

POETRY.

THE OLD TIME NEW YEAR CALLS.

I'm sad because the New Year calls are going out of style. Like other good, old customs which present make you smile.

SELECT STORY.

IF HE HAD RULED BY LOVE!

By the Author of 'A Quaker Sort of Homage.'

CHAPTER VIII.

FAILURE.

"CAN you give me some time this evening, Harriet?" Devereux asked of his cousin that day before dinner.

child die, gradually, from neglect, from a semi-starvation, from cruelty, which stops short of being personal only because you want to get the credit of being good-hearted to the world.

"Oh, yes; I saw that—I don't know why," answered Harriet. "Edith always had a fancy for the name of Muriel, so Muriel it was."

Devereux bowed and held open the door for her, saw her upstairs, then stood a moment with his hands locked over his forehead, trying to still the tumult within him.

"Edith, my darling," he kept whispering, "your heart is yearning for me, for her. I am coming, you shall clasp your child to-night. I care not, all the home will know to-morrow. What if they were to see me take the child to you?"

CHAPTER IX.

HER TREASURE.

MURIEL, like many delicate and sensitive organized children, was frequently a restless sleeper, and as often as not, passed the first hours of the night lying wide awake.

And to-night she was wakened, and strained every nerve to hear the lightest sound that could be construed into an approaching step.

He made a quick step to her side and gathered the little tremulous creature right into his arms, pressing the golden head of his breast with heaven knows what rash of passionate tenderness, that held him silent.

"My little one," he said at last, brokenly, "my own child," and bent his head to hers, and kissed the soft curls; and Muriel twined her little arms about his neck and smiled, happily.

"Were you wakened, my child?" he asked, and she answered him with a contented sigh.

"Yes," she whispered. "Oh, I wanted you to come so."

"And I wanted to come to you, darling, and I want you never to be so wakened again. Muriel, should you like to be always with me?"

"The child lifted her head—bewildered. 'See, my little one,' Devereux said, in a deeply moved tone, 'you must be very good and quiet while I tell you something that will make you very glad, as it has made me too. I am going to take you away from Mrs. Eric's house; you are not related to her at all, but when you were quite a baby, only a few hours old even, you were taken away from her by your mother—my mother was a long time to look it away to England and left it there, and I let it be under neither of them that you were living at all.'"

He was silent while he watched her with changed face; her eyes were fixed on his, eagerly drinking in every word. She seemed utterly bewildered by what he had told her.

"But—but," she said, in a half-chocked voice, "I don't understand you."

"Darling," Vernon said, "should you like to think that you are my own little daughter?"

"He held his breath when he had said that, he hardly knew how she would take it. She looked at him, a radiant wonderful light breaking over her wistful face. He heard her whispering to herself in a kind of rapture—"

"My father—my little daughter," over and over again. Moved to his inmost heart, Devereux bent over her.

"Does that make you happy, my little one," he said softly, and her long drawn sigh, "Oh, yes," almost broke him down. So he let her lie in his arms for some time, soothing her with the inevitable question that came at last.

"But, mother—is she dead?"

"A spasmodic through his heart at the child's low spoken question, but he kissed her and said as calmly as he could—"

"I shall take you to my apartment. How is this house—you have seen her." The child started up.

"That beautiful lady!" she exclaimed, excitedly. "She cried when she saw me. She had a little baby that died. Am I hers, too?"

"She broke into a passion of tears at last, and clung to her father in a way that convinced him of her joy. He did not seek to stop her tears, only to calm her a little, and when she was pacified enough to hear him speak again, said very tenderly—"

"There are many things, my child, that you will not understand now, that when you are older you shall know. Now, you will believe what I tell you, just because I say it, won't you? The lady you have known as Mrs. Clifford is my wife and your mother, and as you belong to us and will always be loved and cared for by us. And your mother, she faltered a little and bent his head, "is waiting for you, darling, and she will love you, I think, even more than I do, because she is your mother."

"Take me to her," the child whispered, clinging about his neck, "but, oh, father, you love me—no one could love me more."

He smiled.

"Well, perhaps not more, my faithful little soul, only a mother's love is different than that of all. Now I'm going to carry you down to mother's room, and she will keep you there, and you will go to sleep in her arms to-night."

He wrapped the child carefully in a shawl that he found lying on a chair, lifted her in his arms and carried her away from the bare apartment that Mrs. Eric had considered good enough for the neglected little creature whose life stood between her son and his inheritance, and who would have died long ago could she have had her wish.

Devereux passed outside Edith's dressing-room door. She would still be up, he thought, and knocked softly.

"Edith," he called out, quietly, and the next moment the door was opened, and Devereux stepped into the room.

"I bring you your treasure," he said, and laid the child in her arms.

Could he ever forget the passionate way she clasped and pressed the frail form to her breast, kissing the face lifted to her in rapture, whispering a hundred endearments with broken voice and falling tears? He turned aside, not able to bear the pathetic sight of that reunion of mother and child.

Presently, when she was a little calmer, he made her set down on the couch, with the little one in her arms, and kneeling by her side he gathered both to his heart.

"Darling," he whispered softly, "forgive me that I have taken your privilege to clasp her first from you. I could not help it."

help it." Vernon, Vernon, Edith said passionately, and laid her face to his, "it was you. We are one; there is no difference. Oh, how happy you have made me."

Her voice broke, her head dropped on his breast, and pressing his lips to her curls, the man whispered tearfully—

"As I always will, my wife."

TO BE CONTINUED.

THE QUEENS COUNTY SHOOTING.

TO THE EDITOR OF THE HERALD:

SIR,—In your issue of the 28th inst., appears as a concise statement of facts as brought out at the enquiry of the information laid against the Brown boys, relating to the shooting of the boy, Abner Rathburn.

It is true that many incorrect and sensational reports went to the press concerning this matter, yet there are many persons that believe substantial justice has not been done, nor a sufficient penalty attached to insure peace, law and order, a proper observance of the Sabbath, and a guarantee against the dangers of life by a too careless use of firearms. It goes very commonly, that the expression, "I will shoot you," has been of a very common occurrence in this locality, for some time past. Or more boys. They may not be vicious, but they need to be made to realize that their conduct is dangerous to the good order of the community, and that their parents are in a large measure responsible for this state of affairs.

There is a strong and quite general opinion that a crime has been committed, and many are curious to know if it is of such a nature that the machinery of law is not sufficient to reach it. It may be no law that the statement made by the deceased, subsequent to being shot, is not admissible in evidence, but the fact that a statement was made, has been proven by several witnesses under oath. Of this, I presume a higher court would be more competent to pronounce. But aside from that evidence, it appears there are other grounds upon which substantial evidence could be given in a strong case against some, who would show deliberateness to some degree, and go far to break down the theory of accidental shooting. But, before referring to those points, I wish to draw your attention to the argument, that appears to me, has led the mind of many from the main issue. It has been used very strongly to show that it must have been accidental, because the boys were all such good friends and had been most of their lives. This is gratifying to know, because if a crime has been committed, I presume it would lessen the penalty, as there would be no grounds to plead malice aforethought. But, are all crimes void of malice aforethought, to go unpunished? Is not a life as precious, when taken without malice aforethought, as if taken, and are not safeguards to be upheld against such cases as the former, when, if the circumstances point strongly in that direction? We will refer again to the friendliness of those boys. If so was the case, and such it appears was, what would prompt the deceased to make such a charge against one he had thought so much of? Is it not the most natural thing in life, to suppose he, of all persons, would have stated that Judson Brown was innocent of every intent or deliberateness, when it was shown by evidence that he had little to build a hope of life upon? Could it be possible, that he, at seventeen years of age, hearing his dying moment, soon to pass to his judge, should in the face of his kindly affection towards this boy, make a false charge, that would at least, leave a stain upon this boy's life? Now take Dr. Caswell's statement was believed, place Judson Brown's life in peril, or a lengthy period of confinement. I think this argument has two sides, and by careful judgment must bear strongly upon the case from this point. But apart from the statement referred to, we will take up another circumstance which will bear more convincing testimony than all others.

In the first place, Abner Rathburn was from four to five, or more inches higher, I think, to judge from appearance, than Judson Brown. Now take Dr. Caswell's evidence, which was that the course of the charge was at right angles with a line through the body, neither upwards or downwards, and that the charge entered his left side, three inches to the left of the navel, and about one inch and a half below the level of the boys. Dr. Arcey and David Brown's evidence, which was that the gun was discharged while in Judson's right hand, with his arm extended down its whole length by his right side, which would be near the knee, or at least half way between the knee and knee, and that the gun was in a horizontal position. Now put those two persons on a level plain, and the charge could not enter the body at all. Again, where Abner stood, was with his left foot on a root running from the trunk of the tree, and eight to ten inches above the level of the ground near the tree, as sworn to on evidence. Again, the ground where Judson stood, some ten or twelve feet from the tree, was some inches lower than that of the tree, some thought from five to six inches, or more. Now take the difference in the height of the boys. The root being eight or ten inches above the ground, the difference of height of ground at the tree and where Judson stood, with Dr. Caswell's, Dr. Arcey and David Brown's evidence, how could the charge enter up in the body? It seems to me to be one of the impossibilities. Now Dr. Arcey Brown, in answer to Justice Palmer, said that the stock of the gun was lowered towards the ground, with the barrel turned upwards, while David Brown said the stock was on the ground. Now, as stated by Dr. Caswell, the course was "neither upwards or downwards," and that through fleshy matter, without passing by any substance to change its course, makes this theory very doubtful.

Again, Dr. Arcey in answer to further enquiries of Justice Palmer, and the clerk of the Peace, that he did not see any of the boys at the moment the gun went off. How then, could he swear that the hammer was down on the cap, or how could he see the gun? In fact, this is substantial evidence, if reports were true, that others have climbed the tree to where Dr. Arcey was, and found it impossible for him to have seen where Judson stood, because of the mass of boughs on the tree. Again at the coroner's inquest, both Dr. Arcey and David Brown agreed that Judson was the gun in his right hand down by his side, in a level position. Now it appears, if the distance from the trunk of the tree to the trunk of the tree above the root where Abner stood, and taking a level from said heights, it would be the height of the gun when discharged, for according to the doctor's evidence, it must have been on a level with the trunk of the tree above the root at right angles with a straight line through the body. Besides, the body would be in a perpendicular position, as Abner stood on the root of the tree, with his right leg around it and his right hand grasping a limb above, for the tree is a very straight one. It is also stated by reliable persons that the gun from which the shot was fired, that killed Abner Rathburn, is a safe gun, as they have used it at times for years.

It would be gross injustice to charge the boy Judson Brown unjustly, but it will require further enquiry to convince many indifferent persons that all the deceased said was a false statement, and that the shooting was accidental.

FAIR PLAY.

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Mistress—What did you do with that old brown dress that hung in my closet? Domestic—You told me to give it to all the boys, ma'am, and so I gave it to the ragman.

Mistress—Goodness me! How do you suppose I am ever to get any new dresses if I haven't an old dress to put on when my husband comes home?

Charlie—What have you done about the physician's advice to take physical exercise? Fwedly—Increased the size of the chrysanthemum I wear.

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AMERICAN TRAPS.

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