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SUPREME COURT DECISIONS.

Reported for The Clarion by L. Brame, Attorney-at-Law, Jackson, Miss.

OCTOBER TERM, 1880.

A. Moody et. al., v. Mulhollan & Brown. } No. 3515.

Error to the Circuit Court of Rankin County, Hon. A. G. Mayers, Judge.

Mulhollan & Brown sued out a writ of seizure to enforce a claim for rent, "900 pounds of lint cotton."

The writ was levied on cotton seed, corn and seed cotton, of probably less value than the rent demanded.

The officer (illegally) permitted the plaintiffs to give bond and take the property.

Judgment was entered for plaintiffs that they "do have and retain possession of the property seized."

Campbell, J.

Held—

1. Certainly the judgment should have been for the money value of the 900 pounds of lint cotton, to be made by a sale of the property seized, in legal contemplation still in the hands of the officer; but form is unimportant, if justice has been done. If it was shown that the goods seized were of less value than the 900 pounds of lint cotton claimed, no harm was done the defendants by awarding to the plaintiffs in payment of their demand the property already in their possession.

2. There being no bill of exceptions, it must be presumed that there was made out in the circuit court such a case as would authorize the judgment entered, if under any circumstances such a judgment could have been proper.

Affirmed.

J. W. Jenkins, for plaintiff's in error.

Buchanan & Miller, *contra.*

[Not to be reported.]

Albert Strauss, v. The State. } No. 3467.

Error to the Circuit Court of Warren County, Hon. Upton M. Young, Judge.

Strauss was indicted for an assault and battery with intent to kill, and was on the same day arraigned for trial. He asked for a continuance, and filed in support of the application his affidavit stating that two material witnesses in his behalf were absent; that he could establish his innocence by them; that he had caused summons to issue, which had been returned not found; that said witnesses were procurable. It was admitted that these witnesses were not examined at the committing trial. The continuance was refused, and a trial was had, resulting in conviction. There was no proof that the said witnesses were present at the altercation.

A motion for a new trial was overruled. The bill of exceptions states, that "the district attorney permitted the defendant to read his application and affidavit for a continuance in evidence. This the defendant refused to do."

George, J.

Held—

1. It is insisted that the court had no discretion under the statute as to granting the continuance. See Code 1871, § 2806, Code 1880, § 3077. The scope and purpose of this statute is this, and nothing more: First, to change the rule in Dominge's Case, 7 S. and M. 475, making admissions as to facts expected to be proved by an absent witness have only the effect the testimony of such witness would have, if present; Second, when it appears that the party would be entitled to a continuance but for the admission, then to provide that such admission shall not prevent a continuance if the attendance of the witness can be enforced.

The statute does not apply until it has been made out to the satisfaction of the court that, but for a proposed admission of the testimony, a continuance would be proper. In the case at bar it is clear that the court did not consider that the defendant was entitled to a continuance, but for an admission of the testimony of the absent witness.

2. The action of the court in holding that the showing in this case was insufficient, must be tested by the rules of the common law. Tested by these rules, it was a case clearly within the discretion of the court to grant or refuse the continuance.

3. A judge is better prepared on a motion for a new trial to decide upon the propriety of an application for a continuance than he could be at its first hearing; and he should always have the opportunity of reviewing his action by such a motion, if it is complained of.

In the light of the facts, the conclusion of the judge in this case seems clearly correct.

4. In deciding on an application for a continuance, the judge is not confined to a consideration of the facts stated in the affidavit of the party. He may inquire into the truth of the affidavit, by hearing other evidence or applying his own knowledge of what has occurred in the case up to the time the application is made.

Affirmed.

W. R. Spears, for plaintiff in error.

M. Green, Attorney-General *pro tem.*, *contra.*

[To be reported.]

I. Strauss, Trustee, v. H. F. Bailey. } No. 3499.

Error to the Circuit Court of Hinds County, Hon. S. S. Calhoon, Judge.

Holmes rented land to Hudson and Philips, for 5000 pounds lint cotton, and also hired to them several mules to make the crop, for which the tenants were to pay in money, cotton or corn. With the consent of the landlord the tenants executed a trust deed on the crop to Strauss to secure payment for supplies.

One of the tenants refused to aid in gathering the crop, and the landlord had to advance money for that purpose, also bagging and ties.

Fourteen bales of cotton were made, all of which were delivered to Bailey for the landlord, eleven bales for rent, and three for hire of the mules, gathering cotton, etc.

Strauss sued out a writ of replevin for the three bales, claiming that his trust deed had precedence as to them, and in fact, that his deed gave the right of possession as to the entire crop.

Judgment was for defendant. Strauss brings the case up.

Chalmers, C. J.

Held—

1. It was within the power of the tenants to deliver, and of the landlord to receive, the eleven bales of cotton in payment of the rent. Consequently the landlord could hold the cotton as against the trustee in the deed in trust executed by the tenants.

2. The charge for the animals furnished by the landlord in cultivating the crop is expressly protected by the statute, the contract having been made before the landlord had notice of the merchant's trust deed.

3. The items for money paid in gathering and handling the cotton and for bagging and ties, originated after the landlord had notice of the merchant's advances, but they take priority. These charges were for the good of all, and were absolutely essential. They must be paid. *Judgment affirmed.*

M. Green, for plaintiff in error.

J. W. Jenkins, *contra.*

[To be reported.]

Lespedezas and Frosts.

Lespedezas still lives, and is green after the freeze of Saturday night, 6th inst., three degrees of latitude above New Orleans. It has been growing along the Jackson Railroad this year nine months, and still it lives and proves itself one of the best grasses that grows self-propagated outside of fields and meadows.—Col. Dennett in N. O. Picayune.

POLITICAL.

Address of the Democratic Executive Committee of Washington County.

Greenville Times.]

The present seems a fit time to address you as to our local future.

It is unnecessary for us to advert to the recent National defeat of our party. Suffice it to say, that a succession of such defeats, through a period of twenty years, has only served to inspire it with fresh courage, and cause it to return to the contest with increased numbers and renewed vigor. So must it grow, as long as the American people retain their devotion to the principles of constitutional liberty. But it is in our local administration that our first and near ests interests lie. A conflagration touches us sensibly indeed when it sweeps over our own hearthstones. With us Democracy means, in common with the whole nation, adherence to certain modes and policies of conducting the general government, and to the great principle of local self-government. But in OUR local affairs it means much more than this. It means intelligence, economy and integrity in our county government.

Through and by virtue of our Democratic county organization, we have seen in the past four years taxes reduced, crime checked, local and county debts paid, the laws enforced, so as to maintain for all citizens absolute security of life, liberty and property, and the kindliest relations established between the two races composing our citizens. In short, we have had an administration of local affiairs which will compare favorably with that of any county in any State in this favored land.

Can the memory of the preceding local administration by the Republican party ever be effaced from your minds? It was one continuous carnival of official robbery, venality and corruption. Taxation and confiscation became almost synonymous terms. Unscrupulous knaves, exciting and trading upon the race prejudices and ignorance of our colored citizens, rioted in public plunder.

We recall to your recollection the state of things that then existed for a purpose. We state an undeniable truth, when we say that the Republican party can never be better in this county than it was. Its very existence here as a party depends upon the organization of the colored people as members of that party, because, and because alone, they are colored people. An organization based, not upon political differences, but upon race antagonisms and prejudice against property owners, readily aroused amongst ignorant and thoughtless people, and the facile instrument of demagogues and spoil-hunters. With us, therefore, it must and always will be a party with a few selfish, shrewd and unscrupulous leaders, wielding for their own benefit and to the public ruin a mass of ignorant, credulous voters.

In the past the Democratic party has aimed by its fair and equal dealings with all citizens, an equitable division of county offices with colored men, and even assisting its opponents to take possession of the offices to which elected, to break down and obliterate the asperities and animosities of the one race toward the other, which were the result of Republican rule and Republican machinations. And such will be its policy in the future. Much has been done in this direction—more remains to be done. Hundreds of colored citizens at the late election testified the effect of this policy by cordially uniting with ours their votes and voices. Hundreds more will do so in the future if we pursue a wise and firm policy.

One of the effects of the late election has been to disclose our enemies, and enable us to see who are our friends. By certain leaders undisguised efforts were made to band the colored citizens together as a race against the white race—to marshall them in compact masses as against the property owners. And since then, presuming that its result has disheartened members of our party, insidious proposals have been made to leaders and reputable citizens to join in banding the colored vote; and as candidates for local offices next year, lead that element in displacing the Democratic organization from control of our local government; and thus, under new and more malignant auspices, re-establish Republican rule.

These suggestions, we are happy to say, have thus far been rejected with scorn, and will only be accepted when they find men whose hunger for office has destroyed in them every vestige of principle or of reputable manhood. But we learn from these symptoms that our old enemy is at work. We warn you that because an election has just passed, it is no time to sleep. To avoid trouble in the future, never was it more necessary that you should be alive to the present. The party organization must become a living reality to every citizen. In its service, and for its good, there must be absolute harmony and unqualified abnegation of individual views and private interest. Apathy in public affairs, the besetting sin of our people, must be cast aside, and in its place intelligent interest and zeal in all public matters be manifested. To our colored fellow citizens who have openly acted with us, should be shown a marked appreciation of such action; and when, as we understand is not unfrequently the case, they are abused and maltreated because of such action, it should and will be our business to see that the offenders meet with the severest penalties of the law.

Many of the colored leaders now hold office among us, and almost universally through bonds made by white Democrats. Many of them are our political friends and allies. Some are, if not neutral, sufficiently discreet to refrain from appealing to race prejudices; others, however, have recently, without effort at concealment, sought to array their race as a race against our party their only argument being black against white—labor against capital.

It would only be foolish sentimentality to persevere in assisting men of this latter class to retain office. They are hurtful to the interests of all classes, and by holding petty county offices are enabled to exert extensive influence. Your committee has therefore thought proper to urge the securities of such as are known to be of this latter class, to obtain release from their bonds. And they now advise all those who think that the Democratic party is the conservator of our well being, to leave this class of officeholders to their own devices and their own peculiar friends in the matter of making bonds.

Our situation, in the present, demands more than ever before, a just, wise and firm policy. Whatever may be said of the one party or the other in the country at large, here we know them by their fruits. All that we have ever known in public affairs in the past, of good, of honesty, of economic administration and official integrity, we have known through and by virtue of our County Democratic organization. Through its instrumentality, and it alone, let National politics take what course they may, we honestly believe that good local government, peace, law, order, and material prosperity can be preserved. Let us then cling to it with more earnest devotion, perfect and harmonize it, draw closer together, stand shoulder to shoulder, forget individual differences, utterly repudiate private interests and independent aspirations, and regarding that organization as an instrument through which alone the present and future well-being of all classes of our citizens, and our material prosperity, can be conserved, renew our fealty to it, and give it our unqualified adherence and submission.

Signed:

A. W. Wikcliffe,	Johnson Erwin,
Jas. Stone,	H. L. Baker,
A. B. Carson,	Th. Pohl,
W. W. Stone,	J. A. Y. Feltus,
John T. Casey,	W. C. Morris,
	C. H. Smith,

Chairman County Democratic Executive Committee.

Exodus Victims Dying in Kansas.

Chicago, Dec. 7.—The Inter-Ocean says that letters have been received from Governor St. John, Mrs. Comstock and others laboring among the negroes in Kansas, saying that there is great suffering among them. Arrivals continue at the rate of about one hundred and fifty per week, most of them in a destitute condition. The weather is very cold, and as the capacity of the present asylums for these negroes is taxed to its utmost the situation is very critical and many deaths from starvation must ensue during the winter.

Nature never designed woman for fast walking, and for once, at least, fashion is in harmony with nature.—Danbury News.

CHRISTMAS READING.

HANGING UP THE STOCKINGS.

Night has fallen o'er the snow drifts,
Pillowed is each baby head;
And the Christmas Tree is laden
For the children are in bed.
Side by side the little stockings
Hang upon the nursery wall.
Santa Claus came down the chimney
Thro' the snow to fill them all.

Plump and full I see them hanging,
Keeping all their treasures fast;
And beyond these tiny stockings
Visions greet me from the past.
Scenes from my own sunny childhood,
Brightened by my mother's love;
Ever-present love that guided
Where my little feet might move.

And again I see bright stockings
Like the children's, plump and small,
Flashing crimson in the firelight,
Hang upon the nursery wall.
Stockings filled by loving fingers
E'er the tired hands reposed;
When my baby mouth was silent
And my happy eyes were closed.

Oh, the blessed faith of childhood,
Fled from me forever more!
All your joys are past and vanished,
Christmas mirth for me is o'er.
I have seen each bright hope perish,
Watched each thing that loved me die;
To the beauty of my childhood
I have said a long good-bye.

Yet when Christmas snows lie heavy,
And I watch the white flakes fall,
Memory haunts me with her pictures
Of bright stocking on the wall.
Pictures of my fair dead mother,
Of the love that crowned my life;
When I dreamed of dolls and play-thing,
Not of worldly care and strife.

On my lap my hands lie idle,
Let me dream awhile to-night,
Not of womanhood and wisdom,
But of childhood, love and light!
Let me feel that sweet faith stirring
O'er my heart now, as of old,
Faith in Santa Claus, gift-laden,
Creeping in through snow and cold.

Leave the hopes of youth behind me,
Trample fame beneath my feet;
Take me back to sunny childhood,
When my life was fresh and sweet!
What have lore and learning brought me
That I would not give again?
What has womanhood e'er taught me,
But that life is bitter pain?

Ah, to-night, I place in fancy,
One more stocking on the wall;
'Tis my life with its dropped stitches—
In the web I see them all!
Take, oh, Time, your years of learning,
Take your gifts, I spurn them all.
Give me back the faith of childhood,
Hang my stocking on the wall!

A LEGEND OF KRIS KRINGLE.

For the Little Readers of the Clarion.

THE STORY OF QUEEN OTELIA AND KING OTHO—HOW KRIS KRINGLE GOT HIS NAME.

Once upon a time—a time so very long ago that the oldest person in the world doesn't remember it and never knew anybody who did, there lived and reigned a King and Queen. Their kingdom was in the far North, away up among the icebergs, near the north pole. A great many people have traveled to that kingdom in the polar regions, and many brave and good men have lost their lives for it, but, though some have come near it, the mighty pillars of ice have always driven them back at last. This King and Queen, however, having always lived there, found the climate no disadvantage, and but for one thing would have been perfectly happy. I don't believe any of you can guess what that thing was, so I will tell you. Can you believe it, it was because in all their beautiful palace there was no sound of noisy little feet, no boys or girls to pull all the pretty things to pieces.

For many years King Otho and Queen Otelia were very sorrowful, and the Queen used to pray every day that she might find a little boy of her own. At last, one day, as she was praying, a happy thought struck her. Away up on top of one of the icebergs, that glittered like a great diamond in the sunlight, there lived a whole family of fairies. You never saw a fairy in all your life, did you? What a pity! They are the dearest little people in the world, only about as long as your finger, and they get into all sorts of odd, out-of-the-way places. Sometimes they curl themselves up in the heart of a rosebud, or fall asleep in a lily cup.

These fairies lived in such a cold country that there were no flowers for them to hide in, so they shut themselves up in tiny blocks of ice and helped to make them beautiful with the light of their bright eyes. Did you ever see a block of ice lying in the sun with beautiful colors—red and green and blue and yellow? Those were fairies eyes peeping out at you, and that was just the way the iceberg where they lived looked the day Queen Otalia went to call on the head of the family. She had a long confab with this fair lady, who told her to be of good cheer, that she would send her a little boy, and she and all the fairies would come to his christening and bring him some presents.

So Queen Otelia went home with a light heart, and before very long the fairy proved as good as her word, and sent the Queen a little baby boy; and a funny-looking, wee bit of a baby it was, with its bald head, and winking, twinkling blue eyes, that seem to be laughing at somebody all the time. When he was a month old, Queen Otelia said it was high time the baby had a name, so she told the cook to make a big cake, and all sorts of sweet things, and sent King Otho to invite the fairies to the christening. As the baby's mother and father were such very grand people, the fairies made great preparations in honor of the occasion.

In a chariot made of a single drop of frozen water, and drawn by six winged mice, white as milk, rode the fairy Queen, the loveliest and the smallest lady in Elfland. In front of her mounted on a tiny black and gold butterfly, rode her herald, the tiniest, merriest sprite imaginable, singing, as he floated through the air:

"Over hill, over dale,
Through bush, through brier;
Over park, over pole,
Through flood, through fire;
I do wander everywhere,
Swifter than the moon's sphere,
And I serve the Fairy Queen.

Circling in the blue, crisp air around the queen's chariot were myriads of tiny elves, clothed in all kinds of bright colors, and bestriding butterflies of every imaginable hue, all sparkling and glittering in the sunlight. Behind these in regular procession, lying back in their living chariots drawn by butterflies or winged mice, rode the rest of the fairy family. There were Fairy Goodheart, Fairy Amiable, Fairy Generous, and behind them all in a chariot made of snail's shell and drawn by two rearing, twisting, many-colored snails came Fairy Hateful. The cavalcade drew up in grand style in front of the palace, where the king and queen stood waiting to receive the Queen of Elfland and her train. Here there was some small disturbance as to who should alight first, and who should walk next to the queen, and as this was considered a great honor, Fairy Hateful was very angry when she found herself placed first in the procession. The fairies are great sticklers for ceremony, and like to be treated with great respect.

Queen Otelia, knowing this, had prepared a grand entertainment for them, and dressed the baby in his best bib and tucker to receive them; There he was, the Queen's little baby, with his funny bright eyes twinkling, and his little wet mouth puckered up in a knot. The fairies all crowded around him, and said he was perfectly lovely. and the sweetest baby out of Elfland. They all kissed him, and pinched his chin, and pulled his odd bit of a nose, and made him a handsome present. All except Fairy Hateful. Just as she leaned her cross, ugly face over to kiss him, this naughty, naughty baby, who couldn't help laughing at everybody, screwed his red face up into a thousand wrinkles and winked his knowing eye at her in the most impertinent way imaginable.

"You ugly, ill-mannered brat," cried Fairy Hateful, giving him a sharp box on his ear; "how dare you make a face at me? I will pay you for your impertinence."

With that, before any of the other faries could stop her, she touched the baby with her snake-headed wand, and in the twinkle of an eye, what do you think that wicked fairy did? She turned the little bit of a baby into a tiny, twinkling-eyed, wrinkled-faced old man. There he lay in his nurse's lap, the funiest, best-natured, jolliest looking old man the sun ever shone upon, twinkling and winking his eyes at everybody in sight.

"For shame, for shame," cried the fairies in a breath, and Queen Otelia began to cry, for the little old man wouldn't let her chuck him under the chin.

For a few moments they all stood aghast, looking at this odd baby, and the minister who had come to christen him felt very much out of place. At length the fairy queen bade the fairies stop crying and listen to her.

"We cannot undo," said she, "what this wicked Fairy Hateful has done, but we all have some gifts yet remaining. So come hither, gentle fairies Good Heart, Amiable, and Generous, and see what you can do for this old man baby."

Standing in a ring about the funny little fellow, each fairy bestowed upon him the quality for which she was named. When one had made him good-hearted, another amiable, and another generous, the Queen of the fairies said, waving her wand, made of frozen dew-drops, over his head:

"I name thee Kris Kringle, then, odd old man, and thy name shall ever be as pleasant as thy funny face. Thy heart shall be always young like a child's, and one day in each year thou shalt make glad the heart of every boy and girl in the world. In doing good and in making others happy thou shalt never feel thy age, and as long as there is a child in the world thou shalt never die."

As she stopped speaking she struck the floor sharply with her wand, and immediatey there sprung up at her feet a tiny sleigh, drawn by six reindeer. In the sleigh, running over the sides and filling it to the brim, were toys of every description. Drums, hobby-horses, blocks, trumpets, stockings, candies, Christmas trees, and everything anybody could think of or want.

As soon as Kris Kringle saw the sleigh he sprang up as if he had suddenly remembered something. "Good gracious!" said he, working his merry eyes and shaking his fat sides with laughter, "It's high time for me to be off!"

Without another word, but giving the queen fairy a knowing wink, he sprang into the sleigh, blew a loud blast on one of his trumpets and cracked his whip over the reindeers' heads. Off he started, but not seeing any door open, and not knowing much about the house, away he went up the chimney.

One little fairy, fearing he did not know which way to go, flew up the chimney after him. But when she reached the roof all she could see was the sleigh flying over the snow, the deers' antlers flashing in the sun, and in the distance Kris Kringle blowing his horn and shouting back:

"Merry Christmas! Merry Christmas!"
Where did he go? Don't you know?

CHRISTMAS.

BY S. TEACKLE WALLIS.

On the Swiss mountains, when I wandered there,
In the wild, awful passes, all alone,
A little cross of iron, cold and bare,
Rose, oft, before me, from some wayside stone.
Strange, uncouth names they bore—a holy sign
Traced by rude hands upon a rustic scroll,
And, blotted by the snows, a piteous line,
Begging our prayers for the poor sleeper's soul.

Some traveler it was, perchance, whose doom
The torrent or the avalanche had sped;
Mayhap was buried there some peasant, whom
The hunted chamois o'er the cliff had led.
His simple thoughts had never crossed the sea
From whose far borders to his grave I came,
Yet, as a brother, called he unto me,
And my heart's echo gave him back the name!

Peace to thy spirit, Brother! I had felt
The quick'ning of the blood that wanderers feel
At thought of home and country, I had knelt
At altars where the nations came to kneel—
But knew I never, in its depth, till when
Thy lonely shrine besought me for my prayer,
The sense of kindred with all sons of men—
One love, one hope, God's pity everywhere!

And so thy scroll, thou gentle Christmas tide,
Reared on the cross, high o'er the wastes of time,
Speaks to earth's pilgrims, in His name who died,
Good will and peace and brotherhood sublime!
And, unto them that hail thee, chiefly worth
Are the glad wreaths that twinest round the year,
For that thou bidd'st our kindled hearts go forth,
Wherever love can warm or kindness cheer.

Up the bleak heights of daily toil we press,
Too busy with our journey and our load,
To heed the hurried grasp, the brief caress,
The brother fainting on that weary road.
Then, welcome be the hours and thoughts and things,
That with us from ourselves, a little while,
To that sweet human fellowship which brings
The only human joy unstained of guile!

Christmas Associations.

The ancients, all over the world made as much of the season as we do, and surpassed us in their efforts to vary and enliven it. As the sun was standing still, time also was arrested. Janus looked backward as well as forward, and for a time the whole order of things was turned upside down. Not only did the old become young and the young old, but the servants became masters and the masters their own men. We are going through this process now in a more business-like fashion. The amusing aspect of it is left to the state, where transformation and anarchy survive in in their old glory. Even they who can vie with the Puritan in their horror of mince-pie may some times steal into a theatre to forget the world as it is around them. Well, the effort has to be made, and many will find the efforts above their powers. Many a man, in the bitterness of his soul, will ejaculate a wish that Christmas were abolished. Poor wretch! even that would not help him, for the year will still come to an end, and another year tread the same circle. You may try to turn Christmas upside down, but you will not destroy its associations, even if you spend it at the Antipodes, with the thermoneter at 86 degrees.

"The honeymoon is well enough," said a prudent belle, "but what I want to see beyond that is the promise of a fine harvest moon."

A beggar held out his hand. "I haven't a cent," said the gentleman. "I did not specify the coin," responded the mendicant.

CHRISTMAS BELLS

List to the bells!
The Christmas bells!
"Tidings of joy" their music tells!
O'er us, 'round us everywhere—
Upon the snow-bespangled air,
Resonant, clear, triumphant, sweet,
Deep, rich, thrilling and complete.
Ring out the bells—
The glorious bells—
The beautiful bells of Christmas!

List to the bells!
The Christmas bells!
Surging in full, harmonious swells,
The while their silver tongues repeat
In tones with holy joy replete,
The "sweet old story" of that time
When first rang out the "Christmas chime."
The clamorous bells!
The rapturous bells!
The beautiful bells of Christmas!

List to the bells!
The Christmas bells!
"Peace on earth" their melody tells,
"Good will to men!" how pure the strain—
How rich with Truth the sweet refrain!—
From belfry, spire and lofty tower,
O'er "land and sea" with wondrous power.
Swing forth the bells—
The magical bells!
The beautiful bells of Christmas!

List to the bells!
The Christmas bells!
Like a spring of "living water" wells
The heavenly cadence near and far—
From earth to where the angels are.
From North to South, from East to West,
Millions of hearts are touched and blest
By the glad bells—
The wonderful bells—
The beautiful bells of Christmas!

A Christmas Story for Little Boys.

In all the great city there was rejoicing, mirth, hilarity, happiness and hope, but in the hearts of three poor little boys, there was the most settled and grimmest sort of despair. Was there anywhere in the big, wide world, three more miserable outcasts, who had nothing to look forward to, nothing to expect from Santa Claus?

This great personage ought not to be partial to rich boys and girls, whose relatives and friends will look after them in due season—but alas! Santa Claus seems of late to be growing more and more discriminating in dealing out skates, mufflers, sleds, wax dolls, sugar plums and bran new clothes.

It is sad enough to get only a crumb from the banquet—but how dreadfully bitter to be ignored, neglected and forgotten altogether.

"Son, what are you crying for?" said a red-faced, portly old gentleman, stopping to look at Dick O'Gorman, the middle boy, whose sorrow had finally filled his heart to overflowing, the big tears making icicles on the threadbare knees of his old fustian trowsers.

"I say you'd better go home, you'll catch the dipthery, its just awful, on youngsters like you. What's the matter anybody—sick?"

Dick shook his head, as people do who are beyond the reach of comfort. "I don't care to get anything in my stocking," said Dick, bravely, "cos, it's too ragged to hold anything, but I did want to earn money enough to buy a paid of red-topped boots for Georgy, or a Christmas cake with angels on it. That's what ails me."

The wind blew around the corner so sharply that the water ran from the old gentleman's eyes.

"Could you do anything real hard, now, to earn money?"

"It couldn't be no harder than sitting here in the cold all day without any dinner, could it?" asked Dick, with pathetic simplicity.

"I should say not. Good Lord! no dinner the day before Christmas! is it possible, and this a civized country. I want you to run back to the corner and get this bill changed; can you?"

"They might think he stole it, sir," said Howard Ryan, the biggest of the three boys, stepping up. "I'll be glad to do it, or anything else to keep my blood moving," and Howard ran off like a modern Mercury.

"You'll never see that kid again, or the money either," said a policeman standing by, but the portly gentleman laughed to himself.

Now the third little boy, the youngest and most unhappy of all, came up to Dick and said in tones of resignation unusual for one of his years, "Don't cry, Dick; it ain't no use; I ain't hungry any more, and I don't want no Christmas, nor no red top boots. (What a fib.) I ain't got no clothes to match 'em, you know, and Santa Claus never brung us nothing, and I reckon he won't begin now. He don't care nothing about little boys. I love you. Dickey. If he brings me anything you may have it."

"Here you are, sir," said Howard, coming back out of breath; "I had to wait some time at the counter." "Are these your brothers?" said the old gentleman, frowing on the policeman, who moved on down the street.

"No, sir, but I take care of them; we are all orphans alike, and what I make I share with them. They are too little to work, although they try to sell papers or hold horses; but I've had no luck to-day and we've all had to do without. I sorter promised them that Santa Claus would remember them to-night, as I had the prospect of a job, but the place is taken now."

"Where do you live?"

"We sleep in a cellar on Cherry street, down toward the river. We don't live anywhere. A ragman lets us lie there on the rags, which is better than the street, you know."

"I would like an office boy about your size," said the portly gentlemen, looking keenly at the pale, despondent boy, who had such a helpless family to care for.

"Here's my card, come to my office day after to-morrow, and I'll see what I can do—stay; here's the number of my house on Garrison avenue, come up, all three of you, to-morrow, and you shall have your Cristmas dinners. I can't be quite a heathen," and the old gentleman went briskly around the corner without his change. Howard ran after him in a great fright, his heart beating with a variety of emotions. He had prayed to have money on Chrismas Eve—now it was within his grasp—ten dollars—oh, what a heaven was within his reach! Think of it you forget the poor on Christmas Eve.

"Well, now, you're an honest fellow," said the old gentleman, proud of his future office boy. "You see that Santa Claus has not forgotten you, after all. That is his present to you and Dick and George."

In all his life Howard had never met a real live Christain before—an angel in a gray overcoat and fur gloves—and he was mightily surprised. But he flew to his desolate proteges, whose tears were fast freezing on their cold cheeks.

Howard was full of a grand scheme—a stupendous thing. Dick and Georgy must have new clothes and boots, but Howard knew very little about buying; in fact, his garments were old castaways. Now where to go to a shop where no mean advantage would be taken of him was the next thing. Howard sold his daily papers and watched the advertisements, but was greatly perplexed where to go with his little fortune. He made the boys wait for him in a doorway, while he ran into several establishments on Fourth and Fifth streets to price garments. He came back heavy at heart. His money would not reach by a long jum, and all the clerks were too busy to wait on ragged boy like him. He met a newsboy he knew and asked to look at the morning paper. Among all the flaming advertisements he picked out one, went back for the boys and started for Franklin Avenue. Arrived at the imposing, well filled store, full of shoppers, he marched boldly in and asked for Mr. Famous. The jolly gentleman at the door laughed as he told the boys to be seated. Calling a check boy in neat uniform, Mr. Famous was soon on the spot.

"Well, my little lads, what can I do for you?" Howard, assured by the kind face of the tall gentleman (one of "nature's noblemen,") who, bending low, heard his wants. After stating how much money he had and the circumstances connected with the receiving it, Mr. —— said; "Well, I will attend to you myself as my partner is very much engaged on the third floor, and the clerks all as busy as bees. I think I can fit out you three boys and still have something left. Come up in the elevator and we'll see."

You wouldn't have known those boys when they came down, and Mr. Famous was overjoyed himself, as he had little boys at home waiting for Santa Claus that very moment.

Such beautiful things, and so cheap, overcoats, undercoats, jackets, pants, boots, shoes, and everything they needed.

Howard knew he had struck a second bonanza, young as he was.

"We never take all the money a customer has, said the other Mr. Famous who had just arrived, and was becoming interested in the trio."

"We don't want to get rich off the poor, so you must come again, boys."

"You bet we will," said Howard, his eyes sparkling with joy, "and we'll tell all the boys who have only a little money where to go."

He could not understand how any money could be left, but he was made to understand that there were Christian gentlemen who dealt fairly by them, although they were inexperienced in buying, and that enough money had been saved to buy them all a good hot supper and procure good clean beds and kind treatment at the Street Boy's Home. So the three were after all, the happiest boys in St. Louis, or in the whole world, for that matter. Despair not, little boys, Santa Claus may be nearer you as you lie on a pallet of straw, than you are aware.

And you who have the means of doing some good deed, delay not; think of the hundreds of homeless little ones as you sit by a pleasant fireside at Christmas. "Take heed that ye despise not these little ones, for I say unto you, that in heaven their angels do always behold the face of my Father, which is in heaven."

HOLIDAYS.

BY HENRY W. LONGFELLOW.

The holiest of all holy are those
Kept by ourselves in silence and apart,—
The secret anniversaries of the heart,
When the full river of feeling overflows:—
The happy days unclouded to their close,
The sudden joys that out of darkness start
As flames from ashes; swift desires that dart
Like swallows singing down each wind that blows?
White as the gleam of a receding sail;
White as a cloud that floats and fades in air,
White as the whitest lily on a stream.
These tender memories are;—a fairy tale
Of some enchanted land we know not where,
But lovely as a landscape in a dream.

The Natural Orator.

Youth's Companion.]

"The orator is born, not made," say certain critics. The assertion is contradicted by so many exceptions that it can not be received as a general rule. It is, however, verified in the career of some great orators. The most notable case, in the annals of American orators, is that of Patrick Henry. The bees of Hymettus touched his lips as they did those of Plato while slumbering in his cradle. He lisped in eloquence as Pope did in numbers.

Henry was a natural orator, but he was "only that and nothing more." Mr. Jefferson, who knew him well, and often listened spell-bound to his eloquence, says he was neither a man of education nor a well-read lawyer.

Wirt, in his "Life of Henry," which should more properly be entitled Wirt's "Romance," says he read "Plutarch's Lives" once a year. "I don't believe," said Mr. Jefferson, "he ever read two volumes of them."

One November. on leaving Jefferson's house, Henry selected two books from his host's library. "I will take these two volumes of 'Hume's Essays,'" he remarked, as he put them in his saddle-bags, "and try to read them this winter." In the spring he returned them, saying he had not been able to get half through one of them.

In fact Henry was too lazy and too fond of company to read. His delight was to pass weeks hunting in the "piny woods" along with overseers and people of similar social position. At night, when they gathered about the camp-fire, Henry was the soul of the company, telling stories and cracking jokes until bed-time.

Yet the lazy, half educated lawyer, seemed like one inspired when he stood before a jury or on the stump.

"He appeared to me," wrote Mr. Jefferson, "to speak as Homer wrote. I never heard," he continued, "anything that deserved to be called by the same name with what flowed from him. Where he got that torrent of language from is inconceivable. I have frequently shut my eyes while he spoke, and when he was done, asked myself what he had said, without being able to recollect a word of it. He was no logician."

But Henry's case is an exceptional one. There is nothing like it in our history, and the times were on his side. To-day the man who wishes to attain eminence as an orator must have ideas and know how to put them in an attractive form. To gain ideas and acquire the art of putting them, he must study.

Christmas Gifts.

The practice of making presents on Christmas is said to have originated in the example of the wise men of the East, who brought their offering to the manger at Bethlehem, and laid them at the feet of the infant Savior. Since then Christmas gifts have been almost universal throughout Christendom, and many persons feel that they have not properly discharged their duty unless they bestow something among friends and favorites. Those who can afford it usually do, and this holiday never passes round without an interchange of tokens of good feeling and kindness in almost every neighborhood. Be the gift ever so small, and, intrinsically, ever so valueless, it is esteemed as a special favor. The anxiety with which our children look forward to the approach of this popular holiday is an indication of the great interest they feel in the receipt of those gifts, and their little hearts are made light and filled with gladness whenever they are made the objects of some special donation.

The practice of decorating our churches with evergreens on Christmas originated with the ancient Druids, who wore garlands of ivy and mistletoe on that day, and since their time it has been religiously kept up by several denominations of Christians.

OLD CHRISTMAS CAROL.

I saw three ships come sailing in,
On Christmas Day, on Christmas Day;
I saw three ships come sailing in,
On Christmas Day in the morning.

And what was in those ships all three,
On Christmas Day, on Christmas Day?
And what was in those ships all three,
On Christmas Day in the morning.

Our Savior Christ and His lady,
On Christmas Day, on Christmas Day;
Our Savior Christ and His lady,
On Christmas Day in the morning.

Pray whither sailed these ships all three,
On Christmas Day, on Christmas Day?
Pray whither sailed those ships all three,
On Christmas Day in the morning?

O they sailed into Bethlehem,
On Christmas Day, on Christmas Day;
O they sailed into Bethlehem,
On Christmas Day in the morning.

And all the bells on earth shall ring,
On Christmas Day, on Christmas Day;
And all the bells on earth shall ring,
On Christmas Day in the morning.

And all the Angels in Heaven shall sing,
On Christmas Day, on Christmas Day;
And all the Angels in Heaven shall sing,
On Christmas Day in the morning.

And all the souls on earth shall sing,
On Christmas Day, on Christmas Day;
And all the souls on earth shall sing,
On Christmas Day in the morning.

Then let us all rejoice, amain,
On Christmas Day, on Christmas Day;
Then let us all rejoice, amain,
On Christmas Day in the morning.

A Child's Dream of a Star.

A CHRISTMAS STORY.

There was once a child, and he strolled about a great deal, and thought of a number of things. He had a sister, who was a child too, and his constant companion. These two used to wonder all day long. They wondered at the beauty of the flowers; they wondered at the height and blueness of the sky; they wondered at the depth of the bright water; they wondered at the goodness and the power of God who made the lovely world.

They used to say to one another, sometimes. Supposing all the children upon the earth were to die, would the flowers and the water and the sky be sorry? They believed they would be sorry. For, said they, the buds are the children of the flowers, and the little playful streams that gambol down the hillsides are the children of the water; and the smallest bright specks playing at hide-and-seek in the sky all night must surely be the children of the stars; and they would all be grieved to see their playmates, the children of men, no more.

There was one clear shining star that used to come out in the sky before the rest, near the church spire, above the graves. It was larger and more beautiful, they thought, than all the others; and every night they watched for it, standing hand-in-hand at a window. Whoever saw it first cried out, "I see the star!" And often they cried out both together, knowing so well when it would rise, and where. So they grew to be such friends with it, that, before lying down in their beds, they always looked out once again to bid it good night; and when they were turning round to sleep, they used to say, "God bless the star!"

But while she was still very young, oh, very, very young, the sister drooped, and came to be so weak that she could no longer stand in the window at night; and then the child looked sadly out by himself, and when he saw the star, turned round and said to the patient pale face on the bed, "I see the star?" and then a smile would come upon the face, and a little weak voice used to say, "God bless my brother and the star!"

And so the time, all too soon, when the child looked out alone, and when there was no face on the bed; and when there was a little grave among the graves, not there before; and when the star made long rays down toward him, as he saw it through his tears.

Now these rays were so bright, and they seemed to make such a shining way from earth to heaven, that when the child went to his solitary bed, he dreamed about the star; and dreamed that lying where he was, he saw a train of people taken up that sparkling road by angels. And the star opening, showed him a great world of light, where many more such angels waited to receive them.

All these angels who were waiting, turned their beaming eyes upon the people who were carried up into the star; and some came out from the long rows in which they stood, and fell upon the people's necks, and kissed them tenderly, and went away with them down avenues of light, and were so happy in their company, that, lying on his bed, he wept for joy.

But there were many angels who did not go with them, and among them one he knew. The patient face that once had lain upon the bed was glorified and radiant, but his heart found out his sister among all the host.

His sister's angel lingered near the entrance of the star, and said to the leader among those who had brought the people thither—

"Is my brother come?"

And he said "No."

She was turning hopefully away when the child stretched out his arms, and cried, "O sister, I am here! Take me!" and then she turned her beaming eyes upon him, and it was night; and the star was shining into the room, making long rays down toward him, as he saw it through his tears.

From that hour forth the child looked out upon the star as on the home he was to go to, when his time should come; and he thought that he did not belong to the earth alone, but to the star, too, because of his sister's angel gone before.

There was a baby born to be a brother to the child; and while he was so little that he never yet had spoken a word, he stretched his tiny form out on his bed, and died.

Again the child dreamed of the opened star, and of the company of angels, and the train of people, and the rows of angels with their beaming eyes all turned upon those people's faces.

Said his sister's angel to the leader—

"Is my brother come?"

And he said, "Not that one, but another."

As the child beheld his brother's angel in her arms, he cried, "O sister, I am here? Take me!" And she turned and smiled upon him, and the star was shining.

He grew to be a young man, and was busy at his books when an old servant came to him and said—

"Thy mother is no more. I bring her blessing on her darling son!"

Again that night he saw the star, and all that former company. Said his sister's angel to the leader—

"Is my brother come?"

And he said, "Thy mother."

A mighty cry of joy went forth through all the star, because the mother was reunited to her two children. And he stretched out his arms and cried, "O mother, sister, and brother, I am here! Take me!" And they answered him, "Not yet," and the star was shining.

He grew to be a man, whose hair was turning gray, and he was sitting in chair by the fireside, heavy with grief, and with his face bedewed with tears, when the star opened once again.

Said his sister's angel to the leader, "Is my brother come?"

And he said, "Nay, but his maiden daughter."

And the man who had been the child saw his daughter, newly lost to him, a celestial creature among those three, and he said, "My daughter's head is on my sister's bosom, and her arm is round my mother's neck, and at her feet there is the baby of old time, and I can bear the parting from her, God be praised."

And the star was shining.

Thus the child came to be an old man, and his once smooth face was wrinkled, and his steps were slow and feeble, and his back was bent. And one night as he lay upon his bed, his children standing round, he cried, as he had cried so long ago—"I see the star!"

They whispered to one another, "He is dying."

And he said, "I am. My age is falling from me like a garment, and I move toward the star as a child. And O, my Father, now I thank thee that it has so often opened to receive those dear ones who await me!"

And the star was shining; and it shines upon his grave.—Charles Dickens.

A KISS DEFINED.

A pout and a parting of lips as they touch—
That's a kiss in the abstract. It does not seem much;
But where is the language can rightly express it?
What letters can sound it to help you to guess it?
What simile suggest, or what fancy reveal
The mysterious bliss it can cause you to feel?
Here Nature assuredly won a diploma
For fragrance of flavor and perfect aroma.
A kiss is electrical—comes with a start
That tingles a delicate shock to the heart,
And sets the eyes twinkling with rapturous delight,
Like stars in the sky of clear frosty night,
When 'tis over the ecstacy clings to you yet;
'Tis a joy to remember and never forget,
All pleasure condensed in an instant of bliss
Can but partly describe what's contained in a kiss.

BURNING OF THE PEARL RIVER STEAMER KITTIE NYE.

A Graphic Description—Hair-breath Escape of Capt. J. J. Denson and Others.

ONE HUNDRED AND SEVENTY BALES COTTON DESTROYED.

Brookhaven Ledger.]

The Kittie Nye, left the landing at Sharp's Ferry, near Monticello, on the 10th inst., with one hundred and seventy bales of cotton and other valuables aboard, Messrs. Nat. Dale, J. J. Denson, J. Pope, Benton Herring, Robt. Welborne, Mit Johnston, col., and others as passengers, proceeded on her return trip, expecting to make Columbia in five hours.

It was a bright clear day with the wind blowing from the north. After a run of twenty-five miles, at half-past one, when opposite the Lark Welborne place while the passengers all in great glee were enjoying themselves without a suspicion of danger, the cry of fire was suddenly heard and soon the boat was almost completely enveloped in flames. The pilot, Mr. Seal, headed her for the timber on the west bank, it being impossible to make a landing, and drove her against the willows. This was the opportunity for all to save themselves. Mr. Murphy, the clerk, provided with a life-preserver, leaped from the boat and clung to a willow. Many of the passengers and crew did the same; but Mr. Denson, being unable to swim, and neglecting to secure a life-had the alternative of burning to death or drowning. Mr. Herring, who was among the first to leave the boat, returned to it and endeavored to throw off a bale of cotton. Seeing Mr. Denson, and being informed by him of his situation, he directed him to divest himself of his overcoat and shoes and to do just as he told him and he would save him. Hering was perfectly calm and collected, and in Denson's own words, inspired him with such confidence that he felt as if he could almost walk on the water at his bidding. Herring then threw overboard a plank, jumped into the water seized it, and said: "Now Denson, jump into the water above the plank, catch it and hold fast; but don't you try to touch me, and I will carry you out." This Denson did, and was soon placed in a willow. Herring then went to the assistance of Welborne and secured him a safe place. Afterward he and Mr. Jopes, engineer, on a bale of cotton, made their way to land which which was about a mile distant.

Mr. Dale, and Mit Johnson, secured a capsized canoe that drifted near, and rescuing Mitchel, the cook, made their way to land and sent a skiff to the relief of the others.

Mr. Seal, one of the last to leave, taking off his overcoat and placing the collar between his teeth leaped from the hurricane deck out into the stream, being forced to that side by the flames. He had a hard swim to keep the burning boat from drifting over him, but finally reached the willows, and after assisting Capt. Mars, attempted to make his way to land, but being unable to encounter the vast expanse of water, returned near the others and awaited assistance.

The burning boat drifted quickly away on the rapid currents with the fireman clinging to the rudder, and was soon caught in the timber, where she sank after burning to the waters' edge, the fireman getting on a log near by, warmed and dried himself by the expiring flames.

It is impossible to describe the horror of the situation. The poor sufferers, wet to the skin, some having lost overcoats, shoes, and hats, clinging to the willows, having escaped death by fire, were now exposed to the fury of the freezing winds and waves, with masses of water, tangled brakes of cane and briars, between them and the land, prayerfully awaited the coming aid, should any of their number be so fortunate as to reach the land in safety.

The river was very high, overflowing the banks for a mile or more on each side, but Providence favored the occupants of the little canoe, who, without paddle or oar, but with their hands, paddled, and pulled by the brushes, trees and vines, until they succeeded in reaching land.

"He Can Go!"

Were the Remarks Coolly Uttered by a Much Imposed-Upon Wife.

New York, December 15.—Young Mrs. Bergman, the runaway wife, occupies her old room in the department for "lost children" at police headquarters. In the last interview with her mother, who leaves for Europe to-day, the daughter signified her unalterable resolution not to return home. It was then arranged that she should stay in this city and take care of herself in furnished rooms and without restraint upon her whatever. Her money is to be placed in the hands of a trustee, a Philadelphia friend of Mrs. Swain, who is to allow Mrs. Bergman $30 a week as long as it holds out. Her husband has completely thrown her off. Mrs. Bergman's cool remark when informed of this was merely "he can go!" The last interview between mother and daughter was rather stormy, but the daughter was proof against her mother's tears. "You brought it all upon yourself," she exclaimed, when upbraided; "you sent the doctor and some men to examine me and find me crazy when you knew that I was only fleeing from a cold unsympathetic man to one who would at least love me; the fault is yours, and so take the consequences; go where you will, I stay here." The mother admitted with tears, in conversation with friends, that she herself was much to blame. Her daughter had been brought up a petted and spoiled child, and made to marry a cold, stern and precise man, with whom she could have no sympathy, and she broke loose in time from all restraint.

The country is flooded with mutilated silver. The whole lot should be called in and melted over.—New Orleans Picayune.

A politician can find his way up Salt River without a torchlight procession.—New Orleans Picayune.