

The Sun

THURSDAY, AUGUST 16, 1893.

Amusements To-day. Casino—Prize Motocycle, 4 P. M. Madison Square Theatre—The Ring, 7:30 P. M. Broadway Palace Theatre—The Ring, 7:30 P. M. Theatre Comique—The Ring, 7:30 P. M. Windsor Theatre—The Ring, 7:30 P. M.

A Monarch's Prerogative.

The fact that the Government steamer Dispatch has been employed of late as a pleasure yacht by the ladies of President ARTHUR's family, has not been much commented upon by the press, but we think it has none the less been considered with serious attention by the people.

The Dispatch belongs to the Navy, and has frequently been used as a pleasure yacht by President ARTHUR. Such use is improper and unjustifiable. The vessel was paid for out of the public Treasury, and is maintained for the public service alone.

But when, in the absence of the President, the ladies of his family take possession of a Government ship, with its officers and crew running on the vessel, it is a violation of the law, and when they convert it into a pleasure yacht for their convenience and amusement, they take for themselves that which is not theirs, that which they ought most scrupulously to avoid taking, and that which the President ought, if necessary, to command them not to take.

In England and other monarchical countries, where the monarch is supposed to be the whole Government, and where everything belongs to him and not to the people, it is thought proper to make such use of public vessels, but in this country a different system has prevailed.

By law the President receives a fiscal salary, and there are certain prerogatives provided for him, such as a house, a garden, and servants, and there are also for the use of his family; but when he goes beyond the limits of the law and sets up a sort of royal prerogative entitling him to take the public vessels of the country, and to appropriate them for his own personal entertainment and gratification, he commits a wrong which injures him and discredits his exalted station.

Cutting the Telegraph Wires—The Liability of the City.

The first section of chapter 428 of the New York Session Laws of 1855 provides as follows: "Whenever any building or other real or personal property shall be destroyed or injured in consequence of any riot or riotous assembly, or in consequence of any mob or riot, the city or county in which the property was situated shall be liable to an action by or in behalf of the party whose property was so destroyed or injured for the damages sustained by reason thereof."

No damages can be recovered under this statute, however, if it appears that the injury complained of was suffered in consequence of any negligence on the part of the owner. The statute also requires that any one entitled to recover damages thereunder shall have notified the Mayor or Sheriff, immediately after being apprised of any threat or attempt to destroy or injure his or their property by any mob or riot, "of the facts brought to his knowledge."

It will be noticed from the language of the law that the right to recover damages from the city for injury to the telegraph wires can exist only when such injury has been inflicted "in consequence of any mob or riot." In popular acceptance, the terms "mob or riot" import a public disturbance of considerable magnitude, and thus far the statute seems to have been invoked only in cases where the riotous character of the assembly which brought about the injury was not questioned.

The attacks which have been made upon the wires of the Western Union Telegraph Company to the time have not been riotous in character, but they have a reference to legal definitions indicates that they may have been so within the meaning of the law. Thus a riot is defined in the Penal Code of the State of New York:

"Whenever three or more persons having assembled for any purpose disturb the public peace by using force or violence to any other person or to property, or threaten or attempt to commit such disturbance, or to do an unlawful act by the use of force or violence, or in company with the power of immediate execution of such threat or attempt, they are guilty of riot."

Three persons acting together are enough to constitute a riot, and such was the common law. Probably the notice to the Mayor was designed to call public attention to the liability which the city might incur, no less than to preserve the rights of the Western Union Telegraph Company under the statute. Indeed, it seems doubtful whether the notice complies with the statutory requirements. The complainant must notify the Mayor or Sheriff "of the facts brought to his knowledge." The purpose of requiring such notice is obvious. It is to enable the authorities to avert any threatened injury. All that the Western Union Telegraph Company has told the Mayor, however, is "that a riotous assembly of men are threatening and attempting to destroy or injure the telegraph lines of this company."

What is the need of any American Minister to Turkey? Constantinople and Washington can talk to each other along the wires and under the ocean in a few minutes and for a few dollars. The two Governments can thus also act at each other directly, and without delay, through the misapprehensions of an intermediary. The present proposition in Washington a negotiator instead of Gen. WALLACE in Turkey; but the two State Departments might confer directly with each other; they have any scruples about telegraph charges? What is the meaning of their meaning in the west and direct, instead of the most circuitous and cloudy passages.

ing polygamy as a crime fall in Utah because the Mormons unite in obeying what is deemed a higher law than any that can be enforced on this subject by the Federal Legislature. So long as they do this, neither prohibitory nor punitive statutes will prove of much avail.

Nevertheless, we regard the eventual extinction of polygamy, even among the Mormons, as certain. It is incompatible with the highest forms of civilization, and will die out of itself. Many good people may think it takes too long a time in dying, but nature is patient. Mankind had made considerable progress up to the time when SOLOMON lived, and yet the wisest men had not then grown wise enough to be contented with one wife. The Mormons are simply out of place in history. They belong to an Old Testament age. Their polygamy is the survival of an institution which most civilized men have already abandoned as useless or detrimental, and will ultimately abandon it themselves in the same way.

Because the EDMUNDS act has failed, it does not follow that polygamy is any more firmly established than it was before. That which has in itself the seeds of decay will surely perish.

A Retiree Governor.

His Excellency BENJAMIN F. BUTLER, Governor of the Commonwealth of Massachusetts, was invited to attend a meeting held at Tremont Temple, in the city of Boston, on Tuesday evening, to express sympathy with the striking telegraph operators throughout the country. He did not go to the meeting, but sent a letter, in which he said:

"The telegraph operators are engaged in a conflict with the Western Union Company upon matters of the details which business may be engaged which may lead to collision, in which official action on my part may be required as a conservator of peace and an executor of the law. It seems to me manifestly improper that the Chief Magistrate should appear unofficially taking part with either of the contestants."

If the view thus expressed is correct, a Governor is precluded from expressing his personal opinion upon any political or social question which may possibly give rise to events requiring official action on his part as a conservator of the peace and in executing the law.

We think Governor BUTLER is wrong here. The Chief Magistrate of a State need never hesitate publicly to favor that which he deems right and lawful, or publicly to condemn that which is evil and forbidden by law. If he sympathizes with the striking telegraph operators, he should not say so. Every person who thinks their demand for increased compensation is founded in justice ought to hope for their success, provided they pursue only legal means to attain it.

Such official reticence as he deems it wise to maintain on this subject has not usually been characteristic of the present Governor of Massachusetts.

Schools Are Long Lived.

The Yale Triennial Catalogue, lately issued, shows that of the seventy-three members of the class which graduated in 1821—51 years ago—forty are now alive.

The statistics of longevity at Harvard are not less interesting. Of nearly 1,000 graduates of the college who were living in 1821, 400 are now still alive. The graduates of our greatest colleges seem to live longer than the average of men.

Mr. JOHN S. McCLELLAND, one of the striking telegraphers, testified yesterday before the Senate sub-committee on Labor and Education. According to the Evening Post these are his views:

"A remedy suggested by the witness for securing a more equitable distribution of wealth between labor and capital would be that the Government should take charge of all branches of industry, as it had of the mail carrying, for the country. This system would be applicable to all private industries as well as to the telegraph industry. The Government would have to be changed, as it has been, to be built up by the exercise of unstrained human energy."

Mr. McCLELLAND is very moderate in his scheme and leaves it in a state of considerable imperfection. If the Government would also undertake to board and clothe the whole people the project would be more comprehensive and satisfactory.

Mr. McCLELLAND seems to be a sort of crank; but if he will reflect a moment, he may perceive that if his ideas prevailed in the United States, there could not be any telegraph strike here, because there would be no use for a telegraph.

The greatest and most inexcusable delinquency of the Republican party toward the negro race is failure to provide means for his education.—Boston Herald.

No, the worst delinquency of the Republicans toward the negro is in enticing them to put their money in the Freedmen's Savings Bank under the management of the Freedmen's Aid Society. The Republican party must go.

Certainly, we accept the apology of Senator HAWLEY of the Hartford Convention for printing as a genuine quotation from THE SUN of Oct. 18, 1850, the fabrication of a rascally forger and liar.

At right, old fellow; but don't get caught in bad company again.

quer juxtaposition to find a committee of the Freedmen's Bureau, the navy crews, and a committee of pugilists following closely in order to arrange for a battle between the Liverpoolian and the Maori. Of course, there is always the remaining possibility that Vinita is put forward as a blind for a meeting in a different direction.

The Republican State Convention is to be held at Richfield Springs; and the Democrats may conclude to hold theirs at Saratoga.

The Bridgeville Methodists are excited over the question whether a church bell may be lawfully bought with money raised from societies at which there has been dancing to the music of a fiddler. Bridgeville, as all the world knows, is near Monticello, in the State of New York. Its church has no bell, and when a contribution for one was offered in the main street, just mentioned, the pastor, backed by the Presiding Elder of the district, refused it, and was even in favor of disciplining a brother who counselled its acceptance.

Germany is now proceeding to make herself a nuisance to her neighbors by her hog moonomania. She has notified Austria that the pig flesh she later sends into Deutschland must be accompanied by a certificate that it is not American meat. This will, of course, be annoying to Austria, who does not want to look after the welfare of the hogs of the neighboring States.

We have a few interesting items of religious news by telegraph in to-day's SUN. We learn from Texas of the murder of a Methodist clergyman, the Rev. Mr. SWELL, who was shot on the street four times with a navy revolver, and then thrown into the water by a domestic nature. We learn from Massachusetts of the foreclosure of a mortgage upon a costly Roman Catholic church in Lawrence, which is to be sold at auction next month.

The Watkins regatta is to be quickly followed by another, in which some leading professionals are to take part. Fall River is to hold a race next Saturday on the Taunton River, in which, it is claimed, HANLAN, COVENS, LEE, WALLACE, ROSS, MCKAY, TEN EVICK, PLAINFIELD, ELLIOTT, HOMER, HANCOCK, BRYCE, and many others are to participate.

In a published extract of a letter to Miss Mary Abbott, the actress, Mr. Oscar Wilde is represented as saying that "Painting appeals to the eye, and is founded on the science of acoustics." Possibly the poet meant optics instead of acoustics. Nevertheless, it is true that many critics of painting largely borrow their terms from the science that deals with sound.

The arrival of the Royal Hawaiian band at San Francisco, to contest for musical honors at the Knights Templar convales, opens new ideas upon the progress of the arts among King Kamehameha's subjects. There was a dark rumor that the band was intended to compete with the Hawaiian band, but the invention of the Hawaiian band has been the invention of the Hawaiian band.

Washington, Aug. 14.—Commissioner Evans will shortly decide whether Hostetter's Bitters is to be taxed as a medicine or as whiskey. The tax on whiskey is 10 cents per gallon, while that on Bitters is 5 cents per gallon.

Two interesting questions. To the Editor of THE SUN—Sir: Is the life of James Buchanan, as now published by the Harper & Brothers, a true and correct history? Also, what was the reason that Jefferson Davis was not hanged after our late war? J. H. Matthews.

A well-merited rebuke. From the Pittsburgh Post. THE SUN has commenced its double-headed editorial on the Democratic Presidential nomination. Its first gift is a well-merited rebuke to Holman, the great objector.

From the New York Times. To see an esteemed contemporary thus misled and to see his honest motives appear so misinterpreted is a most deplorable thing.

An Example for Imitation. From the Pittsburgh Post. John W. Wainwright, a Philadelphia dry goods dealer, has advertised for sale a pair of trousers, made of a material of his own invention, and expresses himself well satisfied with the investment.

From the Cincinnati News-Journal. If it were put to a vote to-day two-thirds of the Republican party would vote for a President, Holman, and a Vice-President, Holman.

Not Not! It is Not True. From the New York Times. It is generally conceded that Editor Halstead is the Waterloo General of Ohio.

From the North American Review for September opens with an article by Judge Cooley on "State Regulation of Corporations," and closes with one by Mr. Cooley on "Conversations with Mr. Flower." Mr. Cooley's "Conversations with Mr. Flower" is an interesting and valuable contribution to the literature of the day.

MID-WEEK ESCOES.

The cool weather, the smash in Wall street, and the cutting of wires, have emptied almost all the summer resorts. Even the cruise of the New York Yacht Club squadron came to a premature end on account of the navigators' anxiety to look after their customers' margins and their own bank accounts.

The two failures which occurred this week on the Stock Exchange demonstrated once more the sensitive and appreciative nature of Wall street feeling. While there was not a word of sympathy expressed for Mr. G. W. Ballou, everybody was anxious to assist Mr. F. C. Stutz and his son's speculations in the market. It must be acknowledged, however, that the brokers are in a much better mood to-day than they were two or three days ago, for the transactions foot up to half a million shares every day, and that puts butter in the spinach of every stockholder.

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UP THE WIND RIVER VALLEY.

The President's Party Feasting on Antelope Bear, Moose, and Trout. CAMP BISHOP, Forks of the Wind River, Wyo., Aug. 14, via Fort Washkie, Aug. 15.—The President and party are encamped at the Forks of the Wind River, upon the same ground occupied last year by Gen. Sheridan. The camp was then named Camp Bishop, in honor of Mr. H. R. Bishop of New York, who was a member of the General's party, and the name has been retained for the present camp.

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