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THE LAW OF MISTAKES.

The source of every law-suit is to be found in mistakes. These are of two kinds: Mistakes of fact, and mistakes of law. Experience has proved that the ablest men sometimes make blunders, and the law has decided that a real mistake of fact in an important part of a contract will excuse the party mistaken from performing his part of the agreement.

For instance: a man made a contract with one ice company and refused to deal with another. When the bill was presented he found that the latter company had supplied his ice. He refused to pay the bill, and it was decided that the mistake freed him from liability.

A horse was sold by a trader and paid for on the spot. While the trade was going on the horse died. The buyer brought suit for the money paid, and it was decided that it should be paid back, since both parties had made a mistake of fact, in supposing the horse to be alive when the trade was ended.

If a farmer intending to sell hay sells oats by mistake instead, he may refuse to deliver the oats on that ground. It sometimes happens that a bill is paid by mistake with counterfeit bank notes. In such case the payment is void and the receipt taken is worthless.

A mistake in the quality of the thing bargained for is no ground for breaking an agreement. If a man buys a cheap thing, with the idea that it will serve his purpose as well as a more expensive article, he can not, because he was mistaken, send it back and recover the money paid.

A mistake of law is no ground for refusing to carry out a contract. This rule is founded on the old maxim, "Ignorance of the law doth not excuse." And every man is supposed to know the law of the land he lives in.

Suppose a debtor gives his note, promising to pay a sum of money with lawful interest, thinking that the legal rate is six per cent. If ten per cent is the legal rate, his ignorance of the fact will not excuse him from paying the ten per cent.

When well-known legal words are used in a contract, with a mistaken idea of their meaning, they are binding, in their legal sense, upon the person using them.

If land be deeded to a man and to his heirs, he receives the estate absolutely, although both parties intended that he should only have the estate during his own life.

Some mistakes of law put an end to agreements on the ground that they are rather mistakes of fact than of law. An executor of a will pays money to a person whom he thinks is an heir. If the supposed heir be an impostor, the money can be recovered. If, under a complicated will, a person buys rights which are his already, he may get back what he paid for them.

Mistakes of law in civil cases only cost money; but mistakes of the criminal law have more serious effects, in the loss of respectability and reputation. Here the plea of ignorance of the law will not be accepted. A criminal must suffer the penalty of his deed, though he thought it lawful when he committed it.

Formerly an outlaw might be slain by anybody; but if a private person should now kill an outlaw, with the idea that he had a right to do so, it would be punishable as murder.

An old law book gives a curious instance of the plea of ignorance. John Johnstone, a Scotch-

man, was tried for stealing and marrying one Mary Wharton, an heiress, "to the great displeasure of Almighty God, to the great disparagement of the said Mary, and to the utter sorrow and affliction of her friends." When he was found guilty and sentenced, he asked, with surprise, if it was a hanging matter. He was told that it was, and was sentenced and "executed on a gibbet before his lady's door in Great Queen street."

Rules of the Club.

"Heah am a letter," said the old man as he held up a missive, "dated at Washington an' writ in a splendid han', axin' to have de posihun of dis club on varus qeshions an' subjicks defined fur de benefit of de public. De secretary of state kin post up in his office de follerin' facts:

"On religion dis club rather leans to de Baptist kind, but am not so bigoted as to stan' idly by an' see a Methodist church consumed by fish or car'd off by a fresher.

"On pollyticks we wote split tickets, aimin' to elect de smaller rascal an' to beat de masheen nominationshuns.

"As to free trade and protection, dis club can't express its contempt fur a gov'ment which levies a tariff of ten per cent. on women's corsets an' can't bring a million-dollar official embezzler to justice.

"On civil service reform we doan' slob ober worf shucks. De cry am as holler as an old leg an' as thin as the voice of a Connecticut baby.

"On social etikette, we eat wid a fork, address ebery gem'an as 'Kernel,' an' we ginnerally manage to start fur home befo' bein' kicked out.

"On de temperance qeshun, we argy dat if a man doan' know mo' dan to let whisky git de upper-hold ob him he'd better be tied to some lamp-post whar' de fool-killer kin find him.

"As to de labor qeshun, pay fa'r wages, demand squar' work, an' keep de jail doors open for demagogues who encourage kicks an' strikes.

"Dat's whar' an' how we stan', from ebery Sunday mornin' to Saturday night, an' I may add dat we shall be happy at any time to counsel wid congress, gin advice to de legislature, an' frow out valuable suggesthions to social bodies. Let us now attack de reg'lar programme of bizness."

There is a peculiar but highly successful colony of immigrants in Kansas, who call themselves German Russian farmers. They are probably agriculturists from the border country between Russia and Germany, or from one of the German settlements in Russian territory. The Kansas settlement is called Herzog, and is situated about a mile from the railroad station of Victoria, on the Kansas Pacific Railroad. These settlers are frugal, sober, and industrious in a high degree, and display intelligence and practical sense in their labor. They show this particularly in the purchase of the best labor-saving machinery, without regard to its cost. They adhere with singular persistency to the attire to which they were accustomed in Europe, and the traveler passing through their settlement beholds costumes that belong to the past century.

The Texas legislature has defeated the prohibition measure by an overwhelming vote, and also passed a resolution to purchase the Alamo site in San Antonio for \$20,000.

It has recently been decided by the secretary of the interior that the timber culture law of June 14, 1878, restricts a contest against a timber culture entry to one who seeks to enter under the homestead or timber culture laws, and in the absence of an application to enter the land embraced in the contested entry under either of said laws there is no right of contest. Hereafter persons who contest timber culture entries will be required to file with their affidavits of contest an application to enter the land contested under the homestead or timber culture law. Under said decision an application to file a pre-emption declaratory statement will not entitle the contestant to the preference right to file upon the land contested.

There are eleven states in which women can vote at the election for school directors. "Women for these offices," says Susan B. Anthony, "are particularly appropriate, since a large proportion of the school teachers are of the same sex. I find that they show much more tact than men, as, of course they do in every position." In those eleven states the qualifications for voting are in nearly every instance similar to those of men. In Kentucky, however, a woman has to be a widow to poll, and in Michigan a taxpayer.

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The population of the earth has long been a fascinating study for the statisticians Behm and Wagner, who have just published an amended addition of a former work in Germany. They give the total as 1,433,887,500—which is about 22,000,000 less than their estimate two years ago. They have concluded that China has 50,000,000 less than they formerly supposed. There has thus been a natural increase of 38,000,000 in the population of the globe—an increase, however, that must be spread over ten years, as many of the recent censuses are decennial.

MOTHERS, READ.
GENTS:—About nine years ago I had a child two years old and almost dead. The doctor I had attending her could not tell what ailed her. I asked him if he did not think it was worms. He said no. However, this did not satisfy me, as I had convinced in my own mind that she had. I obtained a bottle of DR. C. McLANE'S CELEBRATED VERMIFUGE, and gave her a teaspoonful in the morning and another at night, after which she passed seventy-two worms and was a well child. Since then I have never been without it in my family. The health of my child remained so good that I had neglected watching her actions until about three weeks ago, when two of them presented the same sickly appearance that Fanny did nine years ago. So I thought it must be worms, and went to work at once with a bottle of DR. C. McLANE'S VERMIFUGE between four of my children, their ages being as follows: Alice, 8 years; Charley, 4 years; Emma, 6 years; John, 9 years. Now comes the result: Alice and Emma came out all right, but Charley passed forty-five and Johnny about sixty worms. The result was so gratifying that I spent two days in showing the wonderful effect of your Vermifuge around Utica, and now have the worms on exhibition in my store.
Yours truly,
JOHN PIPER.

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d-wt
A. M. TWOMBLY, Sheriff.