

ing Beanville we got circus boss was weary of waiting for us to arrive and had skipped away to Europe for a few days. However, he left a handsome check be-

hind for our approval, and in the interim of waiting for him to return Tib decided we should pay another visit to old Vermont. my best knowledge it was his second trip there since his infancy. If he could be here to-day I believe he would refuse to make a third. For on this last occasion he played the part of a 60-horse-power auto in the midst of his homeland. and I reckon he would feel a bit skittish about appearing in the guise of a \$28 bicycle. Again, there is the sheriff to consider. But above all sordid deterrents he climbed high on the pedestal on this sojourn, and for a brief period wore the ermine. Yes, sir, he was a Solomon until they turned in an

"Somehow, I like best to think of the old chap in that stage-setting. It was the one short full in our many adventures, and I love to dwell upon the time when for three hours he toyed with the scales of justice, and within that small circumference managed to establish certain legal propositions so astounding as to equip the higher courts with severe headaches for many years to come.

"Now, don't run away with the idea that Tib drew only about six inches of water when it came to sailing the legal seas: for he was so good he could pick the Futurity winner in 1911. Why, in one abbreviated afternoon he firmly started the celebrated Higbutton will case on its spiral way, and only escaped a grand jury acquaintance by thoughtfully nabbing a south-bound train in the evening. Probably to this day the principals in that litigation are anxiously watching for his return. Dull hinds, dream on! Would that you could behold him | charge, and said he owned Hi.

"You see, sir, Tiberius was the greatest legal teaser that ever raised blisters on the judicial brow, although he had no idea of measuring out legal lore when we darted into placid Spluckersville. I'll admit he was not a lawyer in the technical sense of the word, but when it came to doing the Daniel-arrived-at-judgment act, he had Blackstone and all the other calfbound antiques begging for 'mercy. And despite we were there on a mere vacation, and although he was forced into the office, and while his first and last case was a stinger-a quadrupedal one-he didn't go to work and slur it over and pass it on to the higher courts. No. siree! Perhaps that's where he slipped up; for although I was betting five to nothing on him, I can see now he tickled the keystone of the commonwealth out of plumb by trying to get a corner on

"But to romp back and catch the flag. With the fat check we were well-laden with pin-money, and when we arrived at Splucke sville. Tib swore it reminded him of his birthplace, and his twinkling brown eyes old swimming-hole he would have laved in had he been allowed to have been born and grown up in that drowsy environment. Then came a few stanzas about his lost youth, and 'Oft in the Stilly Night,' and other Fourth-Reader stunts. Well, probably the town never before or since pos sessed a citizen so deeply appreciative of its charms. First, he gave the Methodist church a new bell, and then he hung up a prize in the school for the best essay on home. Only, he insisted the compositions should be framed up like circus posters and be largely ejaculatory. To add up the talk, as we both were paying our board, that wart of a town ultimately fell on our necks and pronounced us blessed, and studied to keep us with them for all time. Then, at the con clusion of much liberality on our part fully realizing Tib's intense loyalty to the coop, the town fathers grave ly convened and decided we had gained a legal residence, and appointed the dear old chap as a justice of

"That was how it all started. Tib knew, all about circuses and stock companies, but his legal lore, like Joe Smith's Bible, was largely a matter of inspiration. Yet he bowed to the public will and slipped on the yoke. Really, he felt more happy and chesty over that miserly, little, scantily paid office than if he had captured a whole bevy of grand llamas for a side-show attraction. Of course. he swore me in as clerk, explaining I was the only man on earth who could read his writing. And, this or a litigation. He had an idea that the hitherto accepted theory of jurisprudence was crude and noisy, and should be fitted out with ball-bearing days before he passed on to the final sockets and a chronometer movement. He simply pined away the first hour clients seize upon his stock and of his incumbency for the want of a mingle them with their own kine.

"He had just dusted off two volumes has been taken, and we demand the of statutes and was hefting five warrant dismissed.' pounds of Somebody on Mortgages, and had expressed a hope we would in the bosom of his coat, and, turnhave a busy summer, when Hiram ing his watery eyes on Tib, laughed law involved, just what I've been achine copies of the decedent's chi-Duzer, farm-hand, rushed into the of- hoarsely at his fellow's audacity. fice and begged for several quarts of 'Who spoke of papers?' he asked,

undiluted justice. "'What kind do you want?' asked free hand. 'Who spoke of papers in Tib, nervously, opening the statutes with rather a timid hand.

"'A warrant fer th' arrest of John | constable go and drive the live stock Peasly an' Jasper Turner, store-keep- here, and we will make good our ers, fer makin' off with valuable pa- charges and get at the res gestae.'

"'Papers consisting of what?' I pro- at the last shot, and eyed the dicpounded, to give Tib his cue.

WORK FAST AND DIE EARLY American Business Men Must Learn

of affairs can do in one hour work energy he eats too much-sometimes -New York Herald.

st as we were leaving Beanville we got a wire saying the dircus boss was

He Decides the Higbutton Will Case

By HUGH PENDEXTER ----

tax receipts wisely. Hand me a blank us all to the door. warrant, Billy

'And after I'd found a chromo that his pen and called in a lame constable and told him to do his duty.

"'Hate like sin ter do it.' demurred Higbutton's last will.' the officer, limping to the door, 'They'll come, all right, but they'll be so mad they may lick ye. They never stole

I whispered to Tib to put on the brakes and coast a bit, even if he there wasn't branded the words: 'I couldn't back-pedal. I reminded him give, devise and bequeath to- and ing, jeered Mr. Bilger. Hiram was a care-free wag who al- no more! ways decorated the town hall for the Knights of Pythias ball and played in the band, and largely attended to then gasped, in a trembly voice: 'Besomebody else's business except his queathed to whom?" own. I wished Hi to give a bond, but Tib insisted a hired man could quaff justice as any village store-keepers, and in about 30 minutes Peasly and | Duzer all- and that was all. Turner drifted in, escorted by a large rural chorus and the only two sections of the will simply swept the prerogative and declare, di cluckum gather the age of Codicil Number One legal lanterns in town.

"Lawver Remmy, a tall, thin, sadfaced man, folded his arms, and, sinking his head on his chest, much like there any more?" the Little Corsican eved the court sternly and demanded why his two

clients had been arrested. "Tib cheerfully informed him, and gently asked the hired man if he were ate, and 'Signed Silas Higbutton.' appearing by counsel. Then Lawyer Bilger, another thin one, took the first position in repulsing a bayonet

"Very well, said Tib, shuffling the prisoners plead."

'At this Brother Remmy broke others. loose, and beginning with Mount Sinai 1

sir, that when Ethan Allen indulged

in a little joke on Fort Ticonderoga

in the background. With this per-

sonal prelude he wound up with men-

tion of the Green Mountain Boys, then

quoted a section from Tom Paine's

"'My clients,' he added, in a soft,

hushed voice, 'are only guilty of re-

gaining their own. For years back

they trusted, to use our homely vil-

lage phrase, Silas Higbutton with cer-

tain edibles and groceries and divers

staples of life. As said Silas showed

no inclination to liquidate his indebt-

edness, they levied, if it please the

court, upon his live-stock just a few

arraignment. But justly did my

Needless to say, no will or any paper

"Then Mr. Bilger thrust one hand

shrilly, dusting his breast with his

the sense of papyrus or parchment?

We spoke of documents. Now, let the

lation of Ananias.

"While we are entitled to a sub-

"Mr. Bilger and Hiram merely say?" grinned. They yanked a fettlesome cow up to the door and then asked the court to drag his honest orbs over her right flank. And hang me, str, if

"Tib mopped his brow, stared intently at the beast for a minute, and

"'Jest wait a second. y' honor, as deeply and freely at the spring of and netting a steer, whose flank bore howled Mr. Bilger, snapping his in a sickly trance, and old Deacon the next installment, to wit: 'Hiram "Well, sir, the discovery of these

> defendants and their attorney off nozzum, that he shall be relegated to by looking at his teeth, he received a their feet, and Tib could only sit on the door-step and weakly ask: 'Is cows and must use them instead of the poor brute with his cane. It re-"'The will is complete,' assured Mr.

"And two more cows showed the words: 'My property wherever situ-"'It's worthless!' cried Mr. Remmy, joyfully. It must have three wit-

Bilger, gravely. 'I dictated it.'

find the Latin quotations. 'Let the critter about, and there on the other the wall. flank was his name as well as two

"'Silas Highutton's las' will an' tes | only one thing to do, he ordered the | derned one-hoss court,' snarled old | when writing on a cow than he would tament, explained Duzer, solemnly. lame man hence, and in about ten Peasly, his white whiskers bristling in using a fountain pen on super-lined "Felony!" cried Tib, eying some minutes the mooing of cattle called in anger. 'He's got ter take it ter a bond. Ahem!' court of probate.'

Brother Remmy, what have you to writing.'

"'I say this is no will,' cried Mr. ed the hired man. Remmy, trying to throttle his clients must be in writing-

"'If done on a typewriter it's bind-'Printed characters are certainly within the statutes,' decided Tib. "'But not on cows!' gasped Mr.

Remmy, pressing his tremulous hands to his fevered brow. "'The testator certainly had a right cried Hiram, stalking proudly back to execute his will on one cow, fingers under his opponent's nose. Mumby limped out to gather new wisline and invalidate man's sovereign blindly paused and attempted to fore-

one cow? What if he owns two small one large cow? Is he a freeman or a quired all of Tib's official zeal to slave? Must he swap the two crit- cause him to hesitate. ters for one? In the words of Justinian: In hoc signo vinces!'

boarding house French,' muttered Tib, | will.' in my dazed ear. Then sternly, to Mr. Bilger: 'Honi soit qui mal y

"'I am of the opinion,' continued must be filed with the court. Tib, gravely tapping the Unabridged

"And as a husky wight beat a cripple "This court must pass upon the valacross the road to the tavern, where, poena duces tecum, declared Mr. lidity of the will before deciding from my elevated position, I could see looked like a board of health danger Remmy, airily, 'we have waived that whether you are guilty as charged,' they were drinking nervously from a signal, he gracefully scratched it with right, and now that the live stock is said Tib, stoutly. 'And as for the bottle, Mr. Bilger arose and joyously here let my learned friend make good physical aspect of the court, your outre proclaimed: 'The only thing for them his vaunted boast and point out Silas metaphor will cost you five dollars. to do is to swear in an expert on cow-

"'An' on hosses, too,' supplement

"I could now see Tib was in prett into silence. The statutes say a will deep water, and that the responsibility was wearing on him, and while motioning me to look -p some more phrases to have on friendly tap, ne tried to shift the line of thought by ruling that in future the impatient and initialed beasts should be re ferred to as such and such a clause in the will, or as a codicil.

"By this time, sir, we had the weather-beaten, bewhiskered audience And where does the law draw the dom across the road. And as he severe kick which led him to belabor

"'Dod rot him! He kicked me!" complained the deacon. 'I'll sue Hi "Trying to stun me with their Duzer if this turns out ter be his

"After the old man had been told a few wholesome truths about the pense. Sit down, sir.' And poor Bil- sacred nature of last wills and testa-"Hiram fractured his face with an | ger wilted, while Mr. Remmy, who | ments and warned not to meddle with other smile, and I instinctively knew had butted into other courts, spun on the public archives again, Tib did a leaves of Webster's Unabridged to he had big casino. For he turned the his heel and dizzily staggered against little scout work through the statutes and at last announced that the will

"And this, sir, was a neat stroke. "It seems regular,' gasped Tib. 'I impressively, 'that a man has a right Of course, Mr. Remmy began to argue that Tib was not a court of probate, and hence had no jurisdiction. But he caught himself in time and swallowed his voice, for he couldn't done out how Hiram was to file his instrument-ergo, the defendants would

> ing all was almost lost, and began to make the same point, but he remem- in the will, expostulated Mr. Bilger, bered in time that it was all off for at last coming to. Every will has his client if he doubted my patron's blank lines." jurisdiction, so he strangled a sob and and codicils would certainly be stabled should also milk the clauses and borrow the codicils occasionally to do a little cultivating with.

"'Or could we file a' copy of the puckered brow.

very well,' sneered Mr. Remmy, light-hearted with delight at having the burden shifted to Tib's shoul-

'You could with a camera,' reminded Tib.

"But the law requires the original should be filed,' insisted Mr. Remmy. "'I'll designate the adjoining paddock as the court, declared Tib, glee-

"Hiram and his attorney shook hands in radiant spirits, and then the latter turned to the court and with a playful air observed: 'I don't suppose there is any objection to the calf staying with its mother, Clause Four,

"Tib, who was busy packing up his law tomes, wheeled quickly and demanded: 'Calf? Explain.'

"If your honor please, Clause Four is accompanied by a calf, recently born,' said Mr. Bilger, with a strained,

'Born since the will was executed? asked Tib, carelessly

"Mr. Bilger replied easily in the afas my chief seemed about to dismiss the matter. But all pleasant vistas were sadly agitated when Tib sternly inquired: 'Why wasn't I told this be-

"Poor Bilger failed to appreciate how the little, wobbly one's presence in the paddock could make any differ. | court.' ence and tried to say so, but Tib cut him short. 'While I would be the last man in Vermant to separate parent from child,' he declared, 'yet the awake. child in this case cannot presume upon its mother's legal status to it comes to contempt, explained Tib. claim a day in court. The child is an orphan. Legally its mother is dead, crowd wandered out into the open Tib or rather, has, by those subtle evolu- proudly observed to me: 'There may Remmy, after whispering in his tions in law, been transformed into a be legal stars of a greater brilliancy clients' ears, 'we contest the will on will. She cannot even claim to be in than I, my child, but I guess none of the ground the signature is forged. We loco parentis. She is no longer a 'em ever wrestled with a more complihave samples of the alleged testator's cow; she is a document. She can cated crystal maze than that. Nunc

handwriting here, and would offer have no offspring." "'Then at least the calf belongs to the creditors,' cried Mr. Remmy, quick- by the prosecuting officer of the coun-"Tib looked puzzled for a moment, and finally conceded that the contest- ly. 'For having no parent, no owner, ty that the matter had been rushed ants were entitled to dispute and dis- it is a stray, the property of the first before the grand jury then in session, prove the signature by offering genu- to claim it."

rography in evidence, and the defend- Hiram.

hang his hat on a dozen such points, glee. 'But,' added my Daniel, 'the Tib. 'While an orphan, yet its coming southern jaunt. But many times since but without profit, and so, following contradictory evidence'-and here the into the world affects the validity of I have noted with much pride in the pages of Noah's big book buzzed the will. The will, as originally public press that the ceelbrated Higjumped Hiram's tall, thin angel, and, busily as Tib raced through the pon-drawn, consisted of three cows, a button will case is still trifling with derous volume to the list of quota- steer, and two horses. An erasure in the poise and peace of mind of the vations from foreign languages-'must that instrument, say the death of any rious courts in Vermont; and rebe Similia similibus curantur, or of clause, would render the instrument gardless of how they may befuddle it, a like nature, or, in the nature of a null and void. Any tampering with or solve it, I shall always believe that signature on a cow. Of course, a a will after the testator's signature my old patron's diagnosis was the "'Ye can't probate a will in this man would sign his name differently has been affixed, or after his death, correct one."

such as writing in another clause, would invalidate it. The calf is an interpolation. While a codicil can be set aside without rendering inoperative the body of the instrument, the attesting clause cannot be disturbed. In this case the very signatures of the witnesses are eliminated.'

"Well, sir, you'll admit that was a mighty fine point, and you'll not be as well as the litigants were clinging to their ear-locks and staring at the court with lack-luster eyes. It was clear beyond them, and you could have brushed them from the room with a feather.

"'Then,' cried Mr. Remmy, triumphantly, 'as the will was destroyed, my clients are not guilty as charged, and can go in peace.

That's so,' admitted Tib. 'I so

That settles it, and I wish to thank this court for its superhuman intellect in elucidating one of the most-er-entangled, bovine questions of law I ever encountered in a court of justice,' spieled Mr. Remmy. Come on, boys, we'll drive those critters home.

'Wait a moment,' commanded Tib. leaning his alabaster brow on the



"A Warrant for th' Arrest of John Peasly."

edge of Somebody on Mortgages. 'I "Then up jumped Mr. Bilger, realiz | hardly think you can take the cattle."

"That calf is merely a blank line

"But they always exist before the began to bluff. He said the clauses will is made, soothed Tib. 'No; the continuity of the will bas been altered in the office, providing the beneficiary since its execution, and so the instruwas allowed to feed 'em. Hi broke in ment is invalid. And yet the conand wanted it stipulated that he testants are not entitled to it, or we

"'Hooray!' shouted Hiram.

"'The worst is yet to come,' warned will? asked Mr. Bilger, fearing Tib's invalid, pro bono publico; hence Mr. Tib. The court has ruled the will is "'Can't copy a cow-I mean these Higherton died intestate. Then we find he left no next of kin. To whom, with his election to the Thirty-eighth property go?"

'To his creditors,' bawled Mr. Remmy, not doing the table any particular good with his fists. To his lieve much nearer than Thomas B.

"Whose claims have not been established,' declared the old chap, that the statutes have it that under like conditions the estate would es-

cheat to the state of Vermont, and I that crowd away with a yard of baby ribbon! They never saw real, old- and unostentatious but conservative

in such large lumps. 'Ye mean I don't git 'em?' moaned

"'We can't take 'em?' gasped Mr.

"They belong to the state of Vermont, repeated Tib, firmly. 'Court's adjourned.'

"'I'll mandamus this court!' cried Mr. Remmy, with his fist aloft, quite like, Ajax defying the lightning.

"'My man,' warned Tib, in his low, dangerous voice, 'if you applied that term to me in private life I should forget my dignity long enough to go to the mat with you. But, being the court, I can only frown and impose a fine of ten dollars for contempt of

"'But court had adjourned, 'gasped poor Remmy, counting the buttons on his coat to see if he were sane and

"As the thoroughly bewildered

"But that night we were tipped off it being charged that Tib and I had "'Not by a blamed sight-' began conspired to drive the judiciary out of business, and the night train con-"'Hesitate a moment,' commanded sequently found us companions on its

> pulled the driver from his perch and stuck a number of long knives through him in a truly Oriental manner.)-

Benefited by Compressed Air. tives employed in caissons used in tunnel construction are benefited remarkably by the compressed air. Eminent physicians are testing the truth

## SENATOR FROM IOWA

ALLISON CELEBRATES SEVENTY-NINTH BIRTHDAY.

surprised when I add that the audience | Colleagues in Congress Unite in Extending Congratulations - Was Once Very Near Republican

> Washington.—Sepator William Boyd Allison of Iowa recently celebrated his seventy-ninth birthday, and his colleagues, both Republicans and Democrats, united in extending their congratulations, for few members are more popular than the aged Iowan.

Nomination for Presidency.

Senator Allison has broken all previous records for length of service and attained a maximum degree of personal influence and unusual domination of public affairs. He is the leader of the senate of the United States, with all that this leadership means in power and ability to create and control legislation. It is said, and probably with truth, that there is more of Senator Allison's influence and character written into the statute books to-day than of either President Roose velt or Speaker Cannon, both of whom are considered to have contributed an unusual share to the lawmaking of the present generation.

Senator Allison's personal history, briefly told, is that he was born in Perry, O., on March 2, 1829, and after attending Western Reserve college studied law and practised in Ohio until 1857, when he removed to lowa. His entry into national politics came



On occasions Senator Allison ha been very near to the nomination of his party for the presidency, some be Reed, Roscoe Conkling, or even John Sherman. He would have undoubtedly made a good president, the equal of throwing up his head. 'No; I find it many and the superior of some, had

the fortune of politics turned his way During the progress of financial legislation in the present congress he has been often consulted and, as the "Well, sir, you could have brushed ranking member of the senate comfashioned, simon-pure justice before and helpful part in the framing of legislation which will relieve the country from the conditions which resulted

> in the panic of 1907. Senator Allison is the author of the internal revenue law of 1868, the essential features of which are still in force. Prior to its passage the tax on distilled spirits was two dollars a gallon and the revenue therefrom about \$14,000,000, while during the first year following the passage of the Allison act the tax, while reduced to 75 cents. amounted, through the elimination of frauds and its proper collection, to \$36,000,000.

> He was chairman of a special com mittee which spent, the summer of 1874 investigating the government of the District of Columbia. The bill drawn by him as a result of this work repealed existing laws and created the present form of government, with three commissioners appointed by the

Early in 1877 a bill was passed by the house of representatives for the free and unlimited coinage of silver. There was great clamor for the enact ment of the measure in the senate. The bill was referred to the senate committee on finance and, being aware that if the senate was called upon to divide on the question of free coinage it would follow the popular agitation, Senator Allison proposed the preservation of the gold standard, but at the same time made provision for a limited coinage of silver on government account.

Senator Allison has all his life been a student of tariff problems. He had a considerable part in the framing of the McKinley bill of 1890, and served on the sub-committee which prepared the revision of 1893. He had charge of the minority report on the Wilson bill in 1894, and was also a member of the sub-committee which considered the Dingley act in 1897, also taking charge of the bill on the senate

Makes Collieries Safer.

A new safeguard for collieries is offered by the discovery of Profs. Elster and Geitel that firedamp contains six or seven times as much radium emanation as the ordinary air of coal mines. An aluminum foil electroscope quickly shows the difference of electrical conductivity due to the emanation, and this simple apparatus becomes an effective and important ' means of 'de-

More Than These Needed Peace, tranquillity and content are poor attributes with which to fight the battles of life.—Sunday Magazine.

tecting danger.



flapped every legal precept that ever suppose a will should be witnessed on -a legal right-to execute a binding emerged from a bench in the court's the side where the testator signs, and will on the side of his house, on a face, and begged to inform the court, yet if the hide were removed all four fence, or to spell it in colored pebsignatures would be on the same side. What have you to say, Mr. Remmy? | izes the method in controversy it

"Brother R. simply growled in his would seem he were guilty of contribanger, but at last declared that at least there could be no question as to his clients' right to the two mediaeval looking horses. But Hiram and 'Age of Reason,' and finally declared his lawyer, you know, had all the Hiram was a scalawag and a blood re- laurels tucked in their belts when it came to being old cuties, and with a deprecatory wave of the hand Bilger slyly called attention to the fact that Tib, heavily. 'He is merely taking a

each horse was a codicil. "'What's th' jedge goin' ter do?' whispered one of the amazed fringe

"Tib caught it, and turned quickly, saying: 'The court will now convene within. Leave the exhibits where

begged of the old chap; but he looked at me sorrowfully, and whispered: "Billy, this little legal nut has got to be cracked by some one, and if it wan ders into the higher courts it won't be because I'm not the child to settle

"'Don't monkey with this game,"

ing to get at all my life.' "I groaned and conceded he could ants patted each other on the back in him. I called court to order. Then up with a sophomoric, Italy-beyond-the-

"Tib bounced sharply from his chair had willed his little all to his trusty

drinks too much-for a man who

spends most of his working hours at

his desk and takes no open air exer-

cise. Physical deterioration is inevi-

table, and when a period of more than

Alps delivery, he explained how Silas Higbutton had died without kin, and

usual stress and anxiety arrives he is liable to succumb. What American pusiness men must learn is to slow down, take wholesome recreation and above all quit worrying, even over real troubles when they come, whereas most of them now worry over troubles that never come.

TROLLEY CARS OF DAMASCUS

was a trolley car crawling around the months ago; his friends waited for the of the assertion.

bles on his lawn. But if a man util-

"'That's right, jedge,' cheered Mr.

"'Silence in the court. Oyez, oyez,

and oyez!" I warned, beginning to feel

saucy from my semi-official position.

"But his negligence does not neces

"'Charge up five dollars against

that person if he becomes ebullient

"'If the court please,' soared Mr.

sarily invalidate his will,' concluded

"'Hooray!' cheered Hiram.

again, Billy,' directed the court.

utory negligence-

them in evidence.

Turner, enthusiastically.

(whether from our tents on the ter- ern and modern than a bead necklace | Henry Van Dyke, in Harper's Magarace above 25 ancient and dilapidated would change the character of the zine. pleasure garden, or from our red tiled Venus of Milo. The driver of the rooms in the good Hotel d'Orient, to trolley car looked like one of "The which we had been driven by a plague Three Calenders," and a gayly dressed of sand flies in the camp) we stepped little boy beside him blew loudly on at once into a chapter of the Arabian an instrument of discord as the ma-Nights' entertainments. It is true, chine tranquilly advanced through the there were electric lights, and there crowd. A man was run over a few

that formerly would have occupied six. It might be thought his working day would be correspondingly shortened. Nothing of the sort has oc-

curred. The speed with which trade Physicians have long been preach can be effected has simply accelerated ing the doctrine that American busi- his pace, and he not only works fastness men live too fast. With the tele- er but more hours than ever, with graph, the ocean cable, the telephone corresponding increase of business and other modern facilities the man and responsibilities. To keep up this