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THE DAILY REPUBLICAN

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How the Young Engineer Forgot the Veteran.

To the Editor of the Tribune:

SIR—You will oblige me by inserting the inclosed communication in the New York *Tribune*. It will explain itself. It was sent by mail as addressed on the day it is dated; but no answer has been received, or that would have been sent also.

W. H. EMORY.

New Orleans, June 12, 1874.

[Copy.]

NEW ORLEANS, May 21, 1874.

To Lieutenant G. M. Wheeler, United States Army, care of General Humphreys, Chief Engineer, United States Army, Washington, District of Columbia:

DEAR SIR—Some one has sent me a copy of the New York *Tribune* of May 11, 1874, containing a notice of your valuable explorations in the Western country. The account is introduced by what is stated to be a brief resume of facts obtained from you.

Under the head of "Early Explorations at the West" this writer, under what is claimed as given on your authority, makes mention of all the officers of the army who have in any way contributed to those explorations. Among them are several whose contributions consisted only of hasty sketches, without ever taking an observation of latitude and longitude or making any instrumental measurement whatever. I state this, not for the purpose of depreciating these contributions, but for the purpose of calling more pointedly to your notice the singular fact that your resume ignores absolutely and entirely my contributions and labor in that same field, where I passed several years in the most arduous and exposed labors, and contributed many hundred fixed astronomical points to the geography of the interior, based upon many thousand astronomical observations made by myself and assistants, but principally by myself. Your study of the reports of your own distinguished corps, or those of the topographical engineers, now the same, should have shown you that these observations corrected the longitude of some points interior as much as one degree in longitude. It might have shown also that it was on information furnished by my reconnoissance of 1846-7 that the Territory of Arizona was purchased, to make practicable the location of the Southern Pacific railroad.

These astronomical points, extending on one line from Fort Leavenworth to San Diego, California (see my notes of military reconnoissance of the Arkansas, Gila, etc., 18,000 of which were published by Congress); and on another, from the mouth of the Rio Grande to the Pacific Ocean, form the basis for the projection of all the southern part of the map which you allege to have been prepared and compiled by Lieutenant, now Major General, Waller. That map was first projected by me under the orders of the War Department and the chief of topographical engineers, and if you will examine in the records of the engineer office any of the old editions of that map, say that of 1854, you will see that it was so prepared. The design was to put down only what was known, and subsequently to fill it up with surveys and reconnoissances as fast as they came in.

The reduced map, which accompanies my report on the Mexican Boundary Commission, contains all the astronomical points determined up to that day, collected from all sources and collated with the most scrupulous regard to the correctness of the observations and the character of the observers; and I do not see that any material corrections and alterations have been made in the projection or in the leading geographical points in the more recent editions, not even on the still reduced edition with which we are favored by the *Tribune* of May 11.

It is a misfortune for American geographers that no discrimination is made between a map copied hastily with the pentagraph and a map projected from tables and observations involving elaborate calculation and infinite labor, provided the map be illuminated with the different colors of the rainbow and ornamented with flashy letters. I have no objection to stand by and see my own work ignored by a fugitive newspaper writer or by commercial map makers, but I regard this communication in the *Tribune* as of a very different character and as indicating the record proposed to be made up into an official report published under the auspices of the government, under a bureau in which I served arduously and for a long time.

I do not intend to lay claim to be the originator of the map which is referred to in so pointed a manner by yourself. The idea of forming such a map was originated by the lamented Mr. Nicolet, and the projections were based on tables computed by him, with the assistance of officers of the engineers. I only claim to have aided in those computations and to have made the projections of the first map from those tables, and to have collated all the astronomical points known up to that time (1854), some of which were determined by myself. I also claim the merit of obtaining from the War Department its sanction to construct the map, and the adoption of the rule that nothing should go upon the official map but what was authentic.

I am, very respectfully, your obedient servant,

W. H. EMORY,
Colonel and Brevet Major General, United States Army.

A Coffee Corner.

The remarkable rise in the price of coffee in the face of the abolition of the tariff on that article, now turns out to have been the result of a vast speculative combination having its centre in Rotterdam, Antwerp and Hamburg. From these cities the most [illegible] rate and ingenious calculations were [illegible] ted, alleging short crops and in[illegible] inconsumption. Meanwhile the ring [illegible] uying and holding for high prices. [illegible] age, and [illegible] ts are to the effect that 800,000 [illegible] is said to [illegible] ed at Antwerp, with more to [illegible] unfortunately, he the yield everywhere the [illegible] ll be enormous. Most of [illegible] arm, and the phy[illegible] e already ruined, having [illegible] he will ever regain [illegible] e capital on the risk.—

COURT RECORD.

SATURDAY, JUNE 27, 1874.

United States Circuit Court.

United States vs. C. C. Nash, W. J. Cruikshank et al.—Motion for a new trial overruled by Judge Woods.

Motion in arrest of judgment granted by Justice Bradley, Judge Woods dissenting.

Superior District Court.

Wallace Woods vs. Workingmen's Bank. Suit dismissed on the ground that a stockholder can not sue as a creditor as in plaintiff's petition.

Superior Criminal Court.

The indictment in the case of G. Morel was quashed because it was shown that he committed the crime in the day time, and did not enter with intent to steal in the night time.

VERDICTS.

E. Marshall, burglary; guilty.

Mrs Boylan, knowingly receiving stolen good; not guilty.

Hattie Roosevelt and Annie Hall, larceny, mistrial.

INFORMATIONS FILED.

Carrying concealed weapons—Robert Butler.

Robbery—Leon Wolf.

Grand larceny—William Natlock.

SENTENCED.

Barthy Collins and Pat Jones, burglary and larceny; nolle prosequi entered on the charge of larceny; each seven years in the Penitentiary.

Fourth District Court.

Sandy Rhodes vs. Louisiana Paper Manufacturing Company and W. H. Pemberton.—Action for damages from explosion of boiler in defendants' mill, April 15, 1872. Judgment for plaintiff of $5000.

P. B. S. Pinchback vs. Hugo Redwitz.—Action under the civil rights bill. Answer of defendant denies discrimination, and alleges that plaintiff seeks to deprive him of privileges guaranteed by the constitution of the United States; that plaintiff intended to create a disturbance, and asserts a reconventional demand of $5000, which he prays to be allowed.

P. Donnelly vs. S. T. Goodwin.—In this case P. Donnelly sued S. T. Goodwin for the sum of $460 for rent of a certain dwelling house in this city, during the thirteen months beginning March 1, 1873, and ending March 31, 1874. Plaintiff, simultaneously with the filing of his petition, obtained a writ of provisional seizure, under and by virtue of which he seized the furniture of the defendant found in the said house. Nine days thereafter, the sheriff released the property from seizure, the defendant having furnished a forthcoming bond in the sum of $228.

On the twenty-fifth of March, 1874, the defendant, suggesting to the court that the movable property seized by and taken into possession of the sheriff under the said writ, is exempt under the law from seizure, took a rule on the plaintiff to show cause why the seizure should not be set aside at plaintiff's cost. The rule was tried and, after argument, submitted to the court for decision.

Article 2675 of the Civil Code of 1825 provided that: "The lessor has for the payment of his rent and other obligations of the lease, a right of pledge on the movable effects of the lessee which are found on the property leased." That article was amended by the statute of the eleventh of February, 1852, page thirteen the acts of that year, which statute entitled the lessee to retain out of the property subjected by law to the lessor's privilege his clothes and linen, and those of his wife and family; his arms, military accoutrements, and the tools and instruments necessary for the exercise of the trade or profession by which he gains his living and that of his family. The said article, as amended, was adopted as article 2705 Revised Civil Code.

Article 1992, Revised Civil Code, sets forth all the personal rights that are not liable to the payment of debts due to any creditor, and article 2705 the various articles of personal property of the lessee exempt from the lessor's privilege, and which the lessee has a right to retain.

Article 644, Code of Practice, prevented the sheriff from seizing the property of the lessee exempted from the lessor's privilege under article 2705 Civil Code, but it contained no provision preventing the seizure of the personal rights exempted under article 1992.

This omission in the article of the Code of Practice was remedied by act No. 39, session acts of 1872, prohibiting the sheriff from seizing the personal rights above referred to. It went further and prevented the sheriff from seizing house or kitchen furniture to the value of $600. Another act (No. 17) was passed by the Legislature in 1874, prohibiting the constable as well as the sheriff from seizing the property and rights specified in the act of 1872, and enlarging the exemptions of the latter act. The act of 1874 provides a penalty for its infraction.

I pass by the laws having reference to predial estates, as they have no bearing on the matter before me for consideration.

The counsel for the plaintiff argues that article 644, of the Code of Practice, only prohibits the seizure of the property of the debtor under a fieri facias, for debt in an ordinary suit, and that its provisions were not intended to deprive the lessor of his privilege. To sustain him in this view of the law he cites the case of Parker vs. Starkweather, 7 N. S. 337. In that case the defendant took a rule on the plaintiff (a lessor), to show cause why he should not surrender up a quantity of blacksmith's tools and utensils which he had seized under an execution. The rule was made absolute by the district judge, and the plaintiff appealed. Judge Porter, in delivering the opinion of the court, said:

The tenth section of the act entitled "an act to provide for the printing and promulgation of the amendments made to the Civil Code of the State of Louisiana, passed April 12, 1824, provides that in case the Code of Practice should contain any provision contrary or repugnant to those of the Civil Code, the latter shall be considered as virtually repealed or thereby amended in that respect. Acts 1824, p. 178.

Is the provision of the Code of Practice contrary and repugnant to that of the Civil Code? We are of the opinion it is not. The rules prescribed by a fieri facias are for ordinary cases of debt, where no special privilege existed independent of the judgment. If the debtor had pledged his tools for a sum of money, we suppose there could be no doubt of his being unable to get them back until he paid the money he had borrowed on them. The right of pledge conferred by law in favor of the lessor must have the same effect, or the words have no meaning. The correctness of this construction will, we think, be strengthened by recurring to two other articles of our code. Article 2677 of the Louisiana Code declares that the movables belonging to third persons found on the premises are subject to the pledge of the lessor. The Code of Practice only prohibits the seizure of the property of the debtor under a fieri facias for debt in an ordinary suit. We do not suppose that it could be contended that this provision deprived the lessor of his privilege; and if it does, we do not see how the article relied on by the appellee (the lessee) can have that effect in relation to tools, etc. "It is necessary to remark that in this instance the seizure was made under a writ of fieri facias, but the suit in which the judgment was rendered was for rent, and we are of opinion that the privilege of the lessor was not lost by the form of execution in which he sought to enforce it."

The judgment of the district court was reversed.

The foregoing decision is, doubtless, a sound and correct exposition of the law as it existed in 1829, when the decision was rendered, but the law having been since changed, the doctrine of that case has no application to the case at bar.

I have hereinabove quoted article 2705 as it stood prior to its amendment by the statute of the eleventh of February, 1852. By an inspection of that article it will be seen that no exemption of any kind of personal property or household furniture was made from the pledge given to the lessor on the movable effects of the lessee found on the property leased. The article of the Civid Code was held not to be in conflict with article 644 of the Code of Practice, and full force and effect were given to each of those articles by the court. And now, too, the provisions of article 644 of the Code of Practice, as amended, are in accord with articles 1992 and 2705 of the Revised Civil Code. By the article of the Code of Practice sheriffs and constables are prohibited from seizing certain property and personal rights which the articles of the Civil Code declare to be exempt from seizure by the the lessor, or by any other creditor, and which are placed entirely out of commerce. But the clause in the act of 1874 exempting from seizure house and kitchen furniture to the value of $600, increases the exemptions of portions of the debtor's property from being held for the payment of any debts whatever. This clause modifies alike article 2705 of the Civil Code and article 644 of the Code of the Practice. It might have been made an amendment to the former article, as well as to the latter. By attaching it to the article of the Code of Practice, the necessity of making it an amendment to the article of the Civil Code is avoided. Had the exemption clause in the act aforesaid been engrafted as an amendment on article 2705 Civil Code, increasing the exemptions provided for by that article, it would have been necessary to amend article 644 of the Code of Practice to make it correspond with the article of the Civil Code; that is to say, if the article 2705 Civil Code contained a provision that house and kitchen furniture to the value of $600 should be exempt from seizure, it would be necessary to add to article 644 Code of Practice an amendment preventing a constable or sheriff from seizing the amount of furniture aforesaid.

Under the construction of the law, as contended for by the learned counsel for the plaintiff, the lessor, under the articles of the Civil Code on this subject, has a privilege and pledge on the property of the lessee, and may seize the movable property found on the premises, whether it be under or over the value of $600, because, as he says, the exemption clause of $600 in the act of 1874 has reference only to ordinary debts which are not secured by privilege and pledge, as are those due to the lessor.

I have shown that the clause in the act of 1874 exempting the property of the lessee to the amount of $600 from seizure, applies as well to debts due to lessors for rent as to debts due to any other class of creditors. But suppose it does not, and there is still in existence the right of pledge in favor of the lessor, how is that right to be enforced? It can not be enforced without a seizure. The officers charged with the seizure of property under legal process are sheriffs and constables. But no sheriff or constable can seize, in any case, house or kitchen furniture to the value of $600, without subjecting himself to a fine and imprisonment, under a section of act No. 17 of 1874. This act is the latest law on the subject, and it repeals all pre-existing laws in conflict with it. It is plain, then, that even if it be admitted that the abstract right of pledge still exists, it can not be enforced. But there can be no lessor's right of pledge without a remedy or means of enforcing it, for without such remedy the right would be a mere imperfect obligation, depending for its performance upon the will of the lessee from whom performance would be expected. Of course I do not mean that the lessor has no privilege or right of pledge on the property of the lessee at all; the privilege and right of pledge still exist on such property as may be left after the retention by the lessor of $600 worth of furniture, together with the other numerous articles of personal property named in said act as being exempt from seizure.

The plaintiff contends that the pledge was complete long anterior to the said act of 1874, amending article 644 Code of Practice; that the lease of Donnelly to Goodwin was given in 1871 and, therefore, can not be affected by an exemption law passed in 1874 after plaintiff's rights had matured; and in support of this proposition he cites the case of Lasly vs. Phipps, recently decided by the Supreme Court of Mississippi, in which it was held that "the right to seize and sell, by judicial process, a debtor's property in satisfaction of a judgment against him, is a material part of the remedy for the enforcement of the contract on which the judgment is founded, and any law of a State which materially increases the amount exempted by law from execution, over the amount allowed when the contract was made, impairs the remedy materially, and is, therefore, prohibited by the federal constitution."

The decision in that case, even if in harmony with the current of decisions on that subject, and which I do not admit, does not apply to this case, because the plantiff alleges in his petition that he leased to Goodwin the dwelling house in question from the first of March, 1873, to October 1, 1873, a period of seven months, at a rent of forty dollars a moth, and that Goodwin occupied the house thereafter from the first of October, 1873, up to the twentieth of March, 1874, when this suit was filed, and that he is indebted to plaintiff in the further sum of $180, for six months rent of said house, from the first of October, 1873, up to and including the month of March, 1874, at $30 per month, making a total of $460.

Act No. 39, session acts of 1872, amending article 644, Code of Practice, was in force before and during the months for which this rent is claimed. That act contained the provision exempting from seizure house and kitchen furniture to the value of $600. I am at a loss, therefore, to see how plaintiff's pledge had been complete long anterior to the passage of the $600 exemption law, and why the right of pledge which he sets up can not be affected by that law. True he refers to the exemption law of 1874 as that which can not affect his contract with the defendant, but it must be remembered that the $600 exemption was a part of the act of 1872, anterior to his contract, as well as it is now, in the act of 1874.

It was urged also that the plaintiff has no interest in the property provisionally seized, and, therefore, can have no standing in court, as the owner of the property is not asking any relief at the hands of the court. The plaintiff in his petition alleges that the property contained in the house above referred to is the property of Goodwin. The former not only made that allegation, but he made oath that it was true, and he prosecuted his case to definitive judgment. He is now estopped by his judicial admission, and his actions otherwise, from denying defendant's ownership of the property in dispute, and his capacity to stand in judgment in this rule. Suppose, however, the property does not belong to the defendant, it must belong to some one else, and whoever may be its owner it is shown to be under the value of $600, and, therefore, not liable to seizure by the lessor or any other creditor.

I see no constitutional objection to this law of 1874 which contains the provision excepting, besides certain other portions of a debtor's property from execution, his house furniture and kitchen furniture to the value of $600.

"The State," says Chief Justice Taney, "may, if it thinks proper, direct that the necessary implements of agriculture, or the tools of the mechanic, or articles of necessity in household furniture shall, like wearing apparel, not be liable to execution on judgment. Regulations of this description have always been considered in every civilized community as properly belonging to the remedy to be exercised or not by every sovereignty according to its own views of policy and humanity. It must reside in every State to enable it to secure its citizens from unjust, and harassing litigation, and to protect them in those pursuits which are necessary to the existence and well-being of every community;" Bronson vs. Kinzie, Howard, 311.

Citizens have no vested rights in the existing general laws of the State, which preclude their amendment, and there is no implied promise on the part of the State to protect its citizens against incidental injury. There may, however, be laws which amount to propositions on the part of the State, which, if accepted by individuals, will become binding contracts. Under such laws vested rights of action are created.

Rights of this kind can not be taken away by the Legislature under the prohibition of the constitution. The lessor's right of privilege or pledge is not among that class of rights.

Suppose that the contract of lease between the plaintiff and the defendant had taken place in 1871, and the lessor's privilege and right of pledge had attached at that time, and prior to the passage of the statute of 1872, which contains the provision exempting $600 worth of house and kitchen furniture from seizure, whether that statute could, in that event, be made to affect the contract by abolishing the right of privilege and pledge, without violating the provision of the constitution which prevents the passage of laws impairing the obligation of contracts, is a question which it is not necessary for me to pass upon in determining this case. I may say, however, that the rights of parties to contracts are liable to be affected in many ways by changes in the laws which it could not have been the intention of the constitutional provision to preclude. Judge Washington says: "There are few laws which govern the general police of a State, or the government of its citizens in their intercourse with others, or with strangers, which may not in some way or other affect the contracts which they have entered into, or may thereafter form. For, what are laws of evidence or which concern remedies, frauds and perjuries, laws of registration, and those which affect landlord and tenant, and a crowd of others which crowd the codes of every State, but laws which affect their validity, construction, duration or discharge; but the changes in these laws are not regarded as necessarily affecting the obligation of contracts. 12 Wheat. 269.

A law abolishing distress for rent has been sustained as applicable to leases in force at its passage, and it was held that an express stipulation in the lease, that the lessor should have this remedy, would not prevent the Legislature from abolishing it, because this was a subject concerning which it was not competent for the parties to contract in such manner as to bind the hands of the State. In the language of the court, in another case: "If this is a subject on which parties may contract, and if their contracts when made, become, by virtue of the constitution, superior to the power of the Legislature, then it follows, that whatever at any time exists as part of the machinery of the administration of justice may be perpetuated, if parties choose so to agree. Every such stipulation is in its own nature conditioned upon the lawful continuance of the process. The State is no party to the contract. It is bound to afford adequate process for the enforcement of rights, but it has not tied its own hands as to the modes by which it will administer justice! but a law which deprives a person of all legal remedy must necessarily be void." 14 N. Y. 22.

"Statutes pertaining to the remedy are merely such as related to the course and form of proceeding, but do not affect the substance of a judgment when pronounced." 15 An. 153.

For the foregoing reasons it is ordered that the rule herein be made absolute, and the provisional seizure be set aside; the plaintiff to pay the costs of the same.

The Ghoul of Montparnasse.

Some time ago there was a terrible uproar in the cemeteries of Paris. Armed guards patroled them every night, endeavoring in vain to discover a mysterious being, always unseen, but whose passage left marks as fearful as they were extraordinary. The sanctity of the grave had been violated, and the bodies of the dead, strangely torn and disfigured, had been dragged some distance and left lying in the walks. Facts still more hideous, and which will not bear recital, filled with horror the keepers of the Cimetiere du Sud, on the mornings of the fifteenth of November and twelfth of December. The most incredible rumors were circulated in Paris. The legend went on magnifying as it was repeated, until it was shudderingly whispered by knowing ones that the cemeteries were haunted by a vampire, who dug up the dead at night, and feasted upon their decaying flesh.

Every means that could be suggested to increase vigilance and render it effective was tried. Policemen were added to the guards, and savage dogs let loose in the cemeteries every night. The men saw nothing; the dogs did not bark. Yet, one morning, eleven bodies were found to have been exhumed, cut to pieces, and scattered over a large area of ground—pieces of flesh being even found hanging—hideous trophies on the limbs of the trees. These monstrous doings now seemed confined to the Cimetiers Montpernasse. An infernal machine was then placed there—a small mortar loaded with all sort of projectiles, and to whose trigger numerous wires were connected, inverging in all directions. In the night of the fifteenth of March the machine was heard to explode; and, next day, it was ascertained that a sergeant-major of infantery, named Francis Bertrand, had sought admittance into the Hospital of Val de Grace, having received some strange-looking wounds in the back. The vampire was caught!

Bertrand was tried by a military court. He bore a good name in his regiment, and was accounted a man of gentle disposition and an excellent soldier. He was ignorant, having followed a course of studies in a seminary. Far from attempting to deny the charge brought against him, he confessed everything, with sincere candor and humility. When seized with his "frenzy," he said, he would escape from the barracks and run to the cemetery, whose wall he would clear with one bound. He knew they had set up an infernal machine: he would run to it and kick it over without provoking an explosion. The dogs ran at him; but he marched upon them, and they slunk away, cowed and silent. He had reached that inexplicable superhuman power, not uncommon in certain nervoso-mental affections. His strength passed all that can be imagined. With nothing but his hands he would dig the grave open, break the coffin and tear to pieces the corpse, which he sometimes also hacked with his sword. Was this all? No; but there are acts so atrocious that the pen refuses to portray them.

This demoniac, for he seemed more like a man possessed of an evil spirit, at certain hours, than a mad man having rational spells, after committing these unaccountable atrocities would hasten away from the place he had desecrated, and, seeking shelter anywhere, in a ditch, on the margin of a river, exposed to the rain or the snow, fall into a cataleptic sleep, during which he retained the consciousness of what was going on around him. After these fits he felt "worn and bruised for several days." He was a monomaniac, obeying an irresistible impulse, and suffering, very likely, from larval epilepsy.

The court sentenced him to one year's imprisonment, the maximum of the penalty provided by the penal code.

Bertrand, the Ghoul, is still alive; he is now perfectly cured of his hideous disease, and is cited as a model of gentleness, propriety and behavior.

The Death List.

Of the men who were prominent in the secession conflict there have died President Lincoln, Admiral Farragut, Secretary Seward, General Thomas, Secretary Stanton, Mr. Crittenden, Chief Justice Taney, General Lee, Chief Justice Chase, General Ewell, Secretary Smith, Rear Admiral Winslow, Minister Dayton, Attorney General Bates, James M. Mason, Charles Sumner, General Rousseau, C. L. Valandigham, S. A. Douglas, Rear Admiral Foote, Charles R. Ellett, General Slemmer, General Codman, General Magruder, Horace Greeley, William L. Yancy, Minister Orr, Governor Andrew, John Slidell, George Sanders, Governor Brough, Governor Pickens (South Carolina), Edmund Ruffin, John Daniel, Howell Cobb, General Meagher, James Buchanan, John Tyler, James L. Pettigru, Percival Drayton, Rear Admiral Dahlgren, Franklin Buchanan, General Meade, Governor Geary, General Canby, General Harvey Brown, William Whiting, Secretary Rawlings and Garrett Davis. With the exception of President Lincoln and General Canby, who were assassinated, and Mr. Ruffin, who shot himself, and General Meagher, who was drowned, all the persons named died natural deaths. No mention is made of any one who fell in battle.

Banished from Mexico.

The only man who now remains banished from Mexico is General Marquez; he alone escaped when his benefactor, the Emperor Maximilian, lost his life, and which he might have saved, if he had left the capital in time to come to his rescue at Queretaro. A few days ago the papers reminded the public of the anniversary of the butchery of Tacubaya, when Marquez ordered, in 1859, the assassination of several students of medicine, who had volunteered to assist the wounded liberals. In spite of the dreadful antecedents of this man, his friends, headed by the Governor of Puebla, are working hard to get the amnesty extended to him, because his wealth might be beneficial to said State. We have here another instance that the Mexicans are improving on their American brethren, and that wealth is a veil to many crimes.—*Mexican Correspondence Alta California*.

THE LETTER AND THE SPIRIT.

BY C. P. CRANCH.

With books and papers round his table spread,
The pastor in his study sat one night,
Upon his hand he leaned his silvery head;
And through his large round spectacles the light
Of thought fore-ran the words he meant to write.

He turned his well-thumbed Bible, as he sought
To choose some fitting chapter and text
Whose words might well embody his deep thought;
Some utterance concise and unperplexed,
To wing his sermon-shaft on Sunday next.

No mystic germ of theologic lore;
No Hebrew version of "Thus saith the Lord;"
But one of those grand texts that ope the door
Into the inmost spirit of the Word,
And truths that with the deepest heart accord.

And as he mused there was a gentle tap,
A neighboring farmer came to ask about
Some Bible passages. He laid his cap
Aside, and sitting, said: "I have a doubt,
Dear sir, from which I wish you'd help me out.

"The Bible is the word of God, you say.
Then we must take the Bible through and through;
Put in no notions of our own: obey
The letter and the spirit; think and do
Just what it says. Does this seem right to you?

"I find things there, as by the Lord's command,
That seem as if they warn't of heavenly grace,
Or meant for some old time and ancient land.
They don't apply. I couldn't have the face
To tell my child, 'This text jest suits your case.'"

The pastor smiled. 'Twas what was in his thought
When the good farmer entered. Long he spoke,
And showed how in the truths the Scripture taught,
The letter kills, the spirit lifts the yoke.
Past is not present—nor the germ the oak.

The best texts are like friends along life's road,
Not the policemen of a sect. We hear
Their voices, and take heart and bear our load
Upon our journey with serener cheer.
Their wisdom and their love cast out our fear.

Supreme authority is that which man
First tests through ages of beliefs and deeds.
God is no tyrant—his decrees no ban.
The laws of States decayed—the dust of creeds—
Can never fill the soul's diviner needs.

But that which still survives, and in the heart
And common conscience of the race secures
What wisdom sanctifies and sets apart
From low and selfish passions—that insures
The welfare of the world—and that endures.

On the next Sabbath the good pastor preached
A "lifting" sermon. Clearer light was given
To many a soul whose aspiration reached
Beyond the doubts with which it long had striven.
The text—That which ye bind on earth is bound
in heaven.

—*Christian Union*.

Taxation that Kills.

We have before us the report of Mr. Ruffner, superintendent of the Virginia board of public instruction, for 1873, and we find in it, arrayed in startling figures, a statement of taxation for liquors drank within the State, which fully acounts for the poverty, not only of Virginia but of all the Southern States; while it also gives the reason for the straitened circumstances of millions in the North. There are 2850 retail liquor shops in the State. If these shops sell the average amount of liquor sold by the liquor shops of the United States, and there is no reason to suppose they do not, the annual amount consumed is $10,622,888. There are additions to be made to this from wholesale dealers and patent medicines which are bought and consumed for their alcohol, that raise the aggregate to $12,000,000. There is no doubt that the sum total exceeds these terrific figures, which leave out entirely the alcohol used for mechanical and manufacturing purposes. This sum exceeds the total value of all the farm productions, increase in live stock, and value of improvements, of the year 1870, according to the United States census, in the seven best counties in the State, and by just about the same amount the value of the productions of forty-five smaller counties during the same year. The wheat crop of Virginia, for 1870, was in round numbers, 8,000,000 bushels. This, at $1 50 per bushel, which is more than was received, makes exactly $12,000,000. In brief, Virginia drank up its entire wheat crop to the last gill!

Mr. Ruffner presents other illustrative estimates, but nothing can add to the force of those which we have cited. He then goes on to show that the total taxation for State purposes, including legislation, salaries, courts, institutions for dumb, blind and insane, public schools and interest on the public debt only reaches the sum of $3,500,000, while to add to this sum all the local taxation, would not equal the burden which the people voluntarily lay on themselves. But this is not all. The injury done to public order, and to private health and enterprise, is to be taken into account. Mr. Ruffner believes that the time wasted, the injury done to business and the cost of crime, pauperism, insanity and litigation resulting from intemperance, would be more costly than the liquor itself. Then the superintendent, with figures furnished by the distinguished English actuary, Feison, in the interest of life insurance, shows how much valuable life is thrown away in the State. Between fifteen and twenty years of age, the number of deaths of temperate and intemperate persons is as ten to eighteen; between twenty-one and thirty, ten to fifty-one; between thirty and forty, ten to forty. At twenty years of age a temperate person's chance for life is 44.2 years; intemperate, 15.6; at thirty, the temperate man's chance is 36.5 years; intemperate, 13.8; at forty years, the proportionate chances are 28 8 to 11.6 years. Thus money, health, morality, industry, good order, and life itself, in enormous sums, go into this bottomless caldron. Is there any return of good for all this expenditure? None. The loss is entire and irremediable. If the whole had gone over Niagara Falls something would be picked up on the shore below, but nothing is left from this waste. A bushel of grain transformed into alcohol and swallowed as a beverage is a bushel of grain annihilated. If all that is spent for liquor were put into a huge furnace and burned, we should have the ashes; but, as it is, we have no ashes except such as, with shame and tears, we are obliged to bury.

We have not displayed these figures for the special purpose of reading a lesson to Virginia, for that State is no worse than the rest of the States of the Union, but one of her faithful officers has brought out the statistics, and the country ought to feel very much obliged to him for them. They give us the facts that account for all our public distress. Our taxation for the legitimate purposes of government and the payment of the public debt is a mere bagatelle by the side of the taxation to which they voluntarily subject themselves for that which harms them. We consume, as a nation, $600,000,000 a year in spirituous liquors, a sum which only needs a very few multiplications to pay the whole public debt of the country. If this tax could be entirely abated, the impetus that would be given, not only to our prosperity, but to our civilization, would soon place us in advance of every nation under heaven. Liquor is at the bottom of all our poverty. If the tax for it were lifted there would not need to be a man, woman or child without bread. If it could be lifted from the Southern States alone, it would not take more than five years to make them not only prosperous, but rich. There can not be a more pitiful or contemptible sight, than a man quarrelling over, and bemoaning his taxes, while tickling his palate, and burning up his stomach and his substance with glass after glass of whisky. Men dread the cholera, the yellow fever and the small-pox, and take expensive precautions against it, while the ravages of all of them in a year do not produce the mischief that intemperance does in a month. It is worse than a plague, worse than fire, inundation, or war. Nothing but sickness, death, immorality, crime, pauperism, and a frightful waste of resources come of it. Nothing noble is born of it. Meantime our public men are timid about it, our churches are half indifferent over it, our ministers talk about the scriptural use of wine, our scientific men dispute about the nutritive properties of alcohol, our politicians utter wise things about personal rights and sumptuary laws, and the people are going to the devil.—*Dr. J. G. Holland, in Scribner's for July.*

Movement of Troops.

A private dispatch from Cairo last night mentions the embarkation at that port for St. Louis, at 7 P. M., of the Nineteenth regiment United States Infantry, Colonel John E. Smith commanding. The outfit consists of twenty-five officers, 582 enlisted men, thirty-eight laundresses, seven horses, fifty-two tons of baggage and rations, and eighteen children. The regiment comes from New Orleans, and will arrive here this evening. They go from here to garrison Forts Hays, Wallace and Camp Supply, in the Indian Territory, to relieve the Third United States Infantry.—*St. Louis Republican, 24th.*

The Gospel for To-Day.

Collections will be taken up to-day in the several St. Louis churches for the relief of 75,000 people in the State of Louisiana, who on this bright June morning have neither church to go to, nor roofs to cover them, nor foot to eat, nor decent clothes to wear, nor aught to mitigate their sorrows, excepting as it comes borne upon the slow and uncertain hand of charity. Let the good people of St. Louis, out of their abundance, give lavishly to their brothers and sisters and the multitude of little ones thus distressed. The lowliest among us who has the common comforts of life about him, however stinted his supply of worldly goods, is in a condition of luxurious affluence at this very hour, when contrasted with the the beggared planter of the South, whose every resource for subsistence has been swept away by the unrelenting flood; and there is certainly no one, not utterly destitute, but will give of what he has some little fraction toward the sustenance of those who indeed have nothing.

These people but two or three months ago were laboring industriously, with a fair prospect of generous returns from their toil. By no fault of their own they are now in want, with the spectres of nakedness, hunger and pestilence staring them full in the face. They are not heathens, they are not worshipers of idols, they are not imbruted barbarians, but men, women and children, many of them of our own kith and kin, citizens equally with our own, citizens possessed of our own intelligence and blessed with our own religion, communities that none could outdo in the prodigality of their good gifts, were the cities of the North swept with fire, or the fields of the North devastated with an avalanche of ruin and the cry of distress sent southward for a helping hand.

Will it not be well, then, just upon this one Sunday at least, to forego our alms for less urgent objects, to suspend our contributions to this unfinished church or to that unliquidated salary, to leave alone for a week the wants of the benighted pagan, and the last bill of the poor tract publisher, and give freely of our substance to those who need nothing so much at this moment as the overflowing gospel of good works, rich in all manner of practical beneficence.

This is the outpouring of the spirit that St. Louis should witness to-day, and we trust that it may be a good ten thousand dollars' worth to the sick and starving Christian people who, from their shrubless plantations and noisome swamps, their spoliated hearthstones and inundated fields are praying for even so much as the ravens that fed Elijah.—*St. Louis Times, June 24.*

Last Summer's Epidemic.

The fearful ravages of the cholera epidemic last summer suggested to the government the advantage of a thorough investigation into its causes and the features attending it, that, in the future, such measures might be taken as would prevent altogether its recurrence as an epidemic, or at least, modify its virulence by the use of proper precautions. With this in view a joint resolution was adopted by Congress last March authorizing the Secretary of War to detail a medical officer of the army to inquire into and report upon the causes of epidemic cholera in the United States during the year 1873.

Assistant Surgeon Ely McClellan, for several years past stationed in this State, was detailed to carry out the provisions of this act, under the orders of the Surgeon General of the army. Dr. McClellan has since been actively engaged in this duty, and has already collected a mass of facts and statistics, and will prosecute his labors in the same direction until the close of the year, when the limit assigned for the investigation expires. At the end of that time the report of Dr. McClellan will be published in book form, and will present probably the best and most carefully-collated volume of its kind yet issued. He had already devoted much time and labor to the subject of cholera, and, perhaps, no officer in the army was so well adapted to the duty in hand.

The task assigned is a very laborious one, and Dr. McClellan can only hope for success in placing before the medical profession a history of scientific value by securing the co-operation of his professional brethren throughout the regions visited by cholera last summer. During that time cholera occurred in the States of Louisiana, Alabama, Arkansas, Tennessee, Kentucky, Missouri, Illinois, Indiana, Ohio, West Virginia, Pennsylvania, Iowa and Minnesota, and in the Territories of Dakota and Utah. Through all this territory Dr. McClellan will be obliged to collect his data, and in view of the scientific importance of the investigation, he should have the hearty co-operation of all persons possessing the required information. It is his desire to confine the report to a narative of the absolute facts presented by each demonstration of the disease, and we trust that physicians in the infected districts will lend him every facility in their power.—*Louisville Courier-Journal.*

An American Cardinal.

America is to have a Cardinal of the Roman Church at last. Such, at least, is the report. And the strangest thing about the matter is that the person whose name is connected with the dignity is not an Archbishop, Bishop or priest even, but a layman and a journalist, being no other than Mr. James A. MacMaster, editor of the New York *Freeman's Journal*. It is proposed to create Mr. MacMaster deacon and afterward Cardinal. It is generally supposed that none but those in orders may aspire to the dignity of the Cardinals. This is a mistake. There are Cardinal Bishops, Cardinal priests, and Cardinal deacons. Antonelli is not even a priest; and if MacMaster is made a Cardinal, as it is affirmed he will be, he will belong to the same rank as Antonelli.

Mr. MacMaster's claim to recognition by the ecclesiastical authorities of his Church are his services as a writer and his efforts to secure money contributions for the support of the Pope since he lost his temporal dominions. It is not a little strange that the proposed American Cardinal is the son of a Presbyterian clergyman, and we believe that he was himself for a time in training for the clerical office in that church.

Cardinal MacMaster—if he is to be Cardinal—will hardly command the respect of a majority of the better educated Catholics of the country. He has been an extreme pro-slavery man, and did all in his power to further the Southern rebellion. He has been very intemperate in his language and unchristian in his journalistic career. What good can come of making a Cardinal of such a man, when there are hundreds of the clergy better suited for the position, it is hard for the eye of the flesh to see. The court of Rome, however, knows its own business, we presume, and if it shall create a Cardinal out of MacMaster, it must have its own reason for so doing.

We think that the American Catholic Church need not be congratulated on the choice or MacMaster for its first Cardinal, if, as we are astonished to hear, he is in deed the chosen one.—*Chicago Tribune.*

A Noted Criminal at Large.

The public, and more especially the financial community of the metropolis, will be surprised to learn that the arch-forger, Louis M. Van Eeten, is no longer serving the State as a convict, he having, through the instrumentality of a pardon from Governor Dix, shaken the dust of Sing Sing prison from his feet, emerging from that institution a free man last Thursday. The extensive forgeries perpetrated by Van Eeten some three years ago in Wall street, their subsequent discovery and his trial and conviction must still be fresh in the memories of New York business men, numbers of whom suffered severely, both in a mental as well as a pecuniary sense, by his nefarious operations. It will also be readily remembered that he was sentenced in March, 1871, by Recorder Hackett, to nine years' imprisonment on two indictments, five years on the first and four on the second, the last named term to commence at the expiration of the former. Among the "knowing ones" in the neighborhood of Sing Sing it is rumored that possibly the pardoned convict is wanted to appear before the grand jury, either in New York or Winchester county; but aside from this speculation it is safe to assert that there is an African in the fence somewhere. It is also hinted that State Prison Inspector Platt might be able to throw some light on the subject of Van Eeten's pardon, as it is known that he was in close consultation with the convict on each of the two days immediately preceding the latter's discharge from the prison.—*New York Herald.*

Jean Paul Marat.

Marat spoke the language which the lower classes understood, and his *Ami du Peuple* was their monitor. It is not much to say that Marat is solely responsible for the troubles of the years 1791-2, which paved the way for the reign of terror. Robespierre and Danton were each potent in their way, but they would have been nothing if Marat had not been there to point to them the road they should follow, and to breathe courage into them. Day after day for fifteen months, the indefatigable fanatic poured his murderous advice into the ears of all the famished, the ignorant and the greedy. He repeated that the people would never be secure in possession of their rights until king, nobility and clergy had all been crushed; and he it was—not Danton—who first wrote, "The tranquillity of the people demands that 100,000 heads should fall." To dispel any sentimental qualms that might linger in the breasts of his readers, Marat exerted all his talent to depict his intended victims as the basest and most depraved of mankind. Proletaries learned of him how the King and Queen, whom they had been compelled to reverence and obey, the nobles whom they had feared, and the bishops to whom they had knelt for absolutions and blessings, were creatures whose private lives reeked with crime and immorality; and there was unfortunately just enough truth in some as the aspersions to lend the semblance of fact to the remainder. One is confounded by the amount of bodily and mental labor which Marat must have gone through to bring out his paper every day unaided, and this without ever being remiss in his attendance at the Jacobin Club. He wrote all the *Ami du Peuple* himself, and dealt with every class of subjects in it, showing all the vigilance as well as the ferocity of a ubiquitous watch-dog. However, he had his reward at last. The throne was overturned, and, content with his first victory, Marat changed the title of his paper to that of *Journal de la Republique*—a mode of hinting that he took the new order of things under his special protection.

And now imagine France given over to the garrulous convention, in which there was not a man who clearly knew what he wanted save this one, Marat. Forty-eight years old at this date, Marat was less than five feet high, and had a head enormously disproportionate to the size of his body. The upper part of his face was handsome, but the lower part, beginning with the nose, was that of a wild beast. The nose was flat and large, with nostrils that quivered; the mouth huge, and filled with black, jagged teeth; the chin square, and generally ill-shaved, covered with a stubble of several days' growth. Naturally unclean in his person, Marat cultivated slovenliness for the purpose of inspiring greater confidence to the dregs of the populace. He seldom wore a hat, but covered his head with a twisted handkerchief, red, yellow and greasy. His linen was worse than dingy, his shoes stringless, his stockings torn and down at the heel, and his brown coat covered with stains, ink plashes and flakes of dry mud.

In constant terror of his life, he never ventured out alone, but was always attended by a tattered mob of ruffians who called themselves his body guard, and plied cudgels about them to clear him a passage through the street crowds. Women when they saw him trembled and turned their heads aside, children ran away from him, at the Convention House his entrance was the signal for a general silence, and often for a dispersion of half the number present. Marat, who was eaten up with a bilious vanity, gloried in the universal repulsion which he excited, and he had a grim, vicious way of smiling when, fixing his eye on any member whom he disliked, he saw the man turn pale and crouch. Such was the man who, by means of all the scum of Paris kept the convention in terror, and through it governed France.—*Cornhill Magazine.*

A Difference Which Will Tell in Time.

An order was telegraphed here day before yesterday from New Orleans asking at what prices a cargo of No. 2 spring and a cargo of No. 3 fall wheat could be delivered free on board the ocean vessels. The reply was $1 30 for the spring and $1 40 for the fall wheat. At this moment No. 2 spring wheat is bringing $1 44 in New York afloat, and No. 3 winter $1 65 afloat. Note then the advantage the great water route offers to buyers of grain for European exportation. A grade of wheat worth $1 44 in New York afloat is offered for $1 30 free on board in New Orleans. Wheat afloat means in the canal boat which brought it; same as "on track" means in the car which brought it. Consequently wheat worth $1 44 "afloat" in New York is worth at least $1 47 free on board the ocean vessel, it follows that the wheat will cost the purchaser in New Orleans seventeen cents per bushel less than it would cost purchased "free on board" in New York. No. 3 winter is worth $1 65 in New York afloat, consequently by purchasing the cargoes at the St. Louis selling figures, $1 40 free on board, the New Orleans buyer saves twenty-eight cents per bushel. For the first difference in price is twenty-five cents, and then it cost three cents to pass the grain in New York from the canal boats to the ocean vessels, as it must be run from the canal boats by transfer elevators into lighters, and then from the lighters into the ocean vessels. These figures are absolutely accurate and can not be gainsaid, and in the process of time will just as surely make the great water route the principal pathway for the cereals of the Mississippi basin to take to foreign ports as the world stands. Just think of this extraordinary difference in cost for a moment: Seventeen cents per bushel on the spring wheat and twenty-five cents upon the fall wheat. Suppose the cargoes of each consist of 30,000 bushels, the gain on one would be $5100 and on the other $8400, or $13,500 altogether. Of course it isn't much wonder that this fact is steadily becoming known, and that shipments of grain from St. Louis to Liverpool are steadily upon the increase.—*St. Louis Democrat.*

The Thanks of Congress Refused to Sir Lambton Lorraine.

Mr. Orth, from the Committee on Foreign Affairs, reported the House resolution rendering the thanks of Congress to Sir Lambton Lorraine of the British navy, adversely, and it was laid upon the table. The committee, in examining the history of the transaction, find that the steamer Virginius was captured on the thirty-first of October, 1873. Lorraine, commanding the Niobe, on the seventh of November, 1873, applied to General Burriel to save the lives of the British subjects on board the Virginius. Burriel replied that if any of the prisoners of the Virginius, of whatever nationalities, received the death sentence, they should be executed without fail. Some twenty British subjects were executed sixteen of them after Lorraine's intervention on the fifteenth of November. Captain Cushing, of the Wyoming, arrived at Santiago de Cuba, and immediately protested in the name of his country against further proceedings against the Virginius prisoners. The protest was respected by the Spanish General, and thereafter no further executions were had. The committee add that Captain Cushing did his duty completely and gallantly in asserting the rights of the American government and its citizens, and in upholding the honor of the American flag. They, therefore, reported against the adoption of the Lorraine resolution, and the House sustained the report.

Practical Joke in Dubuque.

A stranger arrived in town to-day and made inquiries where he could find the marshal, and was directed to that officer's headquarters and told that if he did not find the gentleman in, to step into the next room and he would see a rope, to pull that, and the marshal would respond. He followed instructions to the letter, and not finding the officer in his office, the citizens were soon alarmed by the clamorous ringing of the fire bell. Engine and hose turned out quick as possible and posted to headquarters to ascertain where the fire was located, and found the stranger there. They asked where the fire was, and on his answering he knew of no fire, he wanted to see the marshal, one of the firemen was so irate at being thus unnecessarily called out he pitched into the stranger and gave him a sound thrashing. The stranger proceeded to a justice's office to take out a warrant for the assault, but was informed that if he did the fireman would bring suit for giving the false alarm, which is a $50 fine, according to the city ordinances. So he decided not to sue, and when last heard of was looking for the man who told him how to find the marshal.—*Chicago Times.*