THE COURTS.

JUDGE BEACH'S STOCK SPECULATIONS.

A DECISION IN HIS FAVOR BY JUDGE BARRETT.

Judge Barrett, in the Supreme Court, yesterday handed down a decision in favor of the defendant in the suit of Frank Work and others against Judge Miles Beach, now sitting in the Supreme Court, to recover about $15,000, alleged to be due to the plaintiffs in consequence of some stock speculation by Judge Beach. The opinion was sent down to the Court House by Justice Barrett from his home, and the clerk who had charge of it refused to allow it to be seen, saying that Judge Beach had told him not to allow the newspaper men to see it. The reporters insisted that the opinion was public property after it was placed on file, and insisted upon their right to read it. The clerk went into the Judges' private room and when he returned he said that he had positive orders not to allow the newspaper men to see the opinion. A reporter then went to see Justice Barrett at his home. Justice Barrett wrote a note to the clerk, in which he told the clerk that the opinion was public property after it was filed, and the case decided, and he trusted the clerk had not made the mistake of withholding it from the newspaper men. Upon the delivery of this note to the clerk the opinion was handed over quickly enough.

At the trial of the suit Judge Beach acknowledged the debt and said that he had agreed to pay it as soon as he was able. It was mainly upon the agreement to pay the debt "as soon as he was able" that the suit was founded. In reaching the conclusion that the action cannot be maintained against Judge Beach upon that agreement, Justice Barrett says among other things in his opinion: "We must approach the consideration of this case from the standpoint of the rule laid down by the General Term in disposing of the demurrer (in this case) where it was held upon full consideration that the promise to pay 'when able to do so,' upon which this action is founded, was conditional, and that to entitle the plaintiffs to recover thereon they must plead and prove the fact of such ability. . . . The plaintiffs, however, contend that the case made by the present pleadings and proofs differs from that presented by the demurrer to the original complaint, and that it now appears that the promise to pay when able was not interwoven with the admission and statement of the account. There is nothing in the amended complaint or in the testimony to warrant this view of the case. It proceeds mainly upon the unproved assumption that the defendant had no defence to the action which was pending against him when the negotiations for settlement, which resulted in the liquidation of the accounts and this promise to pay when able, were had. Upon this assumption the plaintiffs claim that the promise was made simply because the debt was just and was then due. They further claim that the promise to pay an honest and admitted debt, when the debtor can, is nothing more nor less than a promise to pay on demand, or, at the outside, within a reasonable time. The fallacy of these positions lies not only in the unproved assumption, but in the complete ignoring of the valuable consideration which, upon the settlement, the plaintiffs received from the defendant for their acceptance of this very conditional promise. Indeed, but for the acceptance of this conditional promise the settlement would have been entirely unilateral. The defendant gave up everything—his defence to the existing suit, his profits upon his individual account and his right to question the items of the joint account. What was he to receive in return? Upon the plaintiffs' theory absolutely nothing. They got rid of his defence, they took his profits upon the individual account, they sold all his securities, they effected a balance in their own way, which, upon receipt of a final account, the defendant accepted blindly; and now they claim that the defendant's promise to pay the balance, 'when able to do so,' amounted to nothing, and was really an unconditional acknowledgment of an honest debt and a promise to pay it on demand. This view of the transaction is wholly inadmissable. It is supported neither by the pleadings nor the proofs. . . .

"In the present case the only evidence which the plaintiffs have given tending to show ability is the defendant's admission that since the promise was made he has been in receipt of a judicial salary of $1,250 per month. The defendant testified that this salary was expended month by month as received, and that he had not a penny of it at the time of the commencement of this suit. . . . This included his personal expenses, for which a reasonable sum was utilized. And here I may say that it was the defendant's duty to the people, whose servant he is, to maintain himself decently and in a manner suitable to his judicial station. Such expenditures necessarily consumed the entire amount received, and there was certainly at no one time actual ability to pay this debt. . . . This action is strictly legal. If the plaintiffs are entitled to recover at all, it is solely upon the promise to pay when he was able. Upon proof of ability, they would be entitled to recover the entire amount of their claim. Upon failure to make that proof they necessarily fail in toto. It follows that the judgment must be for the defendant, dismissing the complaint with costs."

SUING THE STATE'S CHIEF EXECUTIVE.

THE DISBANDMENT OF COMPANY I, TWENTY-SECOND REGIMENT, TO BE REVIEWED BY THE SUPREME COURT.

The suit by Captain John P. Leo against Governor Hill to have the Governor's action in disbanding Captain Leo's company in the 22d Regiment declared illegal has at last been begun. The papers have been in course of preparation for several days and yesterday a man went to Albany to serve them on the Governor. The documents were prepared by Asa Bird Gardiner and W. C. Reddy. They simply relate the story of the trouble in the 22d Regiment and particularly in Company I.

Mr. Gardiner says that the Governor's act is unconstitutional. It is, he says, a direct violation of a contract which the men made with the State to serve in the militia for five years and to receive in pay certain immunities, such as exemption from jury duty, etc. Now the Governor steps in and says: "No matter how well you have performed your duties, and there are no charges against you, still you must take your discharge." Mr. Gardiner declares that section 40 of the Military Code distinctly says that a private in good standing cannot be discharged before his time of service has expired, unless he has ten days' notice of the charges preferred against him and ten days in which to answer the charges. Then he can only be removed for cause.

It is expected that the case will come up in the Supreme Court in this city in the course of ten or twelve days. If the Supreme Court should sustain the Governor, it is the intention of the company to carry the matter into the Federal Courts.

BUSINESS IN THE COURT OF APPEALS.

Albany, Dec. 3.—In the First Division of the Court of Appeals to-day the following cases were argued:

Marine Bank of Buffalo, respondent, agt. Butler Colliery Company, appellant.

David A. Fithian, respondent, agt. George S. Wheeler et al., executors, etc., appellants; John O'Brien, respondent, agt. Patrick Hardin, appellant; John H. Martinhoff, respondent, agt. George W. Bird et al., appellants; Michael H. Hagerty, respondent, agt. George S. Wheeler, executor, etc.; Hugh D. Kelly, respondent, agt. George S. Wheeler, executor, etc.; Adam Lamb, respondent, agt. John Cahill; same agt. John McCamphill, appellant; same agt. John Boehm, appellant; Ira O. Miller, agt. Nancy B. Wheeler (Michel), appellant; same agt. same (Langton), appellant; same agt. same (Stillwell), appellant; same agt. same (Nolan), appellant; same agt. same (Burns), appellant; same agt. same (Mulvaney), appellant; Henry Wallerstein, respondent, agt. John Bohanna and another, appellants. All submitted.

Ellen Spaulding, respondent, agt. Marquis L. Keyes and another, appellants.

Edith Kane, respondent, agt. Metropolitan Elevated Railway Company and another, appellants.

Margaret W. Duyckinck, respondent, agt. New-York Elevated Railway Company and another, appellants; submitted.

Wright E. Post, respondent, agt. Manhattan Elevated Railway Company and another, appellants.

In the Second Division the following cases were argued:

Sarah E. Griffin, appellant, agt. Charles D. Sheppard and another, respondents.

Empire Hook and Ladder Company No. 1, of Upper Nyack, and others, appellants, agt. Phoenix Insurance Company and others, respondents. Dismissed under Rule 21, without costs.

Nathan Cobb, Francis A. Cobb and others, executors, and another, respondents, agt. Luke Wells, appellant.

George Bellman, respondent, agt. New-York Central and Hudson River Railroad, appellant.

William R. Vines, respondent, agt. Alexander R. Chisolm, appellant.

The following are the calendars for to-morrow:

First Division—Nos. 514, 515, 516, 517, 520, 522, 524 and 526.

Second Division—Nos. 1,128, 1,134, 1,136, 1,143, 1,145, 1,147, 1,148 and 1,152.

COURT CALENDARS FOR TO-DAY.

Supreme Court—General Term—Recess continued.

Supreme Court—Chambers—Before Andrews, J.—Motion calendar, Nos. 1 to 39, called at 11 o'clock.

Supreme Court—Special Term—Part 1.—Adjourned until Monday, December 8, 1890.

Supreme Court—Special Term—Part II—Before Beach, J.—Nos. 1174, 1123, 1116, 1178, 1114, 1126, 1236, 1244, 987, 1141, 1145, 576, 1138, 979, 1180, 1203, 1.24, 1227, 1204, 1239, 1241, 524, 50, 1240, 1243.

Supreme Court—Circuit—Part 1—Adjourned until December 15.

Supreme Court—Circuit—Part II—Before Lawrence, J.—Nos. 1668, 2585, 2411, 2618, 2148, 1548, 1549, 1530, 2934, 1689, 2407, 2412, 1698, 2096, 2828, 2929, 1471, 2503, 2604, 2608, 2612, 2619, 2594, 4775, 2487.

Supreme Court—Circuit—Part III—Before O'Brien, J.—Nos. 2018, 1367, 2495, 2538, 4818, 2558, 2453, 1573½, 2478, 2434, 2485, 2486, 2484, 2529, 1984, 2040, 2042, 2536, 2547, 2355, 2453, 2017, 2584, 2879, 2374.

Supreme Court—Circuit—Part IV—Before Patterson, J.—Cas on and No. 1502.

Surrogate's Court—Before Rollins, S.—No day calendar.

Superior Court—General Term—Before Sedgwick, C. J., and Freedman, J.—Nos. 31, 37, 13, 32, 39, 40, 41, 43, 44, 45, 46, 47, 48, 49, 50.

Superior Court—Special and Equity terms—Before Truax, J.—Nos. 202, 230, 232, 250, 253, 254, 256, 269, 275, 329, 330, 335, 343, 387, 394, 406, 417, 445, 447, 449.

Superior Court—Trial Term—Part I—Before Dugro, J.—Nos. 787, 702, 797, 1019, 570.

Superior Court—Trial Term—Part II—Adjourned for the term.

Superior Court—Trial Term—Part III—Before O'Gorman, J.—Nos. 874, 670, 1473, 943, 938, 755, 892, 1597, 819, 721, 744, 1144, 832.

Common Pleas—Special Term—Before Bischoff, J.—Motions.

Common Pleas—Equity Term—Before Bookstaver, J.—Nos. 3, 11½, 14, 74, 75.

Common Pleas—Trial Term—Part I—Before Allen, J.—Nos. 416, 444, 430, 407, 287, 453, 358, 294, 382, 205, 373, 347, 5, 45, 870, 23, 386, 400, 328, 789, 813, 393, 303, 327, 720.

Common Pleas—Trial Term—Part II—Before Daly, C. J.—Nos. 422, 143, 158, 398, 417, 364, 409, 322, 279, 404, 466, 345, 148, 236, 278, 305, 421, 76, 194, 212, 56, 420, 243, 408, 424, 759, 291, 919, 292.

Common Pleas—Trial Term—Part III—Before Pryor, J.—Cases ready for trial from Part I.

City Court—Special Term—Before Fitzsimons, J.—Motions.

City Court—Trial Term—Part I—Before Van Wyck, J.—Nos. 422, 143, 158, 398, 417, 364, 409, 322, 279, 404, 466, 345, 148, 236, 278, 305, 421, 76, 194, 212, 56, 420, 243, 408, 424, 759, 291, 919, 292.

Common Pleas—Trial Term—Part III—Before Pryor, J.—Cases ready for trial from Part I.

City Court—Special Term—Before Fitzsimons, J.—Motions.

City Court—Trial Term—Part I—Before Van Wyck, J.—Nos. 188, 189, 1588, 2025, 1503, 9, 2751, 752, 1682, 1683, 1684, 1685, 1686, 1693, 1694.

City Court—Trial Term—Part II—Before Gieserich, J.—Nos. 1218, 617, 1490, 3667, 1423, 1514, 1210, 1282.

City Court—Trial Term—Part III—Before Metcalfe, J.—Nos. 1043, 537, 2022, 1529, 1313, 1352, 1010, 1021, 1022, 1053, 1095, 1097, 1098, 1099, 1700, 1702, 1703, 1707, 1709, 1710, 1711, 1712, 1718, 1714, 1715, 1718, 1724, 1726, 1727, 1728, 1730, 1731, 1732, 1734, 1735, 1736.

City Court—Trial Term—Part IV—Before McAdam, C. J.—Special calendar.

Court of General Sessions—Part I—Before Martine, J., and Assistant District-Attorney Davis—Nos. 1 to 27, inclusive.

Court of General Sessions—Part II—Before Fitzgerald, J., and Assistant District-Attorney Bedford—Nos. 1 to 7, inclusive.

Court of General Sessions—Part III—Before Cowing, J., and Assistant District-Attorney Jerome—Nos. 1 to 7, inclusive.

SENTENCING A. H. SMITH, THE FORGER.

SEVENTEEN YEARS IMPRISONMENT THE PENALTY—TAKEN TO SING SING.

Albert H. Smith, who wrecked the firm of Mills, Robeson & Smith by his extensive forgeries, stood with eyes cast on the ground before Judge Fitzgerald in General Sessions yesterday for sentence. Walter S. Logan, his attorney, made a strong appeal for as light a sentence as possible. He said that Smith's former partners and some of those who lost money by his crimes had united in an appeal for mercy for him. Smith, after the discovery of his wrong-doing, had made every atonement in his power. Besides, he was suffering from an incurable disease and would probably not survive a long term of imprisonment.

Judge Fitzgerald said that he had given considerable thought to the subject of Smith's sentence. While he did not wish to add unnecessarily to the prisoner's grief, he could not refrain from saying that Smith's education, wealth and social position made his crimes particularly wicked. There was some excuse for a criminal whose entire life was spent in an atmosphere of crime, and Smith's early advantages made his case the more serious. The judge sentenced him to seventeen years in State prison.

This sentence will be commuted to ten years and seven months if Smith behaves well in confinement. The condemned man was taken to Sing Sing by Deputy Sheriff Burke in the afternoon. Smith was indicted for forgery in the first degree for raising stock certificates from seven or eight shares to seventy or eighty. In this way he made about $360,000 in the last six years. He was prominent in the church to which he belonged and had a considerable income from his business.

Peter Muller robbed George Schulzler of $1 in the street on November 22, and was sentenced to ten years in the State prison by Judge Martine in General Sessions yesterday.

FIRE IN THE DRYGOODS DISTRICT.

FIVE-STORY BUILDING IN LEONARD-ST. BURNED.

A stubborn fire in the drygoods district kept the firemen busy for several hours last evening. Flames, which started in the third story of the marble and brick building No. 57 Leonard-st., burned fiercely for two hours before they were put under control, and everything in the upper portion of the structure was destroyed. Mysterious explosions helped to spread the flames at the outset. Twenty or thirty men and women were in the building when the fire started, and they barely had time to escape. None of them could tell how the fire started. There were rumors of loss of life while the firemen were at work, but at a late hour it was believed that no person had perished. The actual loss by the flames probably did not much exceed $50,000, but the claims of the firms who occupied the building may reach $75,000.

Morris Frank & Son, manufacturers of briar wood pipes, occupied the third, fourth and fifth floors. About twenty men and women were at work at 5:30 p. m. when the fire was discovered on the third floor. The alarm was given quickly, and the employes fled toward the street. Almost immediately two or three explosions occurred, and the flames spread with surprising rapidity. On the second floor, members of the firm of Jacobus, Carlisle & Co., drygoods commission agents, heard the stampede on the stairs and cries of fire. Mr. Carlisle got out without trouble. On the landing, a few minutes later, J. W. Brittle, of the firm, was knocked down by the force of one of the explosions, but he escaped without injury. Mr. Jacobus waited to close the safe and then, being frightened by the smoke, climbed out of a front window. He sat on the window-sill until the firemen took him down on a ladder.

Three alarms called fifteen engines and a water tower, but it was nearly 8 p. m. before the flames were under control. The entire stock of Morris Frank & Son was burned up. Mr. Frank was in Chicago. His son said the value of the stock was not known, but one estimate placed the firm's loss at $20,000. On the second floor Jacobus, Carlisle & Co. lost about $5,000, and F. A. Smith, dealer in hosiery, lost about $2,000. O. H. Sampson & Co., drygoods merchants, occupied the first floor and basement, but their stock was not touched by fire, and the damage by water probably did not exceed $5,000. An agent for W. H. Hodge & Co., of Philadelphia, had gold watches, insured for $40,000, in a safe on the first floor, but it was not known last night whether or not the watches were damaged. The building belonged to the Wells estate, of Boston, and was damaged to the amount of about $20,000.

"PARTISANSHIP AND THE CENSUS."

COMMISSIONER PORTER'S VINDICATION OF HIS WORK.

The Hon. R. P. Porter in The North American Review.

The law under which the XIth Census was taken is practically the same as that under which General Walker took the Xth Census. A few questions, such as those relating to the veterans of the war, to mortgage indebtedness, and to the separation of persons into black, mulatto, quadroon and octoroon, were added by Congress. As far as possible, the organization of the Census Office is the same. In no case have chiefs or experts been selected because of their political faith, but in every case in consequence of statistical training, special knowledge, or service in the Xth Census. The Census Office is divided into twenty-five important divisions. Sixteen of these divisions are in charge of men chosen in 1880 for the same work by my predecessor, General Walker. There are among them Democrats, Republicans, Mugwumps, Free Traders and Protectionists. The population division is in charge of a statistician who received his training from Colonel Carroll D. Wright, and was recommended to me by that gentleman as the best-equipped man for the place in the country, and the man he would have selected if Superintendent of Census. The remaining divisions—those of church statistics; wealth, debt and taxation; National and State finance; farms, homes and mortgages; agriculture; mines and mining; statistics of Indians; and supervisors' correspondence—are in charge of eminent and capable experts, with National and foreign reputations in their several lines of statistical work. Besides these having charge of divisions, there are from twenty to thirty expert special agents making special investigations—the fourths of whom were employed in the Xth Census, and not one of whom was appointed for political reasons. To invalidate the XIth Census, therefore, is to attack the integrity of nearly every man who took part in the Xth Census. To question the fitness of the appointments is to discount the judgment of the first census expert in the United States, perhaps in the world, General Walker, for he has pronounced them as a whole "almost perfect."

With every avenue through which "monstrous political crime" and "vile conspiracy" could stalk guarded by men whose characters are unquestioned, whose integrity cannot be impeached, whose ability is known, and whose standing is recognized in scientific and statistical circles throughout the country, how is it possible to falsify the census for political purposes? By the aid of the supervisors! Let us see. The supervisors were appointed, on the recommendation of the Secretary of the Interior, by the President of the United States. Their claims, however, were in every case carefully examined by the Department. Those gentlemen were not selected from one political party. In many states their appointments were not regarded by the honorable Secretary as political, and on the credentials of not a few of them in the Southern States may be found the names of some of the most powerful of Democratic Senators and Representatives, testifying to their qualifications. In the selection of enumerators the office had to depend largely upon the judgment of the supervisors, though all applications were examined impartially at the Census Office, alike by Democratic and Republican experts, and in no instance was an appointment refused to a competent man for political reasons. Complaints came in from local leaders that Democratic enumerators were being appointed throughout the South. The answer was, Are they competent?—incompetency alone being cause for removal.

The office force in Washington has been made up in precisely the same way, and ability to do the work has been the only test. All applicants for minor clerkships have been compelled to pass a more thorough examination than that required for the same grade by the Civil-service Commission, and without such examination only those who have passed the full clerkship examination of the Commission have been accepted by the Census Office. Among those recommending these bright and efficient young men and women may be found the names of the most prominent and influential Democrats in the United States, most of them, no doubt, glad and proud to help worthy and capable applicants from their districts to secure employment. The charge that there was any politics in a majority of these appointments I deny, and in this denial I will be sustained by the Secretary of the Interior, who makes claim, and by honest Senators and Representatives of both political parties. The census clerks thus appointed and trained by the fully-equipped corps of chiefs and assistants who did effective service in the Xth Census could be excelled by any similar number of clerks in any other department of the Government. How the Democrats would have used this vast Federal patronage, I know not; but I do know, and can fearlessly state, that it is my belief that the great masses of Republicans would never consent to let the census office be converted into a political machine, and, acting on that belief, the work in every branch is open to the closest inspection.

DISCUSSING THE MESSAGE.

A FAVORABLE IMPRESSION CREATED.

SOUND GOSPEL FOR REPUBLICANS.

From The Baltimore American (Rep.)

The message is courageous thoroughly Republican in tone, and if its provisions are adopted the Republican party will be placed in line for a great victory at the next National election.

TRUE TO THE PARTY PLATFORM.

From The Philadelphia Press (Rep.)

The message throughout maintains with earnestness and broad judgment the policy and principles upon which the Administration came into power. What has been done was in pursuance of that policy, and because it was elected on a platform requiring it to do those very things. The President's courageous and dignified adherence to that course will command the respect and cordial support of his party throughout the country.

BETRAYING THE STABILITY OF GREATNESS.

From The Norwich Bulletin (Rep.)

The President shows once more by this admirable state paper that he is actuated by principle in his development of policy, and is not a mere weather-cock, whirling about to every gust of temporary prejudice or popular recklessness.

DAUNTLESS, AS A LEADER OUGHT TO BE.

From The Washington Post (Rep.)

The President takes a serene and hopeful view of the situation. He calls no halt on any of the great principles for which Republicans are contending. He plants his standard in advance of their temporarily baffled columns. We may even read between the lines an assertion of leadership which, under the circumstances, is brave and timely, and worthy of an occasion that not only calls for the philosophy to accept defeat, but for the courage to retrieve it.

A DISPASSIONATE PLEA FOR JUSTICE.

From The Worcester Spy (Rep.)

Not in the least dismayed or shaken by the clamor against the National Election bill, the President renews his recommendation of the passage of that measure, arguing temperately but with great force that it is just, reasonable, and within the undoubted authority of Congress.

THE ELECTIONS BILL SHOULD PASS.

From The Binghamton Republican (Rep.)

The senate ought to pass the Lodge bill, as an evidence of an earnest effort to secure fair elections and honest returns, while the Republican party has power to enact salutary legislation.

CLEAR AND FIRM IN POLICY.

From The Brooklyn Standard-Union (Rep.)

The composure of the President is admirable and his observations on the Tariff law and the Federal Election bill are as singularly clear in expression and striking with the array of facts as firm in the moderation with which significant recommendations are made.

LOYALTY AND PROGRESS OUR WATCHWORDS.

From The Boston Advertiser (Rep.)

The whole of the President's Message is a growth from two germinal ideas, of which the first is that there must be no backward step, and the second is that there must be a forward march.

WHAT A CYNIC THINKS ABOUT IT.

From The Springfield Republican (Mug.)

President Harrison would stake all on the Tariff and Bounty and Force bill policy adopted. They are the last cards the party has to play, in his mind, and play them it must, and play them, therefore, it will.

OH! DOESN'T IT!

From The New York World (Dem.)

It makes no effort to grapple with the problems of the time or to direct legislative policy in harmony with the needs and aspirations of the people.

A MAGNIFICENT ARGUMENT.

From The Trenton Gazette (Rep.)

President Harrison's treatment of the proposed Federal Election law is one of the most brilliant pieces of logical reasoning that has adorned any Executive communication since the time of Lincoln. It is simply unanswerable.

A TRIFLE TOO SANGUINE.

From The New York Evening Post (Dem.)

While the President's recommendations are likely to receive scant attention even from his own party friends, the session itself is of very considerable consequence.

THE ONLY CORRECT TARIFF POLICY.

From The Philadelphia Inquirer (Rep.)

Of one thing he is positive. There should be no attempt to reopen the McKinley bill until it has had a fair trial. The President could hardly take any other stand than this.

GIVE THE NEW TARIFF A TRIAL!

From The Boston Journal (Rep.)

If Congress should follow out the course which the President commends, it would demonstrate to the country that it had not been turned in the least from the execution of its announced policy by the results of the November elections. And why should it? The leading features of the industrial and commercial situation, to which the President alludes, show a condition of almost unparalleled prosperity; reviving industries; a vast volume of trade; stable conditions of business; a rapidly expanding foreign trade. Many of the hostile predictions concerning the new tariff have already been refuted by experience, and there can be no question that a renewal of tariff agitation, or even the menace of it, would be a disturbing and depressing influence.

NOT TO BE SWERVED BY TRICKERY.

From The Hartford Courant (Rep.)

The outcome of the fall elections has not affected the President's opinion of the tariff and financial legislation of the present Congress. He makes it plain that he considers the outcome due to misrepresentation and misconception.

INEFFECTIVE FREE-TRADE PERSUASION.

From The Newark (N. J.) Advertiser (Rep.)

The President evidently is not disposed to accept as final the decisions manifested of Free Traders that the result of that election makes imperative the need of reopening the tariff question.

THE FORCE OF PERSONAL CHARACTER.

From The New York Press (Rep.)

Conspicuous above its completeness of detail concerning the things that the public wants to be informed on, and equally conspicuous above the clear-headed manner in which he discusses reasons and makes needed distinctions shines the perfect integrity of the man's intention.

THE VERY CORNERSTONE OF FREE GOVERNMENT.

From The Utica Herald (Rep.)

Before the lofty patriotism of President Harrison on this matter (free and pure elections), vital to our institutions, partisanship must fall away. It contends for only what is fair and right and wise. It contains the essence of stable government; it asks only equal rights for all.

UNUSUALLY PRECIOUS TIME.

From The Pittsburg Chronicle (Rep.)

The suggestion with which the message closes is an excellent one. There is no time to waste, if the 51st Congress is to anything in its short session.

COMMENDABLE ECONOMY ADVISED.

From The Providence Journal (Mug.)

He closes with the warning that in preparing the general appropriation bills the strictest care should be exercised to avoid prodigality. That is good advice; but it comes late, perhaps too late to save the Republican party from the fatal necessity of going before the country with a deficit in the Treasury.

IMPORTANT IF NOT SENSATIONAL.

From The Springfield Union (Rep.)

Business men will indorse his recommendation in regard to a National bankrupt law, and the President's views in regard to copyright protection for foreign authors are equally sound.

CANADA WORRIED ABOUT RECIPROCITY.

From The Toronto Mail.

Only two portions of it have any special interest for us. One of them is the reference to the Behring Sea question, with regard to which the President makes the familiar statement that it is not yet adjusted. The only other portion of the message which is of any special interest to Canadians is that dealing with the tariff. The President gives Congress to understand that the Republicans will not undertake any revision of the tariff during the session. One other remark in the message is worthy of the attention of Canadians. "I do not doubt," says the President, "that a largely increased foreign trade is accessible to us without bartering for it either our home market for such products of the farm and shop as our own people can supply or the wages of our working people." This can only mean that Mr. Blaine's reciprocity policy is designed to cover only such foreign products as will not interfere with domestic products in the home market. In that case, what becomes of reciprocity with this country, to which, by the way, there is not the slightest allusion in the message.

SHIPWRECKED MARINERS COME TO PORT.

The Ward Line steamship Orizaba, which arrived yesterday from Vera Cruz, brought twelve shipwrecked sailors. They were from the Norwegian bark Euxeimis and the schooner Martinique. The bark grounded on Alvarado bar on November 9 and the schooner suffered the same fate on November 6. The vessels were trying to get into the port of Tuxpan and missed the channels. They were abandoned by their crews after efforts to get them off had proved unavailing. The sailors went to Vera Cruz, where they took the steamer for this port.

GOLD MEDAL, PARIS, 1878.

W. BAKER & CO.'S

Breakfast Cocoa

Is absolutely pure and it is soluble.

No Chemicals

are used in its preparation. It has more than three times the strength of Cocoa mixed with Starch, Arrowroot or Sugar, and is therefore far more economical, costing less than one cent a cup. It is delicious, nourishing, strengthening, easily Digested, and admirably adapted for invalids as well as persons in health.

Sold by Grocers everywhere.

W. BAKER & CO., Dorchester, M.

LEAKY ROOFS

Made better than when new; any guaranteed long term of years. IMPERIAL ASPHALTIC SLATE ROOFING CO., 39 Liberty-st., N. Y.

THE CONNECTICUT MUTUAL LIFE INSURANCE COMPANY.

In 1889 increased its assets and its dividend, besides paying to policy holders	$5,839,313.31
While it received from its policy holders	4,418,336.47
Its profit from interest and rent and profit and loss account was	3,282,884.80
It paid in cash dividends	1,165,829.91
It has a surplus of assets over liabilities (by New-York standard) of	5,410,890.92

PHILIP S. MILLER,

General Agent for New-York City and Vicinity and New-Jersey,

1 Wall St., New-York.

BEAUTIFUL THINGS IN JEWELRY.

The great house of Tiffany & Co., in Union Square, which has been crowned with many honors at all the great international expositions of the world, issues this season a "blue book," giving a list of the various articles of jewelry, silver, leather goods, fancy articles, etc., included in their extensive stock. A range of the price charged for each article is also given. This book will be specially interesting to out-of-town customers, though city customers, who are familiar with the extent of this great house, will be not less astonished at the multiplicity of articles presented than at the low price at which plain standard articles of silver or gold are usually sold. Solid silver teaspoons, as an example, are quoted as beginning in price at $17 a dozen. A lady's gold watch, bearing the name of this famous house as guarantee of its quality, may be purchased for $40; a gentleman's watch for $65.

The display of rare and wonderful gems by this house always attracts lovers of beautiful objects. The valuable gems shown this season in necklaces and rivieres of diamonds and pearls are very beautiful. The necklaces of briollet, pierced and pear-shaped diamonds are especially attractive and rare. Nearly all brooches are now made so they can be worn as pendants, and handsome diamond ornaments of this kind are also arranged so they can be worn on a pin in the hair. The chatelaine watch is again in favor and tiny chatelaines, made from a bow knot or fleur de lis in gold, are worn at the side or high on the corsage, and a tiny watch, in round or heart shape, is suspended from them. The most beautiful watches of this description are encrusted with diamonds or other precious stones.

A "fad" of the hour is an exquisitely formed violet of tiny diamonds to insert in a bouquet of the natural flowers. Orchid pins are considerably less expensive this season than when they were first introduced. An orchid scarf pin can be purchased from $25 to $35, and an orchid pin, with a diamond in the centre, $75. Among dainty fancies are vinaigrettes cut from rock crystals, mounted in enameled gold and set with diamonds and rare precious stones. Quaint bracelets of Burmese gold are woven of a series of chains to an open hand and set with a pale blue beryl, a blood red garnet and a pale green tourmaline.

THE STATE FOREST COMMISSION AT WORK.

A meeting of the Forest Commission of the State of New-York was held at No. 32 Nassau-st. yesterday morning. The committee sat in executive session with closed doors and the result of its deliberations was not divulged. It was learned, however, that the committee had been engaged in discussing in a general way certain measures which are to be introduced into the bill, which is to be presented to the Legislature in January, having as its object the establishment of a State park in the Adirondacks. A member of the commission in conversation with a reporter yesterday afternoon said: "A meeting of the commission will be held at No. 32 Nassau-st. at 11 o'clock next Wednesday morning, when it is expected that a rough draft of the bill, or of a part of it, will be ready for discussion. The question as to the size of the proposed park seems to me to be an important one, and one which I do not think that we shall be able to decide upon until just before the bill goes to the Legislature. The work of the Commission is going right along and there seems to be a general sentiment in favor of the establishment of a park which shall be open to all for the purposes of rest and recreation."

A QUEER CASE IN THE PARK BOARD.

The new Park Commissioners, Nathan Straus and Paul Dana, attended a special meeting of the Board yesterday. There was a full attendance. Albert C. Putnam objected to the recent action of the Board in changing the roadway along Fieldstone Park and Riverdale-ave. He declared that the change robbed him of a strip of land 40 feet wide and 300 feet long. Commissioner Hutchins said to him: "I am authorized to pay you for your property with a bonus of 50 per cent added." Mr. Putnam exclaimed "I will accept no offer from you, sir."

The change in the roadway was made last summer and is said to have a romance connected with it. The action was taken to allow the joining of the homestead property of two young people who are about to be married. Mr. Hutchins is said to be closely related to one of them. Mr. Putnam has made several efforts to have the original roadway restored. Commissioner Dana undertook the role of a peacemaker and proposed that the dispute be referred to a disinterested arbitrator. This suggestion was adopted.

PROPERTY-OWNERS DEMAND ECONOMY.

A delegation of property owners interested in the development of the projected Boulevard, to extend from One-hundred-and-fifty-sixth-st. and Eleventh-ave along the North River to Inwood-st., a distance of three miles, called on Mayor Grant yesterday to state their objections to his signing a resolution of the Board of Aldermen requiring the regulating and grading of the Boulevard. The act of the Legislature under which the property was acquired provides for a width of 100 feet. The protesting delegation argued that a width of 100 feet would make the assessments high, and suggested that the width be fixed at only forty feet. The Mayor suggested that the resolution be recalled by the Board and amended in accordance with the wish of the citizens interested. A question is likely to arise as to whether the assessments will be legal and binding if the Boulevard's width does not conform to the 100 feet prescribed in the legislative act by which the property was acquired.

CHARLES W. TAYLOR'S PECULIAR DEATH.

George Noble, of Pittsburg, Penn., was in this city yesterday investigating the recent death of his cousin, Charles W. Taylor, in the lodging-house at No. 5 Greenwich-ave. Taylor was the owner of considerable real estate in Pittsburg and had his life insured for $24,000. He drank freely at times. He hired a room in the house in Greenwich-ave. on October 25, and a few days later it was found sick in bed. There was a wound in the back of his head. He said he had fallen on the steps of the Hoffman House, but his injury did not appear to be serious. He suffered from the effects of liquor and from a cold.

Taylor died on November 18, and Dr. G. H. Elliott certified that his death had resulted from pneumonia. His relatives in Pittsburg were informed of Taylor's death, and they arranged to have his body sent to them for burial. They noticed the wound on his head and suspected foul play. Dr. Elliott said yesterday that Taylor was drunk, caught cold, and died from pneumonia. There was no reason to suppose that the injury to his head hastened his death.

JOHN E. IRELAND RE-ARRESTED.

John E. Ireland, president of the American Pure Milk Company, of No. 34 Broadway, was rearrested yesterday on a bench-warrant issued by Justice White at the Tombs Police Court. Ireland was arrested on October 28 on a charge preferred by Otto F. Burkart, of No. 310 East Ninth-st. When Ireland organized the American Pure Milk Company for the sale of milk he interested Burkart, the latter alleges, in the scheme, and, on the pretence that experiments were being made at Cornell University, he swindled over $700 from him. Burkart claims to have found that no experiments were being made, or had ever been made, in sterilizing milk at Cornell University. Ireland's arrest followed. Eight times the hearing has been adjourned because of Ireland's non-appearance. Ireland was accordingly rearrested yesterday. He will be examined to-morrow morning.

DEMOCRATIC POLITICIANS TO DINE.

The Reform Club will give a dinner on Tuesday evening, December 23, at the Madison Square Garden, in celebration of the recent election. Ex-President Cleveland will, it is expected, make the principal speech upon some phase of the tariff question. Other speakers invited are Governor-elect William E. Russell, of Massachusetts; Governor Horace Boies, of Iowa; Senator Carlisle, of Kentucky; Congressman Wilson, of West Virginia; Congressman Mills, of Texas; ex-Secretary Vilas, ex-Postmaster-General Don M. Dickinson, W. U. Hensel, of Pennsylvania; Congressman-elect Justin R. Whiting, of Michigan; and T. L. Johnson, of Ohio; James G. Boyd, Governor-elect of Nebraska, and John M. Palmer, the Democratic candidate for United States Senator from Illinois. The committee having charge of the affair are Henry B. H. Stapler, E. Ellery Anderson, Percival Farquhar, August Lewis, Walter S. Logan, George F. Parker, Edward B. Whitney, Rignal D. Woodward, with P. Chauncey Anderson as secretary.

BANK-WRECKER CLAASSEN ON THE STAND.

The examination of Peter J. Claassen, ex-President of the Sixth National Bank, was continued yesterday morning at the Ludlow Street Jail, in various suits, which are the outcome of the recent Sixth National Bank trouble.

The first suit brought before the referee was that of the Park National Bank against the St. Louis and New-Orleans Ocean and Canal Transportation Company, James A. Simmons and Peter J. Claassen, for the recovery of certain notes. Claassen was president of the transportation company from July, 1889, until February 1, 1890. He had more or less financial dealings with Simmons and at his request accepted the office, which was then held by E. R. Olcott, a lawyer of No. 75 Broadway. Simmons controlled the company, which was capitalized at $1,000,000. Claassen owned only such stock as was necessary to qualify him for the place of director. He could not tell whether it was one share or ten shares. The other directors were similarly situated, Simmons owning all the rest. The particular work of the company lay in the construction of a canal in Louisiana.

All the notes of the company were discounted at either the Park National Bank, S. A. Kean & Co., or the Wallabout Bank of Brooklyn. Mr. Claassen recognized the note involved in the suit, one for $2,755.25 made in December, 1889, by James A. Simmons, as one discounted by the Park National Bank. The cancelled checks were returned to him, but they are now in the hands of the United States authorities, who took them from his desk in the Sixth National Bank. Claassen said that he was empowered to have notes discounted by a special resolution of the Board of Directors.

In the afternoon the examination of Claassen in the Sixth National Bank suit, which was begun in the jail on Monday, was resumed. Mr. Jacobs drew from Claassen the admission that the two notes involved in the action appeared on the face to have been drawn by Simmons to his own credit. Mr. Jacobs asked Claassen if, under the circumstances existing in the particular note transaction, the names of the Meyers being the only ones on the notes under virtually Simmons, he would not consider the Meyers' indorsement to be for accommodation only. Claassen replied that he did not think so.

P. H. SUMNER ARRAIGNED FOR FORGERY.

Perrin H. Sumner, who was arrested on Monday night charged with forging a will purporting to be that of James H. Edgar, was taken to the Tombs Police Court yesterday morning and arraigned before Police Justice White. He pleaded not guilty to the charge of forgery in the third degree. As the examination gave promise of being a long one, it was not concluded, but was postponed until to-morrow at 2:30 p. m. Sumner's bail was fixed at $1,500, which up to last night he failed to obtain. Josiah W. Thompson, the notary before whom the fraudulent affidavit was sworn to, was seen yesterday at his office, No. 335 Broadway. Mr. Thompson said:

"The man who brought the affidavit to me was certainly not Sumner. I never saw Sumner until he was pointed out to me in the police court this morning. He is a man of unusual appearance, and if he were the man who came to me I certainly would have remembered him.