

Official Paper of the City and County. NEW TERMS OF THE GLOBE. SEVEN ISSUES PER WEEK—BY CARRIER. One Year, payable in advance \$8 00

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FLEXIBILITY OF MARRIAGE LAWS.

A case has just been decided in the supreme court in New York city which exhibits most decidedly the uncertainty of the law and fallibility of men in judicial positions. In December 1880 Caroline Harbeck brought suit against John H. Harbeck, a locally prominent sporting man. The plaintiff charged that she was married to Mr. Harbeck May 15, 1870, in New York city and that they lived together until January 15, 1880. She alleged infidelity on the part of Harbeck.

The plaintiff had been before married to a Mr. Montgomery, from whom she procured a bill of divorce. After this occurred the Harbeck marriage transpired.

Mr. Harbeck said to her, as she alleges, "I will take good care of you. I haven't very much money, but sufficient to keep us both for many years to come."

She asked him if he was a man of his word, and he said: "I am a man of my word, and do as I say. Come with me, and you will be respected and lead a good life."

She accepted the proposition, and she declared that it was then agreed that they would live as man and wife.

In 1871 they went to Europe, returning, they spent the season at Saratoga. In February, 1872, they again went to Europe, remaining three months, afterward passing the season at Saratoga, and this custom continued for several years, the plaintiff being introduced and known everywhere as Mrs. Harbeck. Mr. Harbeck's father called upon the plaintiff frequently, was fatherly and loving and attentive to her as a father would be to a son's wife. He also gave her numerous presents. She received elegant presents on Christmas from Tiffany's and other places. These and other matters were averred in support of her claim to widowhood.

The cause of her separation from Harbeck was a Miss Hammel, whom the defendant met and finally married. The plaintiff claims Harbeck is worth at least \$500,000. Since the separation the plaintiff has resided with her mother.

The defendant denied that he ever agreed or promised to marry her, and admitted all other important averments of plaintiff.

The case was tried before Judge Larimore in Special Term, who held that the plaintiff had never been married to Harbeck, but that the relations that had existed between them were meretricious, therefore the court now sustains this decision and holds that the requisite proof of a legal marriage is wanting, and as there has been no marriage, there is no ground upon which a decree for divorce can issue.

This decision upsets innumerable precedents wherein courts have held that cohabitation between a man and a woman constitutes in all respects a complete and legal marriage. That the acknowledgment of parties in the presence of witnesses that they intended to be and were man and wife entailed all the responsibilities of the marriage relations, and the performance of a ceremony by a clergyman or a magistrate added nothing to the legal effect, though a more solemn method of announcement of the fact.

The law ought to be one thing or another. It ought not to be held in one case that a certain set of circumstances is binding and of full effect, and in another that precisely the same conditions are void. The legal minds that come to such conclusions, so woefully at variance are certainly fearfully and wonderfully made.

The numerous decisions declaring that the man and woman who hold themselves up to society as man and wife are in the eyes of the law man and wife, have been in the interest of morality and for the protection of the woman who assents to such a tie from injustice and desertion. If the marriage laws have all along been capable of this construction it is very singular that such interpretation should now be declared by nearly the highest court to be bad law, or no law at all.

That such a decision is possible shows this. That the marriage laws of the country are deplorably vague and indefinite, the suggestion or formation of mere caprice or whim, and that they need revision and reconstruction in the interest of morality and common humanity. If it be proper for Congress to take action in regard to the gigantic wrongs which are found in the divorce system as it now exists, why should not the subject of marriage laws also be a subject of consideration and accomplishment? Let one code system prevail throughout the land, binding upon all alike, subject neither to the weak devices and reversals of the courts or the still weaker inclinations of unsanctified humanity.

Mr. Secretary Folger may have been beaten for the governorship of New York by nearly 200,000 majority, and he may be a failure in some of his political ambitions but he has made his mark in breaking away from the old stereotyped trammels of official dictation in his very remarkable paper concerning the application of Mistress Mary A. Miller of New Orleans, for a license as a master of a steamboat plying on the raging waters of the Onatchita river in Louisiana.

When he affirms "boldly" in his anomalous document with (Signed) in impressive and irrefragable brackets, that any person, whether male or female may paddle his or her own canoe, or steer, or conduct her or his own vessel under sail or driven by steam, the courage of the admission officially, and the familiarity of the phraseology, faintly makes us wince with surprise.

"Nor is there talk," says the expansive and concealing Folger, "of our own social status or Women's Rights—so called. Having been put on God's foot stool by Him she has the right to win her bread in any moral, decent way, which is open to any of His toiling creatures." Bless us Charles J., so she has, and in the words of the immortal Saigy Gamp, "who deniges of it Belsey Frig."

But didn't some body named Rufus Choate, once upon a time say something quite memorable of a remarkable document described as a "Hiss" of glittering generalities, and what is yours, O, time serving secretary. How many women have the ambition of worthy mistresses Miller to be mistresses of a vessel, and how many have ambitious eyes set on the best clerkships in the treasury precinct? The query is then whether the glowing words of the secretary are such magnificent verities in his own office, or whether all but the episcopi minority, headed by Mistress Miller, find Charles J. Folger as much of a disappointment and failure as Susan B. Anthony finds Mr. Speaker Carlisle to be—in the political way of woman's promotion.

Second assistant post master general Elmer, of New York, resigned because his surroundings were uncomfortable. With Gresham on one hand and Hatton on the other he was a rose between two thorns, as it were. The position has been filled by the appointment of Henry D. Lyman, of Ohio, who was Elmer's chief clerk. The statement is very innocently made that Lyman's appointment is a "strictly civil service promotion," that "there was no politics in the relation, except that Mr. Lyman is a Republican," that Gresham would not allow the appointment "to go into the general pool of the spoils," and lastly, and most important, "The President supported Gresham's views." Here's richness. Elmer an original political appointee the representative of a faction in the Republican party, and Lyman, who ever heard of an Ohio man getting into office without there being politics in it? How very good and smooth and wise our Gresham is, and how lovely to see Arthur "supporting him in it!" The Republicans should make haste and capture these two powerful saints. Arthur for President, and Gresham for vice-president, what a picnic everybody would have, and the "general pool of spoils" abolished at that. Everything will be lovely until after the June nominations. Arthur's on the track.

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Morgan afterward, in telling the story to a friend, "that my Texas trip was no pressing affair all. I took the old gentleman into my office and heard his case. I won it, and since that day fortune has favored me."

The Boston Globe makes a clever "hit" at epidemic journalism, "allowing is not a fragment from one of the Chicago Tribune's burlesque romances, but the introduction to a item of news in one of our western Massachusetts exchanges: "What time is it?" Mrs. Juliet Rockwell asked, looking up from her comfortable pillows on the bed where she had been an invalid for a week. She saw her son, C. A. Rockwell, standing affectionately beside her. "It is a quarter to twelve," was the reply. In less than ten minutes pneumonia had done its perfect work; Mrs. Rockwell was dead."

The town of Port Chester, Connecticut, thirty miles from Bridgeport, has long had the reputation of being the Greens Green of the southern western portion of the ancient "Wooden Nutmeg" state. Here is where numerous runaway or border weddings take place. The number of Connecticut marriages there is between 100 and 200 a year. The Byram river at Port Chester is the dividing line between Connecticut and New York. People go there to be married because in that state a clergyman can perform the service without the couple having to go to the bother of getting a marriage license.

The opinion of the Denver Tribune on the Murray charges is that "the Mormons have sworn to get Murray's scalp, and they are hard after it." It continues: The truth is that it is utterly absurd for any intelligent person to discuss the charges at this time. They were discussed, investigated and settled nine years ago, and their revival is simply an illustration of how matters can play upon ignorance. When the Sprague committee gets through with them it should make a report and settle them again. Perhaps the fourth or fifth time may count.

Mrs. Sheridan, wife of Gen. Sheridan, is a great favorite in Washington. She lives on sixteenth street, near Scott Circle, in a house which was presented to her husband by the Chicago club, of which he was a member. Her afternoon receptions are always well attended, and she attracts the majority of people, she has plenty of company in her pretty parlor. She is very affable, making strangers feel comfortable, at the same time being rather dignified.

Physicians, especially those of Pennsylvania, are interested in a movement to have next year's session of the World's Medical Congress held in this country—in Philadelphia if possible. The congress will meet in Copenhagen this year and the American delegates, who will be selected at the May meeting of the American medical association in Washington, will doubtless be induced to urge the claims of this country to the congress of 1885.

The following schedule of charges for the sale of strong drink at retail was fixed by a judge of Dorchester county, Maryland, in 1795: West India rum, one gill, 10 pence; continental and French rum, 7 pence; country brandy, 9 pence; French brandy, 1 shilling 2 pence; beer per gallon, 4 shillings; cider per gallon, 3 shillings; rum with sugar for punch, 2 shillings; rum with sugar for toddy, 1 shilling 6 pence.

The Atlanta Constitution puts the interrogation point this way: "A great many newspaper correspondents are now willing to admit that they got their backs up about Keifer in the wrong grounds. Keifer is not Keifer, but is he any worse than lobbying newspaper correspondents?"

A New York paper mentions as a matter of no small or insignificant circumstance for the poorer class of the town, that flour, varying from different grades is from 25 to 75 cents a barrel lower than a year ago. So the long, trying winter has its compensations.

The only denominations in this country besides the Roman Catholic which have more than 1,000,000 members each are the Baptist, 2,474,771 communicants, and the Methodist Episcopal, North, 1,799,539 communicants.

A New York society paper says there are many unmistakable evidences of the fact that the season is declining. Young ladies look jaded, old ones weary, and costumes have all the signs of very hard wear and tear.

At a young married ladies' breakfast party on Murray Hill, N. Y., the other day champagne was served in huge glass pitchers filled with ice, and terrapin in tiny bowls made of genuine turtle shell.

FEBRUARY is gassing on the sunlight, and when it leaves we shall have an hour and ten minutes more of it than when the month came to us. Small favors thankfully received.

WHEN ex-speaker Keifer addresses the House he walks down the aisle confronting the speaker and attracts attention by a vigorous wave of his right arm and then "handers."

The Electrician says that the telephone plant is so valuable that it could not be purchased for \$25,000,000. It is probably by far the most valuable single patent ever issued.

The rush at the great bankrupt sale of the Mann stock of dry goods at 422 Wabasha street, yesterday, was unprecedented, and good bargains were the general order of the day. The sale continues to-day.

INDEPENDENT ACTION. The B. & O. Telegraph Company Not to be Gobbled by Jay Gould—A New Telegraph Line to St. Paul.

The Globe announced some weeks ago the organization of the Rapid Transit Telegraph company, with Geo. W. Cross, of this city, for president. Mr. Cross is now in Chicago, where he has had the following correspondence with the president of the Baltimore & Ohio Telegraph company:

CHICAGO, Feb. 6.—Robert Garrett, Vice President Baltimore & Ohio Railroad Co.: The Chicago Tribune this morning publishes a telegram from Washington charging you with conspiring with Jay Gould to combine secretly. Their editorial credits your family with better timing. What do you wish me to say? Geo. W. Cross.

THE REPLY. To Geo. W. Cross, president of the Rapid Transit Telegraph Company, Chicago: The statement you refer to is absolutely untrue. I have no foundation whatever. You can deny it in the most absolute manner. We appear before the senate committee on Saturday and will then and there nail the lie to the mast. I see no objection whatever to your giving our plans to the public and commenting upon the vigor and promptness with which you will no doubt press them to completion.

ROBERT GARRETT. In accordance with this, Mr. Cross said: We have made a contract with the Baltimore & Ohio Telegraph company for a long term of years, offensive and defensive, against the field if necessary. We have purchased all material needed and contracted for lines from Chicago through out the northwest, to be built as fast as the weather permits. Headquarters to be at St. Paul. The Baltimore & Ohio will extend their lines to all principal points south and east of Chicago. We do not mean to make war, but to establish and operate a system that will command public respect and patronage.

It is understood that the construction of the new line to Chicago will begin next month and be rapidly pushed to completion.

Heal the Lungs with Allen's Cough Balsam. All genuine bears the signature of J. P. Allen, druggist, St. Paul, Minn.

WORK DONE. CLOSE OF THE MISSISSIPPI RIVER IMPROVEMENT CONVENTION.

The Report of the Committee on Resolutions—A Comprehensive System of Improvements Suggested—The Importance of the Preservation of the Great National Highway.

WASHINGTON, Feb. 7.—The Mississippi River convention re-assembled this forenoon. Resolutions of thanks to the press, district commissioners and others were unanimously agreed to. Mr. Hitchcock, of St. Louis, chairman of the committee on resolutions, presented the unanimous report of the committee as follows: Your committee on resolutions having carefully considered the resolutions referred to them respectfully submit for consideration the following:

WHEREAS, A convention representing the business of eight states and territories, and a people of whom are interested in the best transportation from the producer to the consumer, of all products of the country, whether of soil, mine or factory, has assembled at the national convention, to give prominence to the popular desire for continuance of the improvement of the great water ways; therefore, Resolved, First.—The interests for which the convention is authorized to speak are entitled in the highest degree to the regulation of commerce between the states for promotion of the general welfare. The domestic commerce affected is already one-half that of the whole United States, more than twelve times greater than the total foreign commerce of the world. Upon this vast commerce has been levied year by year a direct tax, enormous in amount, by way of increased freights, insurance, demurrage, wrecks and repairs, caused by sand bars, treacherous banks, and other obstacles to the safe and easy navigation of the Mississippi river and its navigable tributaries. No exercise of power of Congress can be more judiciously applied than to remove these obstacles to the safe and easy navigation of the Mississippi river and its navigable tributaries. No exercise of power of Congress can be more judiciously applied than to remove these obstacles to the safe and easy navigation of the Mississippi river and its navigable tributaries. No exercise of power of Congress can be more judiciously applied than to remove these obstacles to the safe and easy navigation of the Mississippi river and its navigable tributaries.

Second.—We earnestly reaffirm the declaration of the river improvement convention, which met in St. Louis in October, 1881, that it is the manifest, imperative duty of the government to take prompt and effective measures for the improvement of the Mississippi river and its navigable tributaries, in aid of artificial highways, the property of individuals, and which, even at the lowest rates, must be paid by the government in transportation on a large scale, as compared with the appropriations, not yet so great as one-tenth in all for improvement of more than 15,000,000 miles of natural water ways whose improvement would be of incalculable benefit, amounting to nearly 200,000,000 acres, and in bonds issued or guaranteed nearly \$100,000,000 more, in aid of artificial highways, the property of individuals, and which, even at the lowest rates, must be paid by the government in transportation on a large scale, as compared with the appropriations, not yet so great as one-tenth in all for 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