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A LEAF FROM CONFEDERATE HISTORY.

In 1864 the fleet of Admiral Farragut was blockading Mobile, while a heavy land and naval attack was directed against Charleston.

During our long defensive war a great deal of ingenuity had been expended by the Confederates upon the torpedoes and torpedo boats.

The most remarkable of these boats was constructed in Mobile by Messrs. Hundley & McClintock, and launched in 1864; and nothing which has gone down into the sea was more wonderfully and more fearfully contrived to wreak destruction and vengeance upon friend and foe.

She was built of boiler iron, and impervious to water or air. Her extreme length was about thirty feet, with five or six feet beam, and about six feet depth of hold. In general contour she resembled a cigar, sharp at both ends. She was propelled by a screw, the shaft of which ran horizontally along her hold, almost from stem to stern, and was turned by the manual force of eight men, seated along on either side.

The only hatchway was circular, about two feet in diameter, with a low combing around it, which was placed well forward, and when desired could be closed by an iron cap working on hinges and made air-tight.

In the fore part of this cap was inserted a clear glass bull's eye, through which the pilot could see. She was provided with water-tight compartments, by filling or emptying which she would sink or rise, and to enable her to rise instantly her ballasting of railroad bars was placed on her bottom, outside of her hull, and by means of keys accessible to her crew, could be detached in a moment, so that she would rise quickly to the surface.

Besides, her rudder, which was of the usual form, this vessel was equipped with side paddles or fins, which, like those of a fish, served to guide up or down with reference to the surface of the water.

To prepare for action, a floating torpedo secured to her stern by a line more than a hundred feet long, and her crew having embarked, the water tanks were filled until the boat was in equilibrio, and almost submerged. The hatchway was closed, the men revolved the shaft, the captain, or pilot, standing under the hatch, steered the boat, regulating at the same time, by the action of her lateral fins, the depth at which she would move.

Her greatest speed did not exceed four knots. She could remain submerged for half an hour, or an hour without any great inconvenience to her crew, and on one occasion has been known to remain under water two hours, without actual injury to them; although no means was provided for procuring fresh air, and from the moment the hatch was closed, the men thus fastened in their living tomb, inhaled and exhaled continuously the atmosphere which was inclosed with them.

The plan of attack proposed by the inventors was to dive beneath the keel of the enemy's ship, hauling the torpedo after her. Its triggers or sensative primers would thus press against the ship's bottom, explode the torpedo, and inevitably sink the ship.

Not expecting an early opportunity of using this dangerous vessel against the fleet of Ferragut, Gen. Maury sent it by rail to Gen. Beauregard at Charleston, believing the waters of that harbor better suited to her peculiar construction, while in the Ironsides, or some other gigantic war ship then attacking Charleston, might be found an object, worth the great risk to which her own crew was exposed in any enterprise they might undertake in her.

Gen. Beauregard changed the arrangement of the torpedo by fastening it to the bow. Its front was terminated by a sharp and barbed lance head, so that when the boat was driven end on against the ship's sides, the lance head could be forced deep into the timbers, below the water line, and would fasten the torpedo firmly against the ship. Then the torpedo boat would back off and explode it by a lanyard.

Gen. Beauregard's call upon the Confederate fleet for volunteers to man this dangerous craft, was promptly answered by Lieut. Payne, of Virginia, and eight sailors. They were soon ready for action; and on the evening set for the expedition, the last preparation had been made. The torpedo boat was lying along side the steamer from which the crew had embarked; she was submerged till the combing of her hatch alone was visible above the water. Her commander was standing in the hatchway in the act of ordering her to be cast off, when the swell of a passing steamer rolled over her and sunk her instantly, with eight men, in several fathoms of water. Lieut. Payne sprang out of the hatchway as the boat sunk from under him, and he alone was left alive.

In the course of a few days she was raised and again made ready for service. Again Payne volunteered, and eight men with him.

The embarkation for their second attempt was made from Fort Sumpter, and as before all having been made ready, Payne standing at his post in the hatchway, ordered the hawser to be cast off, when the boat careened and sunk instantly. Payne sprang out, two of the men followed him; the other six went down in the boat and perished.

Again the boat was raised and made ready for action, and her owner, Captain Hundley, took her for experimental trip into Stone River, where, after going through her usual evolutions, she dived in deep water, and for hours, and for days, the return of poor Hundley and his crew was watched for and looked for in vain. After near a week's search she was found inclining at an angle of forty degrees; her nozzle was driven deep into the soft mud of the bottom. Her crew of nine dead men were standing, sitting, lying about in her hold, asphixiated; Hundley was standing dead at his post, a candle in his hand, while the other had grown stiff with death, in his vain efforts to unfasten the hatch. Others had been working at they keys of the ballast, but the inclination at which the boat stood had jammed the keys so that the men could not cast off the heavy weights which held them down. Their deaths had been hard and lingering.

Again this fateful vessel was made ready for action, and volunteers being called for, Lieutenant Dixon, twenty-first Alabama volunteers, a native of Mobile, and eight men volunteered to take her against the enemy.

The new and powerful war ship, Housatonic, was selected for attack; and on a quiet night the bravest crew set out from Charleston, in this terrible, nameless torpedo boat, that ever manned craft before.

We all know the fate of the Housatonic. Brave Dixon guided the torpedo fairly against her, the explosion tore open the great war ship's sides, so that she went down with nearly all her crew within two minutes.

The torpedo vessel also disappeared forever from mortal view. Whether she went down with her enemy, or whether she drifted out to sea to bury h[illegible] dead, was never known, and their fate was left till the great day when the sea shall give up its dead.

But within the week past, divers in submarine armor have visited the wreck of the Housatonic, and they have found the little torpedo vessel lying by her huge victim, and within are the bones of the most devoted and daring men who ever went to war. No forlorn hope or other desperate enterprise of war can furnish the parallel to the courage of Dixon and his comrades. Their names we have not at hand, but they are known and recorded, and we hope to see the honor which is due paid to the great virtue they illustrated.—*Houston Telegraph.*

DAN MARBLE, THE COMEDIAN.—Dan Rice, the veteran circus man, relates an anecdote of the well-known actor, Dan Marble. "Marble," said Rice, "was very fond of his tod, and never missed an opportunity of attending the races. It happened that on the evening that he was to appear at the St. Charles in the "Yankee Teamster" or some other similar play, one of the most exciting races that ever came off in New Orleans, took place, and Dan, of course, was there. Imbibing pretty freely, he was soon in a state that was scarcely dignified, and it was with no little difficulty he was taken to the theatre and gotten into any sort of condition for appearing before the clamorous and expectant audience. At last the curtain rolled up and Dan was pushed on the stage. The glare of the lights and the sight of the audience brightened him up a little, and with an irresistibly funny attempt at being steady he staggered forward, with his hat askew, and jerking at his coat as if to button it up. The audience roared with laughter, and Marble (not too drunk to appreciate the situation) stood surveying the house in the most comical fashion, swaying to and fro unsteadily. Finally he said: "Here I am—little late. Fact is, been to the races. All the fellers bet whiskey, and I held stakes." The indescribably comic expression of Marble's face, and the absurdity of his excuse, set the house in such a roar as I shall never forget while I live. Poor Marble," continued Dan, "he died of cholera afterwards up the river, on the very night that he played a piece which he had himself dubbed "sure cure for cholera."

☞ More than 25 years ago, Senator Benton made a speech in St. Louis, on the Pacific Railway, in which he said: "The man is now living and full grown, and listening to my words without believing them, who will see the day when the commerce of the Indies will cross the North Pacific, will enter the waters of the Columbia and climb the slope of the Rocky Mountains, and pour down over our widely-extended Union." Could any dream have been more completely realized than the Senator's prophecy?

☞ An Illinois candidate denounces the Administration for "taking the tax off on planers wot we don't use, and keepin' it on whiskey, wot we do."

OLD TIME AND I.

Old Time and I the other night
Had a carouse together:
The wine was golden, warm and bright—
Aye! just like Summer weather,
Quoth I, "Here's Christmas come again,"
And I no farthing richer,
Time answered, "Ah, the old, old strain!—
I prithee pass the pitcher.

Why measure all your good in gold!
No rope of sand is weaker;
'Tis hard to get, 'tis hard to hold—
Come lad fill up your beaker.
Hast thou not found true friends more true,
And loving ones more loving?
I could but say, "A few, a few!
So keep the liquor moving."

"Hast thou not seen the prosp'rous knave
Come down a precious thumper?
His cheats disclose? "I have, I have?"
"Well, surely, that's a bumper!"
"Nay, hold a while, I've seen the just
Find all their hopes grow dimmer."
"They hope on, and strive, and trust
And conquer!" "That's a brimmer."

"'Tis not because to-day is dark,
No brighter days before 'em;
There's rest for every stern-tossed barque,"
"So be it! Pass the jorum!"
"Yet I must own I should not mind,
To be a little richer."
"Labor and wait, and you may find—"
"Hallo! an empty pitcher."

PUBLIC LANDS OF THE U STATES.

By the definitive treaty of peace with England in 1784 the western boundary of the United States was fixed at the middle of the Mississippi. This found us in the possession of two hundred and twenty-six millions of uninhabited land belonging to the States in severalty, and not to the confederacy.

After the revolutionary war the several States ceded to the confederacy their title to the lands lying within their boundaries; and then the young nation rapidly began to expand its borders. By the treaty with France in 1803, whereby we acquired one million square miles of territory, on which we have since founded ten States, two Territories, and portions of two more States; by the treaty of 1810 with Spain, whereby we obtained Florida; of 1845, when Texas entered the Union, retaining, however, the title of her own lands; of 1848 and 1853 with Mexico, when we received the auriferous grants of California, New Mexico, Utah, Nevada, and Montana; and of 1867 with Russia, that gave us snow-bound Alaska—we increased our public lands seven-fold, adding over one thousand six hundred millions of acres to the national territory. We thus became lords of 1,834,998,400 acres of land—a domain sufficiently capacious to be carved up into twenty-four countries each of the size of England, Ireland, Scotland and Wales combined; capable of supporting a population of seven hundred and twenty millions of people of the average density of Great Britain, or more than half the population now living on the globe.

Over seventy-five millions of acres have been granted for schools and colleges.—Twenty-two millions more have been appropriated to build railroads, and twelve millions for other purposes. Sixty millions have been bestowed on the brave defenders of their country, their widows and children; forty-four thousand acres have been used for deaf-and-dumb asylums, and thirteen million reserved for the use of Indian tribes. The public domains have been looked upon as a gift, held by the nation in trust for its future inhabitants, and no selfish or narrow views have withheld the lands from their intended proprietors. Every head of a family, every widow, every single man (or woman) over the age of twenty-one has been invited to select his own farm, the only condition attached to the gift being its five years cultivation. And yet so rapid is the appreciation in value of the land, when once settled on, that it is found by experiment that from forty to fifty per cent. of those who enter their lands under the provisions of the homestead law, expecting to receive a gratuitous deed, prefer to pay for them rather than wait five years for the consummation of their titles. The law practically gives them five years in which to find a purchaser. Even after the lands have been occupied four years and nine months, and when three months would have given an undisputed title without cost, the claimants have been known to pay the government price rather than lose the chance of a good sale. During the first eleven years of our constitutional existence land was taken up at the rate of a hundred thousand acres a year. By 1806 the sales realized $705,245. During the war with Great Britain the sales largely fell off; but with the return of prosperity they recuperated, till 1819, they netted over three millions of dollars. During General Jackson's administration, when paper currency and paper cities added such a fictitious value to the charms of nature, land was in great demand; the sales for 1835 realized fourteen millions of dollars; 1836, twenty-one millions. The momentary revulsions of the next few years brought the sales in 1842 down to nearly a million of dollars. From 1850 to 1855 they averaged not far from ten millions a year, but in 1862 they only amounted to $125,048. The homestead laws and college and railroad grants will probably keep the future receipts of sales from lands at low figures. They now only realize about three millions a year.

There is another aspect in which our public lands cause us to differ from all other nations; every man, the poorest, the most ignorant, may have a farm of one hundred and sixty acres by agreeing to reside on it for five years. The place of his birth is no opposing element to his right to own a farm—his manhood entitles him to his homestead. The Chinese, the Esquimaux, the Irishman, and the Sandwich Islander alike, may each possess his farm if he will but become an American citizen. Prussia may equal us in education, England and Germany may surpass us in the intellectual culture of the higher classes; France has more scientific men; but in the number of happy families, where the home is owned by those who occupy it, the United States has the pre-eminence over every nation in the world. In England the ratio of land owners to the population has readily decreased for centuries. The Doomsday Book enumerates 45,706 owners of real estate in England—the census of 1861 enumerates only 30,776; so that one-third of the owners of England have been swallowed up by the other two-thirds within the last eight centuries; there are only two landholders now where there were three then. The whole landed property of England is owned by less than one-six-hundred-and-fifty-third part of the people! And, under the law of primogeniture, that terrible disproportion is rapidly increasing. In this country there are nearly six millions of landholders against the thirty thousand of England. The fiscal year 1869 alone gave two and one-half millions of acres to homestead and pre-emption settlers. And that same year converted nearly eight million acres, representing sixty thousand estates, from wild lands into arable farms, each the happy home of its rustic possessor. So that this single year made twice the number of freeholders in the United States that England possesses with her ten centuries of civilized existence. Does not this significant difference of ownership of real property offer the true explanation of the literary fact that, with populations nearly the same, this country has three thousand five hundred newspapers, Great Britain only thirteen hundred and seventy-two? The homestead act of 1862 gives to every citizen and to every naturalized foreigner a home farm of one hundred and sixty acres.

There are five modes of acquiring title to the public lands we are speaking of, and these are: 1st, by purchase at public sale; 2nd, by private purchase; 3rd, by the application of a land warrant; 4th, by pre-emption; and 5th, under the homestead law. Occasionally large quantities of land are offered at public auction, pursuant to proclamation by the President, or to public notice from the Land-Office.—When lands thus offered are not disposed of at the minimum rate of a dollar and a quarter the acre, they may afterward be purchased at that rate for cash or at a land warrant. In the enormous railroad grants, which is the Congressional fashion of the day to bestow, government gives up to the future railroad every alternate section of land; for the alternate section reserved it obtains a double price, or $2.50 per acre. It thus builds the railroad by giving it half the land it traverses. It repays itself for this generosity by charging double price for the half left, because of its proximity to a railroad. It builds the railroad by doubling the price of the land to the future settler along the line.

☞ Some people are so *very* afraid that they will be cheated, as to make themselves ridiculous. Here is a story to the point, related of a careful and sedate druggist, a gentleman of the old school, who for fifty years has occupied the same corner, and in all his dealings, medically, is a very scrupulous man. Not long since a person of not particularly liberal practices, and withal a close man, came to the "Good Samaritan" with a recipe that he wished put up, and the man of drugs proceeded at once to attend to it. While engaged in weighing out the compound, the customer, with a smile intended to be "childlike and bland," said to him:

"Now, doctor, be sure and give good measure"

The doctor paused, holding the scales at rest, while he looked over his spectacles at the man before him.

"Sir," said he, solemnly, "if I were to give you the merest grain more than this recipe calls for, you would be in h— in five minutes."

The buyer didn't insist.

HARD TIMES.—The New York Tribune notes the cry of "hard times," and truthfully attributes the cause, primarily, to the fact that too large a share of our people are trying to live by something else than productive industry. Other influences contribute, it says, but this is far more potent than the whole of them.—We are fast becoming a nation of schemers to live without work. Our boys are not learning trades, our farmers' sons are crowding into cities, looking for clerkships and petty offices; hardly one American girl in each hundred will do housework for wages, however urgent her need; so we are sending to Europe for workmen and buying of her artisans millions' worth of products that we ought to make for ourselves. There can be no doubt that our boys and girls must be taught to love labor, by qualifying themselves to do it efficiently, if we would better matters in the future at all.

☞ The nearest the Parisians can now come to mutton is a little raw weather.—Exchange.

Haven't they among their gunboats on the Seine an iron clad ram, and is not the yew to be found in the botanical gardens, and has not Trochu said he would lamb the Prussians?—A-trochu-ous.

CHARMED BY THE COBRA.

People who have never been to Egypt doubt the stories which reach them relative to the fascination that is wrought upon human creatures by the cobra di capello. To those who have doubts upon the subject, the appended extract from Mr. De Leon's "Askaros Kassis," will be found of no little interest. Edith, the young lady mentioned, is one of a party of English people on their way to their host's house in the environs of Grand Cairo:

At the same moment a stifled shriek broke from the lips of Edith, who had been thrown to the ground, and had just risen to her feet. She stood immovable, as though from terror, trembling in every limb, her lips parted, and her blue eyes—a strange mixture of fascination and horror in their staring orbs—fixed upon a point in the shrubbery just before her.

At the sound of her shriek, Askaros, who was a few steps in advance, leading the way, turned suddenly round; and his gaze was instantly riveted on the same object, with somewhat the same fascination.

From the midst of an immense clump of shrubs, at the foot of a huge palm, gleamed forth what seemed two living coals! Beneath it, coiled in a huge bulk like the cordage of some mighty ship, fold above fold, sinuous and undulating, writhed the knotty convolutions of a slimy serpent! The eye of Askaros bent upon the burning spots that made a gleam of light in the shadowy shrubs, till he could distinguish the erect head of the monster—its forked tongue moving rapidly backward and forward in its ponderous jaws—while from the greenish eyes sparks full of evil fire seemed to scintillate.

Then, glancing from the grim terror to the maiden, the heart of the young Egyptian stood still, the hair bristled on his head, and the blood in his veins seemed to freeze; for that wondrous influence the serpent eye seems to exercise over man, bird, or beast—commonly known as fascination, which science may deride, but experience has confirmed by the testimony of many men in many lands—had wrought its strange spell over her gentle spirit.—Her first impulse of terror and flight had not only been arrested, but changed into apparently far different sentiments; and repulsion and horror had been succeeded by what seemed attraction—even pleasure!

Her sudden flight was checked, changed to an attitude of eager expectation—her body bent forward—her lips apart—her hand placed to her ears—a yearning interest manifested in each strained feature of her speaking face. Still, her large blue eyes, the pupils unnaturally dilated, strained into the corpse; and she stood there under the shadows of the palms, the living embodiment of that exquisite creation of the chisel that has made its sculptor's fame—the blushing Nydia of Pompeii.

Her parted lips moved slightly, and her hand raised itself with a languid motion.

"Hush!" she murmured, as one speaking in a dream, "Do not break that heavenly music. It sounds like the song of angels!"

Then, on the second, a hoarse hissing whisper grated through the clenched teeth of the Egyptian, who stirred not hand or foot, but with a single glance warned back the astonished group, who were about pressing forward.

"Stir not! speak not—if you love her! It is the cobra di capello! They only strike when angered—movement will be death!"

A chill struck to the heart of his listeners as they heard that dreaded name.—They shuddered and obeyed.

Motionless as the rest, but with every muscle braced as if ready to spring between the girl and the serpent—to interpose his own body as a shield, if necessary—and with his eye rivetted on the monster, the Egyptian watched its every movement, as the crest rose and fell, and the scales of the sinuous bulk writhed and twisted in its dark-brown coils. Large drops of sweat rolled off his contracted brow, his breast heaved like that of an athlete after a deadly strain, and blood dripped on his white silk vest from the lips his sharp teeth tore in his agitation. Anxiety strained to agony was stamped in his every feature, but, with marvellous self-control, he stood as if hewn out of stone!

Moments, that seemed hours, passed. Twice the cobra raised his flattened head, projected the omnious cowl over his red eyes, braced his stiffening coils, and seemed preparing for his arrowy spring. Then twice the Copt, bracing every muscle, seemed ready to launch himself between the monster and his prey.

But twice the serpent lowered its head and relaxed its coil; and twice a deep gasp from the overburdened breast of the man proved one peril past—one strain over.

The rest of the group—stupefied by the peril, and sure that the Egyptian knew best what the fearful situation required—implicitly obeyed his warning.

Suddenly, while all remained in this horrible suspense, there sounded from the other side of the wall, the low, wailing notes of the Egyptian reed-flute, followed by a peculiar call. As the Copt caught the sound, his face brightened, and he breathed a deep sigh of relief, for he recognized the serpent-charmer, so well known in the East. The cobra seemed to hear it, too. Through his vast and sinuous bulk there seemed to run a shuddering thrill. His uplifted crest sank; his huge folds sullenly and reluctantly unwound; and turning his head in the direction of the sound, he stretched his full length on the intervening sward. A second and shriller blast of the flute, followed by a louder call, broke through the dead stillness; and then the serpent slowly twisted round its gross body, and, with a gliding motion, dragged it off in the opposite direction—its course indicated by the waving of the shrubbery as its slimy folds worked through it with a rustling sound.

When the cobra first turned his head, and released the maiden from the spell of his glittering eye, a slight shudder shook her frame, and she leaned eagerly forward, as though to follow its movements. The next moment her eyes contracted, the lids closed wearily, her trembling limbs refused to support her, and she would have fallen heavily forward, had not Askaros rushed up and sustained her fainting form on his sinewry arm.

PAYING INTEREST.—No blister draws sharper than interest does. Of all industries, none is comparable to that of interest. It works all day and night, in fair weather and foul. It makes no noise but travels fast. It gnaws at a man's substance with invisible teeth. It binds industry with its film, as a fly is bound in a spider's web. Debt rolls a man over and over, binding hands and feet, and let him hang upon the fatal mesh until the long-legged interest devours him.—There is but one thing on a farm like it, and that is a Canada thistle which swarms new plants every time you break its roots, whose blossoms are prolific, and every flower the father of a million seeds. Every leaf is an awl, every branch a spear, and every plant like a platoon of bayonets, and a field of them like an armed host. The whole plant is a torment and vegetable curse. And yet a farmer had better make his bed of Canada thistles than attempt to be at ease upon interest.

KEEPING ONIONS.—Onions are often injured in winter by keeping them in too warm a place. They will seldom be injured by frost if kept in the dark, and in tight barrels or boxes, where not subjected to frequent changes of temperature—It is the alternate freezings and thawings that destroy them, and if placed in a position where they will remain frozen all winter, and then thawed out slowly, and in a dark place, no considerable injury would result from this apparently harsh treatment. Onions should always be stored in the coolest part of the cellar, or put in chaff and set in the barn or some outhouse.—*Rural New Yorker.*

☞ "Why don't you wear your ring, my dear?" said a father in a ball room, to his daughter. "Because, papa, it hurts me when any one squ ezes my hand." "What business have you to have your hand squeezed?" "Certainly none; but still, you know papa, one would like to keep it in squeezable order."

☞ A good story is told of a man who having after a long struggle worked himself into good society by means of the aristocratic alliance of his daughter gave a grand party to his newly acquired circle. He didn't invite his own brother, for the reason that "society is getting so mixed one must draw a line somewhere."

☞ A gentleman, in his eagerness at the table to answer a call for some apple pie, owing to the knife slipping on the bottom of the dish, found his knuckl s buried in the crust, when a wag who sat opposite him very gravely observed whilst he held his plate. 'Sir, I'll trouble you for a bit while your hand is in"

☞ If a milk maid, four feet ten inches in height, while sitting on a three-legged stool, took four pints of milk from every fifteen cows; what was the size of the field in which the animals grazed, and what was the girl's age. We give it up.

☞ It is said the devil has many imps. We presume the following are among the number: Imp-erfection, Imp-etuosity, Imp-lacibility, Imp-udence, Imp-ertinence Imp-urity, Imp-iety, Imp ortunity, Imprisonment, Imp-rudence, and Imp-otence.

☞ "It is a pleasing thing to reflect upon," says Dickens, "and furnishes a complete answer to those who contend for the gradual degeneration of the human species, that every baby born into the world is a finer one than the last."

☞ Hearing a physician remark that a small blow would break the nose, a rustic exclaimed, "Well, I dunno 'bout that, I blowed my nose a number of times, and never broke it yet."

☞ A negress, speaking of one of her children who was lighter colored than the rest, said: "I nebber could bear dat brat, 'cause he show dirt so easy."

Some one asked a boy how he was so short of his age, when he replied, "Father keeps me so busy that I haven't time to grow."

☞ An anti-teetotaller accounts for his perpetual thirst from the fact that he was weaned during the period of Lent, on salt fish.

A modern surgical operation.—To take the cheek out of a young man and the jaw out of a woman.

HUMOROUS PHASES OF THE LAW.

The law is careful of the eyes, ears, and noses of mankind, and will not justify offensive sights, sounds, or smells, but will punish as crimes offences against those necessary and sensitive organs, provided such offences involve a general and public disturbance. But the offence must be rank, and smell to heaven, to sustain an indictment. Otherwise, nothing more than an action for damages will lie. Quite an extraordinary catalogue might be made of the complaints which nervous people have made against their neighbors—to say nothing of serious attacks upon health by offensive trades and occupations which have come before the courts. Concert saloons and locomotives, bowling alleys and butting rams, billiard saloons and biting dogs, boiler shops and bathing in exposed situations, swearing and slaughter houses, obstructions to travel in public streets by means of too attractive shop windows, or the vending of distillery slops; and a score of other things, have constituted the cause of action under this head.

It may be observed that cursing and swearing, to a moderate and reasonable degree, is not a nuisance. To constitute such profane cursing and swearing as would be indictable as a nuisance, the acts must be so repeated and so public as to become an annoyance and inconvenience to the community. The law is not so harsh as to deem it a nuisance publicly to curse and swear for the space of two hours. State of North Carolina vs. Jones, 2 Ired. 38.

But the law, although indulgent, cannot stand every thing, and so the keeping in a public house of "a certain common, ill-governed, and disorderly room," and procuring and suffering, for there, disorderly persons to meet and remain therein by night and by day, "drinking, tippling, cursing, swearing, quarreling, making great noises, rolling bowls in and at a game commonly called ten-pins," &c., is a public nuisance. Bloomhuff vs. State of North Carolina, 8 Blackf, 205.

Rope dancing was a nuisance at common law. This was decided by Lord Hale in Jacob Hall's case (1 Mod. 76.) Jacob was a rope dancer of the time of Charles II., and, on account of his beauty and activity, had been taken into favor by the Countess of Castlemaine, one of Charles's mistresses. Hall being about to erect a stage at Charing cross to exhibit his performance, the King's Bench, perhaps inspired by the king's excusable jealousy of Jacob, held Jacob to be a nuisance in respect to his rope dancing—That he claimed to have the king's warrant for it made no difference. If Charles had proposed to make Jacob dance at the end of a rope perhaps the court would not have interfered. It is not a little amusing that so acute a man as Judge Cowen should have attributed the conduct of the court on this occasion to the national respect for law and order.

Rex vs. Medley (6 Carr and Payne 292.) is a case fit to make Izaak Walton "to go off the hooks." The indictment alleged "that from time whereof the memory of man runneth not to the contrary there had been, *and still was* a certain ancient river called the Thames," which was full of water fit to drink, and of fish to eat, the taking of which fish furnished the support of a large class of men; that the defendant had conveyed into said river the refuse of gas, whereby the water was rendered unfit for drinking, and the fish were destroyed, and the fishermen were damaged in their said calling. It was proved that the smell of gas killed the smelts in the stream. But the court, who was probably not fond of fishing, remarked: "If the diminution of fish is to be considered the criterion, then every proprietor of a copper-bottomed vessel, every maker of a sewer, every proprietor of a steamboat, must be found guilty, as they contribute to such diminution, and it is not a question of degree. As the people of England are resolved to have gas lights, and steamboats, and copper-bottomed vessels, they must be content also to bear the inconveniences which will occasionally result from the use of them."

It is gratifying to learn that a person sick of an infectious or contagious disease, in his own house, or in suitable apartments at a public hotel or boarding house, is not a nuisance. Boom vs. Utica (2 Barb. 104,) holds this, and illustrates the principle. The plaintiff was a lessee of premises from the defendants, at a annual rent of $110. Without his consent, some alderman, who, he claimed, acted under authority of the defendants, put into an old house on the premises a family sick with the small-pox, removing them from a hotel, under the sanction of the city charter, which authorized the abating and removing of nuisances. The plaintiff was prevented from the enjoyment of the lot, for the purpose of pasturage and cultivation, because it was deemed dangerous to approach the house under the circumstance. Perhaps he feared that his cows would take the disease. A referee gave him $75 damages. The report was set aside on the grounds that the Common Council had no power to authorize the act complained of, and never in fact, did authorize it. But the Court intimates that the city's agents did wrong in taking the family from the hotel, and in this connection hold that being sick of small-pox at a hotel does not render one a nuisance subject to "removal." Generally this doctrine will be approved.

There are two reasons why some people don't mind their own business. One is they haven't any business, and the second that they have no mind.

All truths must not be told all times.