The Sun.

SATURDAY, JULY 3, 1875.

Average Daily Circulation Over 120,000.

Exceedingly equal to that of all the other morning newspapers printed in the English language in this city.

Some idea of the extent of this influence may be formed from the fact that it is sufficient to place two copies in each dwelling house in the city and county of New York every day, or one copy in every dwelling house in New York, Brooklyn, Williamsburgh, and Jersey City, with some thousands to spare. Although THE SUN is not widely distributed in the city and suburbs, it is no longer a mere local paper. It is now read, valued for, and circulated in every city and town in the Union as well as in the foreign lands. Its circulation last year is 4 Daily Sun printed and sold 36,023,484 thirty-six million, twenty-three thousand, eight hundred and eighty-four copies.

As an advertising medium THE SUN is especially valuable for all who want to reach intelligent people, who have money or dwelling to sell, houses or lands to let, wants or necessaries to dispose of at a fair price, situations to offer, or to seek, and others alike of profiting by the service of a vast and practically illimitable Exchange at the very lowest cost.

Subscription, by mail, postage prepaid, 55 cents a month; $6.50 a year.

Advertising Rates.

A fair advertisement, reaching 400,000 readers, costs only two dollars.

Ordinary Advertisements, per agate line,	$0.40
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Special Notices, after Marriages and Deaths, per line,	0.50
Reading and Editorial, after Money Article, per line,	0.75
Reading Notices, with "Ads.," 1st or 2d page, per line,	1.50
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THE WEEKLY SUN is thoroughly growing in reputation. As a medium to reach the farmers throughout the country it is rapidly growing more and more popular, among all the weekly press. To manufacturers and others, agricultural implements, machinery, fertilizers, and all staple articles, it is especially valuable, while those who have farms, houses, live stock, seed, or anything in general demanded to sell, will find it a medium which rarely fails to attract.

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Subscription, postage prepaid, $1.20 a year.

NEW YORK, JUNE, 1872.

The New Postal Law—Postage to be Prepaid.

The new postal law, which requires prepayment of postage by publishers on all periodicals sent to actual subscribers, took effect Jan. 1, 1875.

This postage is determined by weight, and to be paid from day to day in bulk.

Postage on THE DAILY SUN from Jan. 1 will be fifty (50) cents a year, or five (5) cents a month for monthly subscribers. Subscription to THE DAILY SUN $6.50 a year, or fifty-five (55) cents a month, postage paid.

Amusements To-Day.

Bowery Theatre—The Polish Jew.
Central Park Garden—Summer Nights' Concerts.
Gilmore's Concert Garden—4th av. and 25th st.
Olympic Theatre—Variety. Matinee.
Robinson Hall—Girofle-Girofla. Matinee.

Mr. Beecher's Temporary Escape by Disagreement.

The disagreement of the jury in the BEECHER case is a conclusion which was almost inevitable from the start of the trial. It was simply impossible to convict the Plymouth pastor in Brooklyn. The issue might have been doubtful anywhere else, but there, under the shadow of the great church, it was not at all doubtful that no jury could be got to unanimously bring him in guilty of the offences alleged against him. The long-continued effort to force an agreement was unprecedented. If it had succeeded simply by tiring out the dissenting jurymen it would have had no moral value.

The disagreement substantially proclaims that a man who so conducted himself under a charge of base practices as BEECHER did for four years, and who made so poor a defence on the trial, deserves at least to be attainted with strong suspicion of guilt. On whatever theory you explain his cowardice and deceit, the result is fatal to his integrity as a man and destructive of his power as a minister. Not the least of his manifold offences is his bearing and conduct since the night between him and TILTON came to an issue. He has played the buffoon, resorted to theatrical tricks to exhibit indifference, joked and jested, laughed and parried words as if it was a mock trial and he a clown undergoing circus justice in the presence of a flippant crowd. From these things alone Mr. BEECHER's character as a man of dignity and a serious and conscientious minister has received a fatal blow. Guilty or innocent, the mere fact that he was on trial in the most notorious case ever brought before the American people, would have saddened, sobered, and tempered almost any other man, assuredly any other minister. The charge of adultery against him was the worst that can be brought against a preacher. What more damning offence could be alleged against a pastor than that by vile arts he had debauched the wife of his young disciple, herself a child of his flock, and he, the seducer, a man old and gray-headed, one who made the burden of his sermons Christian manhood, and held up as the exemplar of human conduct the spotless CHRIST!

It is ground for encouragement that BEECHER, on a defence so flimsy as his, was not able to get such formal vindication as a jury verdict in his favor would have given him. The ovation he would have received from his deluded followers would have been nauseating to just and sensible men. In the end it would have reacted against its hero; but its occurrence would have been an insult to truth and an outrage to religion.

Though the case against BEECHER was only partially developed in court under the restrictions of the law, yet enough was brought out, and the defence was, to say the least, sufficiently unsatisfactory to make his acquittal impossible with men appreciating the value of evidence. In truth, his only real defence was his own denial of guilt. The theory of conspiracy and the fact of blackmail were withdrawn by BEECHER himself, and were put out of the case by Judge NEILSON; and thus the issue was between Mr. TILTON, Mr. and Mrs. MOULTON, Mr. BEECHER's own letters, and his extraordinary conduct, on the one side, and on the other the defendant's denials of guilt or of any impropriety whatever presented in his dramatic testimony on the witness stand. Could we expect a verdict of a jury or the public in his favor with the balance so strong against him? He has rather reason to thank his good fortune that the jury in view of his reputation, and the glamour of his profession, and the power of his influential church, has not judged him as an ordinary man.

The miscarriage of this trial will probably stave off, if not totally prevent, any judicial settlement of the case. But can Mr. BEECHER continue to preach, and write the "Life of Christ?" That he will have the assurance to make the attempt, he has already declared with brazen defiance of public sentiment. His church will, of course, sustain him for a while, if not to the end. But the Christian conscience, the moral feeling, the opinion and sense of propriety of good men, will assuredly be against him.

The foundation of Christianity is in the ideal purity of the life and doctrines of JESUS CHRIST. Infidelity has never been able to assail that. It appeals to the cold intellect of the skeptic as well as to the enthusiasm of the devout believer in the saving efficacy of the Atonement. This ideal character of Christianity, provoking to aspirations for heavenly purity of conduct and motive, is the glory of CHRIST'S religion, and makes it first among the faiths which have met the needs and perceptions of men since first the dependence of man on a divine power was recognized by humanity.

The priests and teachers of Christian doctrine are therefore rightly held to the strictest account as to character. Even in those churches where the title to priestly functions is ordination and apostolic succession, the priest's cleanness of character has had to be maintained in all ages. Even in the worst days of the Church, the really devout fought against immorality of life as fatal to ministerial influence and disgraceful to the church. In a church like the Congregational, character is the first and practically the only title to instruct from the pulpit. The minister holds his office by reason of gifts of preaching and a life that enforces by its integrity and soundness the lessons he offers to his brethren. Suspicion even of dereliction shatters his influence. His voice is no more than a sounding brass and tinkling cymbal, if it does not speak the words of a conversation and life of morality and consistent religious order.

Mr. BEECHER mounts the pulpit after this distrusted by a majority of his countrymen, not having been able, after his best efforts during a long investigation and with the aid of able counsel, dexterous attorneys, and vast money resources, to clear his character from reproach. In fact, the doubts which encompassed him are much stronger than they were before the trial began. His own sworn testimony did not carry conviction. His light behavior under legal scrutiny awakened disgust. His proved cowardice and deceit long ago pulled him down from his lofty pillar of influence. His method of meeting the assault of TILTON by personal abuse of his accuser, of unprecedented virulence, shocked the Christian sense of the community. Yet he essays to preach to men about manliness, charity, truth, honesty, spotless Christianity, and an exalted morality!

If he had been a man of sensitiveness, we should have been spared his flippancy during the trial, both in the court room and in Plymouth Church. That he has the effrontery to show himself in the pulpit after the revelations of the last year, shows that he has the hide of the rhinoceros. Whatever he does, however, he is a ruined man, and—very sadly we say it—he deserves his fate.

The Public Revenues.

The fiscal year has just closed, and the returns being substantially in, the books may be posted. Without wading through perplexing details, it may be said in general terms that the receipts from customs have fallen about four and a half millions below the estimate of the Secretary of the Treasury, while those from internal revenue have exceeded his estimate by about four and three-quarter millions.

Thus the loss on one side of the account is made up by the apparent gain on the other, so that they seemingly offset each other, and do not impair the standing of Mr. BRISTOW as a financial prophet. But this superficial view of the situation is not justified by the facts when analyzed. They tell a quite different story.

At the last session of Congress a tariff and a tax bill were passed at the urgent solicitation of the Treasury Department, in order to provide, as was alleged at the time, for the regular sinking fund of one per cent. for retiring the public debt, and a deficiency on that account which occurred under Mr. BOUTWELL and Mr. RICHARDSON from their contemptuous disregard of the very law which Mr. BRISTOW feels bound to observe over other obligations.

It is very clear now that these acts have failed to produce the anticipated results. The increased tax on tobacco and whiskey has necessarily been felt to some extent, and explains the excess in the returns of the internal revenue over the estimates. Without that abnormal aid there would probably have been a decline to report. As the case stands, the receipts from this source are not equal to the great expectations.

But even with the new tariff, from which so much was expected, the customs revenue has not only fallen below the Secretary's estimate, as already stated, but is actually five millions and a half less than last year. We knew of course that the foreign trade had largely fallen off, but these figures demonstrate pretty conclusively that there has been no recovery in the last year in this direction.

In hard times like the present, people begin retrenchment by cutting off their luxuries. They put down their carriages, dismiss supernumeraries, give up silks and satins, or use them sparingly, and wear out their old clothes, besides reducing the household expenses. When a large part of the forty or more millions of population apply these rules to themselves, as they have been obliged to do since the crash of 1873, the foreign imports must suffer.

And perhaps it is well they should be diminished, and that a stern lesson should be taught occasionally. Americans are the most extravagant people in the world; and it is stated, by way of illustrating this prodigality, that the mere waste in the United States would support the whole French nation. The economies of France have made it rich; so that four years after one of the greatest wars of modern times, the vanquished nation is prosperous and growing daily in wealth, while the conqueror, that received an enormous indemnity and acquired large territorial possessions, has suffered from a financial pressure, and is to-day jealous of its lately crushed rival.

With this experience, it is not venturesome to predict that Mr. BRISTOW's estimate of revenue from customs for the current fiscal year—$170,000,000 in round numbers—cannot be realized as the law now stands, and without a sudden revival of business such as no prudent man expects. If this assumption be well founded, then the Secretary of the Treasury must find some new method for paying the current expenses and providing for the sinking fund.

How is this to be done? When the revenues have heretofore failed, or new demands have arisen, the Republicans had but one recourse, and that was to lay more taxes. They turned the screw tighter, no matter how sharp the pinch was before. No proposition to reduce the expenditures was tolerated by the majority. On the contrary, they were augmented in the ratio of new taxation.

Now, this iniquitous and plundering system must be changed. The country requires retrenchment; and the first step toward it is a radical reduction in every branch of the public service—army, navy, and civil—without regard to the persons to be affected. The new House of Representatives is expected to lop off between forty and fifty millions of excrescences, and to restore something like simplicity and integrity in administration.

More than twenty-five per cent. of the entire revenue is believed to be absolutely stolen every year, as a result of the almost universal corruption in office. The recent revelations in this city of fraudulent importations and collusion with Custom House officials, and the raid on the Western Whiskey Ring, furnish some idea of the magnitude of the robberies which at last fail on an overburdened people, in the form of added taxation. A remedy is demanded, and if the Democratic House hesitates to make it thoroughly effective, then they will be sent to follow in the footsteps of the disgraced and doomed Republicans. They cannot prepare too soon for a reform which has become indispensable.

Ohio and Iowa.

These two States, the first fluctuating and the second fixed in Grantism, have spoken in their assemblages of the reunited Democracy.

If there were any attendant ears of pre-Adamite tradition that there not gathered into the corral at Columbus, the mule and donkey power of the State must be amazing. With money begging people to borrow it at two per cent., with no employment for capital, machinery idle, enterprise torpid, and labor starving on half rations, these Democrats set up a famished wail for more currency! This may be an adroit decoy to the impecunious voter, but we fear that wise men are not of the valley of the Cuyahoga, nor dwellers on the banks of the Miami and Mahoning rivers. SHERIDAN once said of a stupidity of the ADDINGTON Ministry: "I have seen men beat out their brains against a wall, but I have never before seen them build a wall for that express purpose." The Democracy of Ohio are repeating the experiment, and their brains, of which the supply would seem to be limited, will spatter their limestone. The physician who gives a fresh bottle to the convalescent of *mania à potu*, or places the laudanum in easy reach of the victim of opiates, is a skilful leech compared to the quackery of Ohio Democracy. What will be is uncertain. What ought to be with such a policy is positive. Victory will bring unmitigated evil; a pronounced defeat may possibly flavor senility with an aroma of sense.

And now Iowa heads the Northwestern column with a brilliant manœuvre. The State is Republican from outer circle to centre. With undisputed supremacy for years, that party has become insolent, and was always intolerant. Weak men are in its leadership. There is no compactness or concert in its action. It is in disintegration. But it cannot be conquered in one campaign. The sapper and miner must do the work in slow and patient toil.

At the Democratic Convention anti-monopoly was on hand in force. A party founded upon an insane crusade against an interest, which, with all of its evils and abuses, has wrought immeasurable good to the country, introduced its disturbing discord. The new combination needed modern ideas and a living issue; and it groped in primeval night and sought the leading candidate on a religious dispute. With young men full of life and enterprise, it went back of the last glacial period and brought out a petrifaction. Its nominee for Governor is Mr. SHEPHERD LEFFLER. In 1856 and 1859 he was a member of Congress, simply because he was a fair speaker with a perfectly negative character. When the State needed efficient representation, he did nothing. An amiable man, and, so far as we know, of a faultless character, he retired to private life, and has lived since in an obscurity which no man has disturbed. In his most active days, he was too indolent to brush flies from his face. He made no mark upon his city or neighborhood. He has no quality of revivification. What dreams of RIP VAN WINKLE hovered over the Convention we cannot divine. With a preponderating party, the nomination would have taxed its strength. With a minority, it will swell the majority against it.

What was needed was a perfectly new departure, with young men in the lead. Instead, the Convention lighted a feeble torch and unswathed a mummy from the pyramid of Cheops. Such a party and such engineers should go not to defeat, but to a burial ground of donkeys.

If these are the sample cards from Ohio and Iowa of the fabrics we are to wear, men may well hesitate at the livery. Iowa has two insane hospitals; let them make an appropriation to build another without delay.

Neither the appearance of the carpet-bag Governor of South Carolina as a counsellor of the law students graduating at Yale the other day, nor the dull oration which he delivered on that occasion, has excited much remark; but the Boston *Advertiser* finds in his address a theme for comments which read strangely enough. In speaking of CHAMBERLAIN'S views about negro suffrage, the *Advertiser* truly says that he "has lived in the midst of a community which has suffered bitterly from the presence of an ignorant and corrupt voting constituency;" but though the corruption has been without distinction of race or color, the *Advertiser* neglects to inform its readers that of all the unprincipled adventurers who used that ignorant and corrupt voting constituency for their own emolument and the impoverishment of the State, this same man CHAMBERLAIN was one of the most unscrupulous, while from his superior ability he was by far the most dangerous. It was he, more than any other man, who was responsible for the vast schemes of spoliation carried on during SCOTT's administration, of which he was the legal adviser and the ruling spirit, and which have resulted in reducing the State to bankruptcy, and its people to extreme distress. The *Advertiser's* notion of the spread of education in South Carolina as one of the "good results" of CHAMBERLAIN'S administration of his present office is hardly justified by the fact that the country common schools have been closed for want of funds. That the *Advertiser* should countenance the ambitious designs of a man whose complicity in the worst schemes of plunder have been fully proved by the records of South Carolina, investigations by Congress, and his own speeches and letters, is something that it is difficult to understand. As for his recent pretended reform measures, not one of them will bear the test of scrutiny; they are entirely in keeping with his whole career of insincerity and greed for wealth and power—are false and deceptive from first to last.

It is a nice condition that our navy is getting into under the mismanagement of SECOR ROBESON, whose incompetency for the office in which he is kept by GRANT for personal reasons is the derision of the best officers in the service. The wreck of the Saranac, near Vancouver's Island, which is a loss of nearly a million dollars to the Government, has already been announced. There is a line of steamers running from Vancouver's Island to San Francisco, and the owners telegraphed at once to ROBESON that they would transport the officers and crew of the Saranac to San Francisco for less than $4,000. But this would not suit the pompous Secretary, who did not even condescend to notice the proposal, and it was ordered that the sloop of war Benicia should proceed to the relief of the wrecked crew. So the Benicia started from her anchorage—not for Vancouver's Island, but for Mare Island Navy Yard, to get ready for the voyage—and in a few hours was fast aground in San Pablo bay. After remaining stuck in the mud all night she was hauled out by a tug belonging to a coal company, when she proceeded to the navy yard. The San Francisco *Bulletin* says it will cost the Government between twenty and thirty thousand dollars to prepare and equip the Benicia for her proposed useless trip, while it is asserted by those whose opinion is entitled to respect that the vessel is not in a fit condition to go to sea at all, and was not before she ran aground.

While we are giving all honor to Col. GILDERSLEEVE and his chainshooting associates, we ought not to forget the men who created Creedmoor, and thereby made the organization of an American rifle team a practicable. If Col. CHURCH, Capt. WINGATE, and the other founders of the rifle association had not provided a rifle range, our riflemen would not have had the opportunity for that practice which has rendered them invincible—at least by the Irish marksmen.—*Graphic.*

The *Graphic* is right. We are indebted for the foundation of Creedmoor to Col. GEO. W. WINGATE, who urged rifle shooting in the militia before the rifle range was established; and to Col. WM. C. CHURCH, and the *Army and Navy Journal*, which gave form to the idea, enlisted leading militiamen, gun manufacturers, and others in the project, secured, with the aid of Col. WINGATE and the Hon. D. W. JUDD, the passage of the charter of the National Rifle Association, obtained State aid for it, gathered the prizes to offer, and laid all the foundations of Creedmoor. At first, some of the militia regiments—notably the Seventh—held aloof from the association, but its success conquered them, as success is apt to overcome opposition or timidity. The best and most valuable work the National Guard now do is their rifle shooting at Creedmoor. It is a healthful, inspiriting, and useful exercise, which cannot be said of all the occupations of the National Guard. Creedmoor certainly has reason to pride itself that during its first year it turned out the best shots ever made at any rifle range, and in its second, beat even that remarkable score. Now, if the American team wins at Wimbledon, in competition with the English, Scotch, and Irish teams, it will put the cap on the pillar. The success of Creedmoor is largely due to the sagacity of its founders, but to no individual so much as to Col. WILLIAM C. CHURCH, who worked for the good of the National Guard, and to develop a national taste for a manly exercise, and has his reward in having accomplished his purpose.

The arrest of Gen. CORTINA by the Mexican authorities shows that that Government has at last been forced to the conclusion that it is necessary to do something for the prevention of further invasions of American soil, a conclusion that it would have reached long ago if there had been a different Administration in Washington. This CORTINA, though a Mexican general, is believed to have been the chief instigator of the forays that have been made upon American citizens living near the border, and he has treated his own Government with as much insolence as he has that of the United States. He is, in fact, simply a brigand holding a Mexican commission, and his arrest is the result of his refusal to report at the Mexican capital to answer charges brought against him for his complicity with the robbery and murder of American citizens. For years he has kept the people of the Rio Grande in a state of constant anxiety by the raids which have been conducted under his direction, and there is no room to doubt that he has made large sums of money by cattle stealing, accompanied by the slaughter of American citizens when that was necessary to the success of his robberies. If the outrages which were perpetrated by this bandit and his followers had been presented to the Mexican Government in a proper manner, that power would long ago have taken the steps it has been forced into at last. But there were Mexican claims to be collected in which persons high in favor at the White House were interested; and the repeated raids into our territory afforded grounds for an international difficulty which could be conveniently nursed and made an excuse for declaring war hereafter as a piece of political strategy to help GRANT in his third-term aspirations. Therefore the unfortunate Texans were left exposed to foreign invasion until the outcry over the pusillanimity of the Administration became too loud to be disregarded, when action was unwillingly taken which had an immediate effect in bringing the Mexican authorities to a sense of their responsibilities.

Mr. MOULTON challenges and defies Mr. BEECHER's party to institute proceedings against him as to his connection with the LOADER and PRICE affidavits. Assisted by the young editor, whose powerful mind is at the service of these people, they have been threatening Mr. MOULTON'S arrest and trial for conspiracy. By all means, let the trial come off. The more light we have the better. Then let BEECHER push his libel suits against TILTON and MOULTON. Cry out for that, young editor, in your most stentorian tones. If your man is sound, he ought not to fail to come up to the fight. If he is innocent, he has nothing to hide, and he should pursue the defamers of his character to the death. There is a lot of evidence yet to be brought into court, and a new trial could be made novel by producing it. BOWEN has a story to tell, which he can only reveal on the witness stand. Mrs. TILTON has a big budget, so have Mrs. BRADSHAW, Mr. and Mrs. RICHARDS, and Miss SUSAN B. ANTHONY—and it contains bottom facts, too. Let the tall tower lead in this bold crusade. Don your armor, young editor, mount your charger, wave your plume, and sound the battle cry! You are a bold man, are you not?

A much more important consequence of this solitary action will be its effect upon the public mind in regard to the whole system of jury trials. The distinguished theory of boodleocracy has been so strongly upheld that it has almost ceased to be regarded as the lustrous and lofty thing which common sense and experience show it to be.—*Tribune.*

The young editor is talking about the action of certain Illinois courts in punishing some stupid and dishonest county supervisors who refused to obey a mandamus compelling them to levy a tax to pay the county creditors. The supervisors were fined $1,000 each, and when they drew the money out of the county treasury to pay the fine, the court rightly passed it over to the county creditors, and called on them to show cause why they should not personally pay it over again. This judicial action is certainly healthy. Public as well as private debtors should make an effort to pay their just debts. But how do you come to be talking about either private or corporate honesty, young editor? We don't care to listen to your sermons on virtue so long as the tall tower is under the thumb of JAY GOULD. A pretty pair, this, to instruct men in the obligation of a corporation to its debtors! Did not JAY GOULD, a few years ago, have to restore to the Erie stock and bondholders millions of property which he had alienated from the corporation to himself? The tall tower cannot obliterate that fact, nor can the sweet young editor—our erudite scholar in politics—make the world forget it by talking honesty and printing rubbish on domestic themes. Cleanse the tall tower first, young editor, and then you can use the dirty scrubbing rag to purpose in mopping up the filth in other people's houses. What we demand of you is confession and reformation. When you have gone through these painful preliminaries and exhibited the fruit of repentance, we will shrive you, but not until then. After that, put your powerful mind in training—and we will see what we will do next.

One of the most attractive and interesting volumes that the press has lately produced is *Nooks and Corners of the New England Coast*, by SAMUEL ADAMS DRAKE (Harpers). There is an admirable woodcut illustration on almost every page, and the descriptions of scenery and interspersed historical narratives and anecdotes are really charming. With this volume one can sit at home and know the beautiful and picturesque coast of New England from Connecticut to Maine more perfectly than by a dozen ordinary voyages along its rocky boundaries.

One hundred years ago to-day, George Washington took command of the army of the United Colonies at Cambridge, Mass. The Columbian Publishing Co., 116 Nassau street, have published a lithograph facsimile of his commission.

SHAKESPEARE'S MASK.

Prof. Schaafhausen Claims that the Death Mask is Genuine—Interesting Story of the Finding of the Mask in Mayence.

From the Frankfurter Zeitung.

A death mask of Shakespeare belongs in itself to the most interesting of things; but this interest must be greatly increased when we see the hitherto unknown death mask suddenly found in the midst of Germany, while no one is able to say how it came there.

The first idea is that it may be a counterfeit, as there have been so many Shakespeare counterfeits, partly the work of malicious people seeking amusement in the wise commentaries of the learned, partly of literary vanity, and partly of fraudulent greed. A genuine death mask of Shakespeare would be invaluable, and our death mask is genuine. At least such is the opinion of Prof. Schaafhausen of Bonn, who has devoted to it a very profound essay recently published in the Tenth Year Book of the German Shakespeare Society. His most important reasons are the following:

1. The mask was taken from a dead face and is not the product of art. This is proved by the expression of the skin, by certain peculiar irregularities which hardly any artist could invent, and by the traces of the moustache and beard which remain sticking in the plaster, and which, according to the opinion of the famous English anatomist, Richard Owen, correspond in their peculiar structure to those features of the mask where they are found. These hairs out of the beard of Shakespeare also corresponded in their reddish brown with the color in which the beard of the Stratford bust was painted. The dirty yellow color of the oil with which the mask is painted is such as might be expected in a plaster cast two centuries old.

2. Upon the back of the mask there is upon the edge the inscription, "A. D. 1616," the year of Shakespeare's death. According to the opinion of experts, the figures are such as were used at that time. They have not sharp, but round edges, indicating that they were not cut in afterward, but were written with a stick in the plaster while it was yet soft.

3. Although Goethe was in error when he praised the beauty of the formation of Raphael's skull, and it afterward proved to be that of Canon Adjutori, Schaafhausen is confident that the alleged death mask of Shakespeare must in any event have been that of a man of very great importance. He gives all its measurements, and especially dwells upon the unusual breadth of the forehead, which is 16 millimetres. The features of the mask are also those of a man of the age of fifty-two, as Shakespeare was when he died.

4. One would suppose that the resemblance of the mask would be the most important point about it; but unfortunately the portraits of Shakespeare are so perfectly dissimilar to each other that the investigation of this subject is difficult. The Stratford bust, however, which, to judge from the eyes, must have been executed after a death mask, and whose artist has contented to give life to the sunken features of the corpse with an exaggerated fullness of outline, has very little resemblance to our mask, but it has, like this, a beard on the chin, while the most trustworthy portraits of the poet, such as the copperplate of Droeshout, which he prefixed to his works and praised by Ben Johnson, does not accord with the bust at all, but does accord with our death mask in a very high degree, except that in the copperplate the poet is represented with a full beard.

The mask was found in 1849 by Louis Becker, the painter, in the possession of a bric-a-brac dealer in Mayence. From 1849 till 1865 it was in the possession of Prof. Owen in London, and after the death of Louis Becker was restored to his family in Darmstadt, in whose hands it now is. Prof. Schaafhausen, who, as we have said, has made the most zealous investigations and the most careful inquiries on all sides, has also investigated the history of the mask, but this essay gives only the chief points in it, and is not complete. He is, however, thoroughly convinced of the genuineness of the mask, and finally pleads with zeal for a comparison of the mask with the skull of Shakespeare, which is still in existence in the grave at Stratford.

A CURIOUS STATEMENT.

Can it be Possible that Attorney-General Pierrepont and the Discharged Detective H. C. Whitley are Mutual Friends?

TO THE EDITOR OF THE SUN—*Sir:* You are sadly in error in your remarks and conclusions as to Hiram C. Whitley's status in the Department of Justice in Washington. Whiteley has for years been toadying to Pierrepont; before Buggy Williams was named for Attorney-General. Whitley, with his entire gang of thieves, together with Butler and all that stripe in Washington, were doing their best to get Pierrepont's position.

When Whitley was dismissed the secret service, Boss Shepherd telegraphed Pierrepont to come to Washington, and they together went to the Department of Justice and forced Buggy Williams to give Whitley an appointment worth from six to two thousand dollars. By reference to the appointment clerk's office you will find in his handwriting these and more astonishing facts, as I testify that an instrument of which the same may be predated. In the instrument the charge is that the Mayor's signature was obtained by fulsacy representing a bill of items to be correct and true, and the charge might be sustained without the writ on certificate attached to the affidavit. By the Revised Statutes the offence is complete when the signature is obtained by any false pretence, with intent to defraud. (The People vs. Gates, 13 Wend., 320.) The rule of pleading requires the pretences to be stated in detail. (People vs. Stone, 9 Wend., 182; The People vs. Gates, supra; and to be negatived, but not necessarily all of them. If the pleader relies upon an averred as necessary element, he must allege and negative it. (Cases supra.) The indictment must establish the material facts and circumstances which the public prosecutor will be bound to prove. It must show upon its face that the offence charged has been committed, or, in the language of Lord Mansfield, it must be an intelligent story, so explicit as to enable the Court to pass judgment. It does not seem to be necessary to set out any of the contrivances or pretences which were in print or in writing, but to state what they were or purported to be.

The pleader does, in this indictment, state what the certificate purported to be, namely, the official approval and certificate of the bill.

It is true this is not stated expressly, but that the bill "purported to have attached thereto the official approval and certificate of the said Wm. M. Tweed, as Commissioner of Public Works," yet the pleading seems to be plain that the approval related to the bill. I am not entirely satisfied that the indictment is free from objection if the certificate is to be relied upon as part of the case for the people, because the indictment does not in terms expressly negative the honesty or good faith of the approval contained in the certificate, and does not set out its contents except by way of conclusion. The form of an indictment by Chitty for false pretences by color of a false and counterfeit letter, and other books, states what is mentioned in the letter which was false, and which is the chief incident of the offence, without setting out the letter. (see 3d vol. Chitty's Cri. Law, p. 1010, 4th.)

In the indictment under consideration, the false pretence is that the bill was correct. The approval or certificate to the charge is loose, unless the pleader means to rely upon it as an essential element of the offence. Assuming a count to exist, that crime being a felony, it is proper in accord with the rule stated to deny a motion to quash the indictment, which will be done. The order to be entered must be in accordance with the views. I have not deemed it necessary to do more than to state the conclusions upon this motion. If I had the inclination to be more elaborate, other matters equally pressing, would prevent it. It is, sufficient, however, that it is unnecessary.

ASSAULT IN A RAILWAY CAR.

A Friend of the Prince of Wales Arrested—An Extraordinary Charge.

From the London Telegraph, June 19.

Col. Valentine Baker of the Tenth Hussars was brought before Col. Ross, J. P., at the Chief Constable's office, Guildford, yesterday afternoon, under the extraordinary circumstances detailed in the subjoined evidence. Col. Baker had been arrested shortly before by Deputy Chief Constable Barker while in a first-class carriage on the Southwestern Railway.

Miss Kate Dickinson was sworn, and deposed as follows: I reside at Dunford, Midhurst, Sussex. I was a passenger by the three o'clock train from Midhurst to Petersfield yesterday, and got into an empty first-class carriage there for Waterloo. At Liphook Station the defendant got into the same compartment and sat opposite to me. He talked, and we had some general conversation about the theatres and the Academy, and the beauties of the country, and remarked on the frequent stoppages until we got to Woking, when he said the train went straight through to Vauxhall. I answered all his remarks. After leaving Woking Station he suddenly shut up the window, which hitherto had been open. He asked me my name, which I refused to give, and then asked me my christian name, which I also refused. He changed his seat, and sat beside me, so as entreating me to give him my name, and asked permission to write to me. I turned my head away, and pushed him off, saying, "I won't have you so near." Then he put his arm round my waist and held me with the other, and kissed me several times, saying at the same time, "You must kiss me, darling." Then, after some trouble, I got up to the bell to warn the guard, but found it was broken. Then he violently forced me back into the corner, and sank down close in front of me, and violently kissed me again. I made no effort to leave the carriage until I found his hand underneath my dress. Then I pulled down the window, and screamed violently out of the carriage window. I twisted round the handle and edged my way out backward, and he had hold of my arm all the time, trying to prevent me. I kept hold of the outside handle of the open door with my left hand, and grasped his arm with my right, in which way I stood outside the door on the lower step until the train stopped, when he said to me in a low voice, "Don't say anything; you don't know what trouble you will get me into. Say you were frightened." When the train stopped near the Esher station the guard and others came to my assistance, and I was lifted off. The defendant was removed, and I proceeded on my journey to Waterloo, accompanied by a clergyman. While I was riding outside on the doorstep of the carriage he entreated me to come back into the compartment, saying he would get out on the opposite side, which I knew was locked. On arriving at Waterloo I made complaint to the officials. I travelled for about a distance of five miles on the step of the carriage. I came from Midhurst to Petersfield alone. My two sisters and servant came to Midhurst station with me.

This was all the evidence that was offered, and the defendant was remanded. Bail in £500 was put in and accepted.

THE CASE OF WM. M. TWEED.

Judge Brady's Denial of the Motion to Quash the Nineteen Indictments—Defects Admitted, but the Main Case Sustained.

Judge Brady rendered a decision yesterday upon the motion recently argued before him in the Court of Oyer and Terminer to quash the nineteen untried indictments against William M. Tweed. The motion is denied except as to the indictments conceded on the argument to have been superseded by others. Following is Judge Brady's opinion:

The indictment designated "A," Dec. 15, 1871, in the tabular statement was superseded by indictment of Feb. 20, 1873, designated in that statement as 14. This is conceded. It is also conceded that it is included in the "omnibus" or "big indictment," so called from the number of its counts and consequent bulk. The indictment designated M, Oct. 17, 1872, was superseded by indictment of Feb. 20, 1873, designated by the number 15. This is conceded. It is also conceded that 15 is included in the omnibus indictment. These indictments contain charges, it would seem, upon which it is called the mock auction act. It is also conceded, as I understand it, that the indictments designated Y, June 16, 1875, is also included in the omnibus indictment. I accept these concessions, and acting upon them, draw the legal conclusion that they ought to be abandoned, but I do not understand it to be the practice of the criminal courts to anticipate in that way the plea of a previous conviction or trial—the old plea of *autre fois convict*. The defendant is left to that defence. The Court can suggest that if the concession mean that the subject of any of the indictments was presented for consideration on a former trial, and its consideration arrested upon it, the defendant ought not to be again put in jeopardy. It is an unnecessary waste of the public time, and provokes an unnecessary expense. If upon an indictment is superseded by one subsequently found before trial, the motion to quash is proper, after a trial, the plea mentioned is the course prescribed by the code, and is a perfect answer, if sustained. These observations in relation to the plea apply to all the other indictments for misdemeanors, not admitted to have been the subject of a previous trial, if the matter embraced have been before tried and disposed of in any way. As to these, however, and indeed as to all those for misdemeanor, I understand the defendant's counsel to maintain that the act in it having been already punished for a violation of his duty in respect to certain warrants and as auditor, cannot be referred to any of the warrants alleged to have been presented to, or to have been before him, even though not included in the omnibus indictment, be again punished. That

THERE WAS BUT ONE CRIME,

and that there can be but one punishment. This proposition, which was argued in the Court of Appeals in the People ex rel. Tweed against Liscomb, but not passed upon, cannot be entertained on a motion to quash. It neither relates to the form nor the substance of the indictment, and it regarded as an extraneous fact, which may be ascertained, if it davits, it must be said that it is the subject of a plea of a former conviction, and not of a motion to quash. As I understand the subject, these modes of proceeding are entirely distinct and different. To involve a trial on two indictments for the same matter, although charged as different offences, the indictment first found shall be deemed to be superseded by each second indictment, and shall be quashed." The charge of neglect of duty is a misdemeanor, and exposes the offender to

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only by fine and imprisonment in the county jail. The charge of felony may be punished by imprisonment in the state prison. Neglect of duty involves to some extent the same matter embraced within the charge of forgery, but not necessarily so. The warrant resulting from a neglect of duty to audit might be forged in some respects. The warrant would relate to the subject matter of the neglect, but the proof would not necessarily involve it. The existence of the warrant as a legal instrument and the proof of the act of forgery would present the chief features of the crime. In addition to that, however, it must be said that the charges of forgery in the indictments against the defendants are that he was accessory before the fact—that he counselled and advised the act of forgery. It appears, therefore, that those indictments are not for the same offence, or the same matter. It seems to be doubtful even whether the prosecuting attorney would be compelled to elect which of them he should try. It must be borne in mind that a motion to quash an indictment involves a legal discretion, and that when the question is doubtful, the defendant is put to his motion in arrest of judgment. When a motion is made on the part of the defendant, the court almost uniformly refuse to quash an indictment where it appears to be for some enormous crime, such as treason, a felony, forgery, perjury, or subornation. They have also refused to quash for checks, and generally the rule may be stated to be that the right and duty to quash should be clear and free from doubt.

The only remaining indictment is that designated X on the tabular statement. To this presentment the defendant's counsel objects that it averments are imperfecte by the defendant without setting it forth. The reference to authorities to sustain this objection is a digest of cases which relate to the crime of forgery, the rules appertaining to which are necessarily more strict than to the charge of obtaining money, &c., by false pretences, because the paper forged is the gravamen of the charge, and must be stated in order that the Court may see that it is an instrument of which the fraud may be predicated. In the indictment the charge is that the Mayor's signature was obtained by fulsacy representing a bill of items to be correct and true, and the charge might be sustained without the writ on certificate attached to the affidavit. By the Revised Statutes the offence is complete when the signature is obtained by any false pretence, with

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