

THE OVERTON CLAIM.

BY MARTHA McCULLOCH WILLIAMS

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CHAPTER I.

"He's the gallantest old fellow. It makes me fairly heartsick to know his case is hopeless."

Mr. Hildreth said it, looking with compassionate eyes after his departing client. His partner, Major Vance, half turned in his swivel chair, gave an extra long pull at his pipe and said over the top of "Greenleaf on Evidence."

"Why let it be hopeless? Isn't it your business and mine to persuade one very bad man or twelve good and true ones that the right is always with our side?"

"Certainly, but in this case I should have to persuade them to go against law and fact in order to do what I believe to be right," Mr. Hildreth said, making himself horizontal by putting his heels upon his desk and tipping his chair as far back as possible. Again Major Vance spoke through his blue veil.

"Tell me all about it. Your client looked as though he came out of the ark. Has he got a claim for damages against Noah et al.? Or is it a matter of line fences?"

"Neither. You must have heard all about it. It's one of our celebrated cases—the Overton claim."

"What! Is that the man who has been a legal gold mine these last 50 years?"

"The very same—Francis Overton, Esq. No better blood in the state."

"Tell me about the claim. Of course I've heard of it nebulously. I'd like to know the story of it with circumstantial exactness."

"It's a pitiful one, and my father always insisted begun in a romance back in Carolina. He knew both the Overtons and Fauntleroy's there. The heirs of each house, it seems, fell in love with the same young woman—an heiress and great belle—who preferred young Overton. If the other man swore vengeance against his successful rival, nobody ever heard of it, but everybody knew that the warm friendship once existing between the two families was utterly dead. In fact, it was felt to be a good thing when, a few years after his wedding, young Overton moved with all his belongings to middle Tennessee."

"Here he prospered amazingly. Coming in when pretty well all the state lay virgin, he bought half a county of the richest land at a price that was next to nothing. Besides he got possession of the best ore banks in the state, and as soon as he had got a fair sized plantation open, set about building furnaces and making iron. He was essentially a man of big enterprises, one who did nothing on a small scale. Into this new venture he put a deal of money—the most of it, unluckily for him, not his own. There were half a dozen blast furnaces, a forge, a rolling mill, heaven knows what besides, but if the money went out in a stream it looked to be certain that it would come in in a flood. Indeed my father always maintained that Mr. Overton went at least \$50,000 in debt simply to oblige lenders who forced their cash upon him. For three years everything went well. No man stood so high, was rated so happy. Then came a sea of troubles. His wife died—his children, all save one, the eldest boy—my client of today. Before people were done talking over their funerals there was a bigger sensation. Peyton Fauntleroy's attorney had come out from North Carolina and laid claim to all the iron land in Mr. Overton's possession. Though he laughed the claim to scorn, it made a fine how-d'y-e-do among partners and creditors. They clamored for an explanation. He answered by buying out or paying each one in full, though to do it stripped him of everything but the property in dispute. That was a fortune if he held it. At the trial people waited on tiptoe for the outcome of it all. He came into court mighty sorrowful looking, but no whit downcast. Indeed he had hardly thought it worth while to employ a lawyer, but as my father had settled his other affairs for him he said to him, "George, please look after this little matter."

"But my father would never take a fee for that day's work; said he didn't earn it. Fauntleroy's man got up first and said that his client claimed the land under government entry at such a date, to be established by patents and receipts for purchase money. Mr. Overton hardly waited for his last word before he stood up, saying to the judge as though the whole thing bored him, "If your honor will look at those papers, you will find that my entry of the same land was just two years earlier."

"H—m," said the judge. "You must make your statement on oath. While Mr. Overton was being sworn his honor fumbled with the papers, but didn't look at them. The other man passed up his documents. You might have heard yourself think while the judge was turning them over. The crowd could see that they looked official—on government forms, with big red seals. When he undid the Overton packet, everybody gave a gasp. It was nothing but blank paper. Mr. Overton stood like a dead man for a minute, then sprang facing the judge, and shouted out: "The records—search the records. I know my deeds are there!"

"Most likely they were there, but the book was missing—has been from that day to this. Of course, though, there was nothing for it but to give judgment for Fauntleroy. But when court was over, as my father was helping Mr. Overton from the room, the judge came to them and said: "I know it's your land, sir."

Appeal, appeal, and by the Eternal I will help you to get justice."

"That broke Mr. Overton all up. He choked and said gaspingly: "The fight will go on, sir, so long as Overton blood runs in any creature's veins. I have got just one boy left. Better, much better see him dead than to know he would let it be said his father had been proved a scoundrelly land thief."

"They never shall say it, father," young Frank cried out. The old man reached out a hand to him, staggered, fell, was dead before they could lay him straight on the grass in the courthouse yard. Kneeling beside the corpse, the lad—he was just turned 17—swore to avenge and vindicate the dead man if it took all his life. Though of all his father's fortune there was not enough left to bury him, the son was not badly off. His mother's money was held in trust for him, and there was more to come from a rich bachelor's groutle.

"The Overton claim has swallowed nearly all of it, for, you see, these things came to pass more than 50 years ago, before you and I were born. Through all these years the fight has been kept up. The absence of the records has made that possible. Lacking them, neither claimant can perfect his title to this great property. Fauntleroy got possession under bond after the first decree, but it profited him next to nothing. He lacked money to develop it, and nobody had faith enough in him or his case to risk a dollar in his hands.

"Francis Overton swears to this day that the night before his father's death he—the son—read over deeds to all the iron land, duly attested as of record in



the missing volume. By what treachery they were abstracted and blank forms left in their place nobody can even imagine, always supposing that such a thing did occur, which I, for one, devoutly believe. But few folk agree with me. Some of the overgood even sigh and lift their eyes, intimating that the elder Overton was 'struck down' for false swearing, as well as that some things in the life of his son are 'a judgment' for the assertion of an unjust claim.

"To me he is the most heroic, the most pathetic figure I ever knew. This struggle to set his father right has risen from a duty to a religion—one, too, which, unlike most religions, comes before everything, anything else."

"Yet you say his case is hopeless?"

"Quite, save in two most impossible contingencies."

"What are they?"

"He must find the missing volume of records or the man who made away with them and with his father's deeds."

CHAPTER II.

Seventy years, full of trouble though they were, sat lightly on Francis Overton. He walked away from his lawyer with a masterful step, though his head drooped a little, and his eyes were full of speculation—so full indeed that he took no note of two other men, who looked hard at him from an adjacent street corner.

When he had vaulted upon his tall black horse and gone away at a swinging lope, one said low to the other: "That's your man. Tough old nut, isn't he, to be riding that gait at rising 70?"

The speaker was an elderly man, smug faced, though not quite ill looking, with narrow, light eyes; a square jaw and close clipped bullet head; well dressed, well groomed, yet giving withal some suggestion of underbreeding.

The other was taller by a half head, lithe, slim, with an oval face tanned to healthy brown and lit by two clear, convincing gray eyes. Every line, every motion told of strength and suppleness, the muscular perfection of the early twenties. His hair, just long enough to show a hint of ripple, was of the warm brown that catches gold of the sun, the same sun which had burned to an ashen shade the drooping mustache that hid a firm, well cut mouth.

Altogether you would go far before seeing a better specimen of the genus gentleman. He looked intently after the vanishing figure, and as it was lost to view said, "Hawkins, I like his looks, so much so indeed that I have three parts of a great mind to give up the whole thing."

A lightning scowl drew together Hawkins' brows, but he was wise enough to mask it and say interrogatively: "What? I didn't quite catch what you said."

For a minute the other was silent. Then he said, not loud, but dropping his words with the precision of a plummet:

"That old man is honor personified. So much his face proclaims. There must be much more than I have been taught to believe in this claim to whose upholding he has sacrificed so much."

"Oh, nobody ever said a word against him. No doubt he believes all he says; took his father's word for gospel truth. Clearly he is a victim of circumstances and his own bull headedness. That's why we, our side, thought of this compromise." Hawkins returned hurriedly, jumbling one word on another as if to prevent further speech of his comrade.

The younger man looked at him hard as he asked, "On your honor, now, do you believe a compromise possible?"

The other broke out with impatience that he tried vainly to smother in snavility: "That's just what I can't say—what we want to find out. See here, F—Haywood, you can't mean to go back on us now. Think for a minute what it means, where we stand. Here's one side—an English syndicate just aching to invest \$1,000,000; the other, the finest iron property in the world, at which they will jump, once the title is abso-



lutely clear. There is no reasonable doubt whom it really belongs to. Spite of 50 years of suits in all sorts of courts, Fauntleroy's possession has not been overturned."

"You forget there have been lapses, quite enough to give the other side a fighting chance."

"No, I don't forget. Reduced to its lowest terms, the case stands thus: Overton has no possible chance of winning the property. All he can do is to play dog in the manger and keep the rightful heirs of it from getting full benefit of it. Now, it seems to me, regard for him, if nothing else, ought to make you anxious that he shall be properly approached, the case stated fairly to him and an effort made to convince him of the error of his ways. You were willing enough."

"Before I saw him or the land in dispute, yes. Now I put myself in his place, try to think how I would feel if, after all of these years of struggle, a man came to me, saying in effect: "Sir, your father was a thief and a scoundrel. All the same, your persistent denial of it keeps me out of a fortune. If you will agree to admit it and thereby put \$1,000,000 in my pocket, I will see to it that it is made worth your while." I think, Hawkins, I should kick the messenger very hard, all the harder if he rang in anything about regard for my own interest."

"Then you won't go to him?"

"Not as you proposed, under an alias. But openly, in face of daylight, giving my own name. I mean to see Major Overton, and see also if there can possibly be found an honorable way out of all this evil."

Hawkins fell back a step, with eyes of amazed fury. After a minute he said, with a slowly whitening face: "You will—go—to him—in—your—own name? Young man, you are—worse than a lunatic. He would murder you at the sound of it."

"I think not. He has not the assassin's face. Do you know where he lives? I want to do him the honor of seeking him in his own home."

"Would you really risk it?" Hawkins spoke in an awed whisper. The other laughed a little, saying: "Why not? I can but fail. If I do, it will be failure between gentlemen, which, while it may be unpleasant, surely cannot be dangerous."

Hawkins' eyes dropped; his face grew hard. He half turned away, saying over his shoulder: "Oh, well, do as you like. Ridgeley, the Overton place, lies about 10 miles out of town, on the Blackwood road. But you are not sure of finding the major at home except at breakfast. So I advise you to go early, if you will in spite of me."

"Go I must and soon," the other said, walking away.

Hawkins looked after him and muttered under his breath: "Him—of all the men in the world. He cannot know—no half a dozen do—all that lies under the surface of the Overton claim."

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At Mrs. Cleveland's Reception. "A funny thing," said a New York clubman, "took place at Mrs. Cleveland's Saturday afternoon reception. Among the callers was a pretty and unusually bright girl from New York state. So quick is she of speech that she often says things she might just as well have left unsaid. On this occasion, as she shook hands with Mrs. Cleveland, who, by the way, is an old friend, she said the young woman some complimentary. 'Oh, now,' responded the girl, 'come off; you're flirting with me.' That was funny, too, but it was so unexpected that the first lady of the land came very near being embarrassed, and showing it."

"He is a bright writer, then?" "Bright! Why, man, he writes such bright things that the people of the paper he works on sometimes glance over them."—Boston Courier.

Mrs. De Stolle—Did you enjoy the opera? Mrs. Fushion—Very much. We had a box, and the B'Joneses sat right opposite us in the circle. It was glorious!—Philadelphia North American.

A GOPHER AS A HYPNOTIST.

Held by Its Glittering Eye, a Rabbit Awaited Certain Death.

A gopher snake at Escodido has been the cause of much earnest discussion among local naturalists recently. The question discussed was, "Do Snakes Charm or Hypnotize Their Prey?" One of the naturalists had the unusual but fortunate experience at Escodido of happening upon a large gopher snake just as the reptile was about to overcome a trembling cottontail rabbit and envelop the animal in its deadly coils. For some time the naturalist watched the snake's movements.

It was within 10 or 12 inches of the apparently fascinated rabbit. Silently and almost imperceptibly the snake had wormed its way nearer and nearer to its victim. Its eyes glistened with an intense brightness. Not a movement did it make which might alarm the timid rabbit. The forked tongue, which to the eye of a human being is so repulsive and intended to be terrifying, appeared to exert an entirely different influence upon the mind of the innocent rabbit.

This darting tongue either excited the victim's curiosity or caused the animal to so concentrate its mind on the snake's tongue as to throw that mind into a hypnotic condition of such strength that it could not break the spell and run away from impending death. The forked tongue darted out of the snake's mouth almost as regularly and rapidly as the needle of a sewing machine rises and falls in the cloth. The lithe body crept nearer and nearer. The rabbit was motionless. Its eye was fixed on the piercing eye of the snake. Even the waving of the wind kissed shrubs about the rabbit failed to break the spell, and softly and slowly grim death in snake form wreathed its folds about the creature. Then was the spell broken.

To the naturalist who watched the capture of the rabbit it appeared as if the snake had certainly fascinated the animal. As a gopher snake is not poisonous and has no well developed fangs, its only means of killing prey is by constriction. In order to catch an animal it seems almost necessary for the snake to fascinate the victim.—Washington Post.

HE HESITATED.

But the Lover Discovered That His Objection Was a Mistaken One.

The doting father was reflective. "You will find Mabel a splendid housekeeper," he said at last.

"The lover's face was blanched. "I—I had not heard of her accomplishments in that direction," he said hesitatingly.

"Then it must come to you in the nature of a glorious surprise," returned her father, "for I assure you there is no more careful housekeeper in the city."

"I presume," faltered the young man, "that she takes a very pardonable pride in her ability in that line."

"Of course, of course. She is naturally proud of her economical management of a household."

The young man groaned. "I never knew but one woman who was considered a really first class housekeeper," he said, "and I had hoped that Mabel would have none of those traits. I do not like to eat up to an average."

"Eat up to an average!" exclaimed the old man.

"Yes. According to my understanding of the subject, a good housekeeper is one who allows no waste. She studies your hunger and your capacity for about a week, strikes an average and then insists that you must eat up to it ever after. If you don't eat enough, she grumbles about the waste, and if you eat too much somebody will find a shortage, and she will call your attention to the fact that you were far below the average the day before and caused considerable waste."

"I see your point," returned the old man, "but you misunderstand me. I said she was a good housekeeper, not a good boarding house keeper."—Chicago Post.

Goes to Church Once a Year.

Of all Catholic sovereigns King Leopold of Belgium is assuredly the least devout. He goes to church and attends divine service only once a year—that is, on his namesday. A special service is performed in honor of the event at the ancient cathedral of Ste. Gudule, which everybody belonging to the male sex attends in full uniform. The king is received in grand ecclesiastical state by the prelates of the kingdom and by the clergy of the basilica at the main entrance, and marches in procession up the central aisle under a magnificent canopy to his seat within the chancel rails. He carries in his hand a gorgeously bound mass book, which he peruses with an appearance of devotion throughout the ceremony, and which on his return to the palace at Laeken is locked up once more out of sight until the recurrence of St. Leopold's day 12 months later.—St. Paul Dispatch.

A Misapprehension.

"Isn't it astonishing how cheap matches are made nowadays?" asked the statistical passenger.

"Eef you mean to insult me, sare," said the foreign looking passenger, "here is my carte. I hold myself, sare, at no less than one million of your American dollars!"—Cincinnati Enquirer.

Eyeless Worms.

Worms that have no eyes are believed to gain information of the presence of light from some other sense than that of sight. Light is always dangerous to an earthworm, and when taken from the earth and placed in the light a worm will always exhibit uneasiness and make an effort to conceal itself.

The drag used for recovering bodies from the bottoms of ponds or streams is modeled after the well known grapple plant, a thorny bush common in South America and Africa.

The orchids are true parasites, growing on other plants and drawing their substance from them and from the air.



Swings Clubs for Charity.

ABOUT two years ago Miss Rita Mylotte, a charming young girl of Oakland, Cal., being in poor health, was advised by her physician to go in for athletic exercise as a means of building up her condition. Miss Mylotte obeyed the medical man, and among other things took to Indian clubs. Within a month or two she became exceptionally clever, and soon gathered about her a class of children whose parents were too poor to purchase the necessary apparatus. Miss Mylotte keeps up her work with the clubs regularly, and has for some time been able to do most of the tricks affected by professionals. The promoters of a charitable entertainment finally induced her to appear in public.



and since then no such affair is regarded by Oaklanders as complete unless Miss Rita furnishes one of the numbers. In speaking recently of her favorite exercise the clever young athlete said:

"Club swinging I regard as the best of all exercises in this line, because almost anyone can practice it. There is no costly apparatus to pay for, and all the exercise that is wanted can be taken in one's room on arising in the morning or just before retiring. I would not advise too long a practice at a time to beginners, for the exercise brings every muscle in the body into play, and one feels the effect after a few minutes. Many young women of my acquaintance swing clubs now, and I am sure that if girls knew the benefits to be derived they would soon secure clubs. The limbs are soon developed from a state of weakness and deficiency to one of strength and fullness, and the whole body feels the change a few lessons will bring. There is also a fascination that grows on one as she becomes proficient, and shortly exertion or strain is rarely felt."

"Weakness of the Womanish Man. "Womanish" men are, after all, a very small proportion of the male population. But men who are afflicted with this weakness sometimes carry their follies to extraordinary lengths. A certain business man—has one little vanity. He always carries a small pocket mirror, and from time to time, particularly when traveling by train, he refreshes himself with a glance at his handsome features. When anyone is in the car with him he secretes the looking-glass inside the book or newspaper which he pretends to be reading. A London solicitor, popular as a society man, some seasons since lit upon the appearance-improving expedient of having his hair "waved." The experiment was a great success, and at his evening engagements he never after adopted it. But he has not the courage to face his clerks and clients with curly locks. And so, on his return from a festive evening, he spends an hour or so dampening his hair and laboriously brushing it out straight again.

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the rubbing also from the temple backward and downward. Much and heavy rotation at the base of the head should follow; also crosswise rubbing on the back of the neck and striking from the head down back of the neck to the shoulders, for the purpose of emptying the veins.

How a Woman Earned a Dollar. Each member of the local Christian Endeavor Society at Springsport, Me., pledged herself to turn into the treasury \$1 earned by herself, and Miss Jennie Clay earned hers in a unique way. Two tramps called at her house and demanded food and lodging. She went into a room, got her husband's revolver, and ordered the tramps to stand up their hands, which they did. She then commanded them to march, and started them to the village lock-up, where they were caged for the night. In the morning they were registered and allowed to depart. Mrs. Clay gave them breakfast. She then presented a bill to the Village Council: "Two resting two tramps, 50 cents each, and that body, after a good deal of humorous debate, allowed the bill.

Women never cared more carefully for their nails than now, but the use of an anointment is not so common as in all things. Pink nails are admired because a perfect nail should be long enough to show the rosy blood beneath, but a nail glowing with the red of the toilet table is no better likeness of lips and cheeks which owe their brilliancy to the rouge pot. Nor is an artificial polish to be recommended; a natural gloss merely should be maintained and heightened. The best authorities forbid the use of the nail brush. Any dust or soil may be removed with a bit of cotton wool around a wooden toothpick or a piece of orange wood; the small emery balls which are sold every where for the purpose keep the under surface of the nail so smooth that little or nothing can adhere here.

New Jackets. The new features in jackets for ladies are strapped seams and pearl buttons. On the strap extending down from the shoulder on the sleeve there will be a dozen small pearl buttons on each of the three straps, six on the straps pointing upwards from the wrist. The front is decorated with hooks on the left side, and pearl bullet buttons are set close together near the top, and two or three inches above the top, and two or three inches above the edge below the waist.—Womankind.

Window screens of Japanese fretwork are in favor; they are either in the natural light color or finished to resemble olive wood, chestnut or mahogany.

Slumber rolls of down, also rolled with curled hair and covered with good ticking, are offered ready for covering. They are easily carried and make a rich accessory in furnishing by any clever housewife.

Picturesque trifles in furnishing ten give a touch of refinement; in stanch, there are the lovely little porcelain candlesticks, in the form of a blown pink rose, resting on a green leaf in fine porcelain.

Very decorative screens, three in scarlet silk embroideries with trailing branches, of blossoms and tropical birds, all in fine silk, attracting enthusiastic admiration, are especially handsome in large parlors, where they light up somber corners most effectively.

Where windows are built low, very old-fashioned houses, leaving considerable space between their tops and the ceiling, pretty railed shelves, edged like old-fashioned over-door shelves, make a pretty furnishing. They may be enobized, mahoganyized or decorated to match the woodwork of the room.

The newest iron bedsteads, making their appearance are very attractive, and not unreasonably priced. Besides the brass finish, these bedsteads are finished in enamel of all the delicate colors used in painting furniture, and this finish is decorated with ornamentation in knobs, balls, bars and spindles.

Fancies for Springtime. The trimming under the brim of a modish hat is quite as important a feature as that which is on top of it. The beef-eater crown is in vogue as it admits of an indefinite variety of brims it does not become monotonous.

A velvet crown of violet with a border of butter-colored straw is a very Easter combination seen at a milliner's.

Big-brimmed hats are of shantung trimmed with wide gauze and are airy enough to be worn by the table Titania.

A gown of pale gray crepe, throughout with rich white lace, otherwise absolutely untrimmed, will be worn by an Easter bride.

Modish sleeves in the latest coats terminate in a long, narrow cuff, which makes the dainty hand beneath look very dainty.

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