that the sun do in the past seventeen years. A sparrow

pense to have been \$1,289. The yield of

syrup from the 85 acres was 9,860 gallons,

"You should say," said Mr. Myler, "that assaulted him. It appears that the spar row supposed he might get the worst of it,

the sun does move-not do move." Mr. Myler explained that his theory con so he called several other sparrows. Then radicted the Jasperian theory very coniderably, the particular portions of which he went on to explain. "My theory, which I call the Biblical, sun-moving sopick one of his wings off and nearly took lar system," explained Mr. Myler, "will be recognized some time by the entire resparrows flew away. The other sparrows ligious and scientific world." He said he had called to ask the President's permission to place his picture on his astronomi-"No; we had to hire him first. But cal chart before he had it engraved, but when he got a taste it was the old storyhe was so hurried that he did not have we had to pull the sow's ears to get her to time. Jerry advised him to call again. the trough and pull her tail to get her Jerry said he was sorry to hear any one away. He read a a great deal and had a deny brother Jasper's theory even in part, wonderful memory-wonderful. Never for he was satisfied brother Jasper was right.

"If the sun don't move," said Jerry "The Baptist. I'll tell you a circum-'why did Joshua command it to stand stance about him. He would come home still 9 17 from thurch, and put a box in the middle

No one was able to explain the seeming of the cabin floor, and repeat the sermint from text to doxology. I've heard him do

per was not correct on the "sun do move" business, it could not be denied that he had the best record of any Baptist minis-

Who Get Excited and Who Get Office. A good story comes from Washington concerning a visit which the genial iron founder and ex-President of the Board of Brother Jasper could have even beaten this record if he had tried very hard; that Aldermen, Mr. Jordan L. Mott, paid a few days ago to the national capital. A party of prominent Democrats met him there, and, the conversation falling upon the subject of the Collectorship of the Port of New York, asked him if he would accept "Not much," was Mott's answer. "I have been in office once, and that is quite

It was then remarked that the Collectorship seems to be so far a stumbling block. and he was asked whether he could not wager

point out a man whose appointment would give general satisfaction. 'I see only one way to give general satisfaction," answered Mott. "Take the three organizations, Tammany, Irving tains were brought forth, or ever thou Committee of each organization; increase made many addresses on temperance at

and the Boulevard Saint-Germain. A remarkable incident occurred at this point. I heard the shrick of a woman, then a crash, then wild shouting. Red objects were seen moving on a tree. A gentleman near exclaimed, "Now for it! killed. The battle was witnessed by a Here come the anarchists with red flags!" Two officers of the Garde Republicaine ficient reasons no efforts were made to pre- galloped forward with swords drawn. The vent the murder. Indeed, the lookers-on seemed to sympathize with the murderer. their teeth and had that peculiar, deter-The seventeen years locusts appeared in mined, wide awake look that any one who

the public parks here by the thousands has ever seen troops in action can never yesterday and to-day. One of these lo-custs started for the White House door on the crowd, and a formidable demonstraa kind of tour of inspection, probably to | tion seemed about to break out. To the see the changes that have occurred there great relief of every one it soon turned out that the commotion was caused by a

large branch of a tree, which, OVERWEIGHTED BY SIX BOYS

a half dozen sparrows went for the locust had fallen upon a ladder upon which a en masse, but the locust moved away from mother and three daughters had been them, though the sparrows managed to perched. The objects mistaken for red flags were the turbans of two Turcos, also off the other. All of a sudden one of the perched in a neighboring tree.

The cortège then advanced to the Pansurrounded the locust and kept him from theon, where we arrived at two o'clock. moving very far. In a short while the Here the troops presented arms, the drums sparrow messenger returned, and with beat and the coffin was placed upon the him one of the robins that make such catafalque on the top steps of the Panthepretty music on the White House lawns on. At the corners of the coffin four enorthese spring mornings. The robin stabbed mous bronze candelabra, filled with near-the locust once, and all was over. The ly two gallons of alcohol, were burning sparrows then divided him up and took the remains away in pieces. That partic-ered in front of the coffin and speeches were made till five o'clock. One of the ular locust will hardly appear again in orators was a full blooded negro, who, in custs in the Smithsonian, agricultural and full evening dress and with a single eye-botanical garden grounds to supply the glass firmly fixed on his left eye, made a very startling and successful speech in be-half of the Republic of Hayti. Soon afterward M. Le Mat, an ex-officer of the Confederate army, who served under Beauregard at Charleston, made a short speech and, in the name of the National Institute of Washington, expressed the grief felt by all Americans from one end of the land to the other at the loss sustained by the civilized world in the death of Victor Hugo.

At this point an incident occurred that might have caused a most extraordinary catastrophe. The alcohol in one of the candelabras began to run over and was seen by no one until the corner of the cloth of the catafalque was on fire. Two undertaker's employes and two pompiers managed, with great presence of mind, to extinguish the flames with handkerchiefs and with caps snatched suddenly from the heads of some workmen.

which he sold for 50 cents a gallon, or Until seven o'clock a perfect forest of wreaths, borne by swaying masses of men, \$4,930. For 15 barrrels of vinegar he got \$90. The total value of the crop was continued to arrive. Deputations defiled \$5,020 and the net value was \$3,781. Havwith uncovered heads past the coffin, each so, 020 and the net value was \$5, 751. Have with uncovered nears part individual removing the immortelles from the chinery, nor for the seed-heads and fod- his buttonhole and casting them to the chinery, nor for the seed-heads and fodder, he explained that although not ripe enough to save for seed he had 50 head of was literally strewn with flowers. A enough to save for seed he had 50 head of was literally strewn with flowers. A cattle and horses running in the cane field wreath offered by the French residents in for 50 days, that they had done well with | California was loudly cheered as it passed no other feed, and that there was feed left up the Rue Soufflot. It was about three for some time yet. It was his opinion that nietres in diameter and represented French the value of the fodder was equal to the and American flags in red white and blow

ter in the world, having baptized 116 persons in sixty-four minutes, it beating all previous records by forty-nine. Another colored Jasperian believer who stood near by and listened to the discussion said

the day he made this wonderful record he was not feeling very well, and did not work as hard as he could. He said that up to the time that Jasper had made this

Brooks, of this city, now dead, had the best record of any preacher in this section, having baptized on a cold day in the fall ninety-three people in forty minutes, winning thereby from a fellow minister \$15

inconsistency. Jerry also said that even if Brother Jas-

wonderful performance as a baptizer John

and a Bible which had been put up as a

Mr. Myler took no interest in the latter part of this discussion. He said he was exceedingly anxious to see Miss Cleveland to thank her for her letter on temperance, and, if possible, to get her to write a let ter to the colored people on the temperance question. Mr. Myler said he had

seventeen years. There are enough loworld when they are needed to appear again in seventeen years. Cheap Sugar Prospects. [New York Times.] "Sugar at a cent a pound" is the motto of some of the men who are enthusiastic in

their assertions that sorghum sugar will yet be produced at that rate. Much encouragement is found by advocates of sorghum culture in the report of Clinton Bozarth, an Iowa farmer, to the Agricultural Department. Mr. Bozarth rented 85 acres at Cedar Falls, Black Hawk county, at \$2.50 an acre. For plowing, planting, cultivating, cutting, hauling, and other

expenses incidental to producing syrup after the cane was cut, he reports the ex-

RAILBOAD COMPANY V. WARBEN. 1. Under the act of 1869-'70, chapter 18. 1. Under the act of 18. 1. Unde	to a jury, unless both sides consent that he shall decide the whole case, both on the law and the facts. (Walton v. Pearson, 85 N. C., 34; Martin v. Harding, 3 Ired. Eq., 603; Vaughan v. Deloach, 65 N. C., 378; Hawkins v. Car- penter, 88 N. C., 403; Fike v. Green, 64 N. C., 665; Wadsworth v. Davis, 63 N. C., 251; Allison v. Davidson, 1 D. & B. Eq., 46; Simmons v. Whitaker, 2 Ired. Eq., 129; Finger v. Finger, 64 N. C., 183, cited and approved): Mr. Hendricks, in an interview in Chi-	sand eloquent men and analyzed a thou- sand human efforts of genius, but I do not recall anything which had so strange an influence as the deep primitive surge of that old scrap of poetry coming back in its own mode and measure from the morning of historic existence when man seemed to lean up close against the breast of his un- seen Father. In speaking of the disturbed Bible, I am only trying to say that the text has ac- quired a significance from time and use	be will give general satisfaction." Getting Things Mixed. [New York Sun.] Her head was pillowed on his breast and looking up in a shy way she said: "Do you know, dear George, that" "You mean dear James, I think," he in- terrupted, smiling fondly at her mistake. "Why, yes, to be sure. How stupid I	TALES ABOUT BATS. A Cat's Ghost Makes Them Tura Tail. [New York Times.] The success of Mr. Woodruff's efforts to rid his house of rats by means of a ghost- ly cat is alone sufficient to prove that if we really want to frighten animals we must appeal to their fear of the supernat- ural. It is well known that rats and mice	that the syrup granulated well, but he did not make sugar because the syrup sold so readily. A man is always wanting some one to	flowers, side by side. In the evening the body was removed to a vault next to that in which lie the re- mains of Soufflot, the architect of the Pan- theon. The only ornament at present on Victor Hugo's last resting place is a plain black panel, upon which is embroidered in dead silver a lyre and two crossed pens; but over the portals of the Pantheon his epitaph is written plainly: "Aux Grands Hommes La Patris Recon- naissante."
U. In opening the determination of the	Mr. Hendricks, in an interview in Chi- cago yesterday, said he looked upon the Vice Presidency as a position of dignified	quired a significance from time and use	Why, yes, to be sure. How stupid I am! I was thinking this is Wednesday	cannot be successfully resisted with traps.	tell him how handsome he looks. A woman	week, the crops are not damaged and cot-