The Sun.

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THE SUN, New York City.

Sensational News from Canada.

A despatch from Ottawa, printed in THE SUN of yesterday, announces that "there is strong reason for believing that the appeals for protection the French Canadians have made to France have determined the French Government to look fully into the question as to how far the terms on which Canada was ceded to Great Britain by France have been carried out, and whether there has been any infringement upon the concessions made to the French-speaking population of Canada at the time the treaty was signed." The despatch goes on to speak of the "possible intervention of France" and the complications between that republic and Great Britain which would ensue.

Serious international complications, indeed, would be the result if France, after one hundred and twenty-six years, should interfere in the affairs of Canada on the ground that the provisions of the treaty of 1763 had not been observed by Great Britain. Nevertheless, we prefer to await intelligence from Paris before accepting unreservedly this statement from Ottawa, a place which perhaps has no rival on the face of the globe as a source of highly sensational and wildly inaccurate misinformation.

By the treaty of pacification after the Seven Years' war, New France was wiped out of existence. The maps and the destiny of the North American continent were changed as never maps and destiny were changed before by a single political event. Before 1763 the French power and French territory on this continent vastly exceeded the English, and to a degree which few people nowadays take the trouble to understand. The Anglo-Saxon race held a little strip along the Atlantic east of the Appalachian range, while the outposts and possibilities of French dominion surrounded this insignificant piece of America, stretching north, west, and south to the indefinite limits of future empire. The settlement of 1763 left France without a square foot of territory on the continent.

Let us see what basis there is in the terms of the Treaty of Paris of 1763 for interference by France after a century and a quarter, on the ground alleged by the Ottawa despatch, namely, that there has possibly been "infringement upon the concessions made to the French-speaking population of Canada at the time the treaty was signed." What were those concessions?

1. LOUIS XV. ceded and transferred to the British Crown, without reserve, all sovereignty, property, possession, and right in what now forms the Canadian Dominion, and this surrender was made "in the manner and form most ample, without restriction, and without the right to revoke the cession and guaranty upon any pretext, or to molest Great Britain in the possessions in question."

2. On his side, the British King agreed to accord to the inhabitants of Canada liberty in the Catholic religion. He agreed to "give the most precise and effective orders that his new subjects of the Roman Catholic faith should be allowed to pursue the worship of their religion according to the ritual of the Church of Rome, to the extent that the laws of Great Britain permitted."

3. Beyond this, the British King agreed that the French inhabitants of Canada and others who had been French subjects should be allowed to withdraw from the territory, in safety and liberty, and to go where it seemed good to them; that they should be allowed to sell their property, provided they sold to British subjects, and to transport their effects and their persons out of Canada without hindrance on any ground save responsibility for debts or criminal process. The limit for such unrestricted emigration was placed at eighteen months from the date of the ratification of the treaty.

4. The Treaty of Paris left to French subjects those fishing rights on part of the coasts of Newfoundland which they had gained by the Treaty of Utrecht, except as concerned Cape Breton, and it allowed them to fish in the Gulf of St. Lawrence, three leagues from British shore in general, but fifteen leagues from the shore of Cape Breton. It gave France the little islands of St. Pierre and Miquelon, not to be fortified.

Where does any ground or pretext appear in these concessions for any possible interference on the part of the French republic of 1889 in behalf of the descendants of the French subjects of 1763?

A study of the text of the Treaty of 1763 opens a question of great interest and of possible future importance affecting Canada, but it is not a question as between France and Great Britain. It is a question between Great Britain and the United States.

In the march of events on this continent during the next quarter of a century, the interference of France in the affairs of the French-speaking habitans of Canada is not conceivably to be a factor.

The Mayor and the Dock Department.

The Mayor has been well advised in one respect in reference to any investigation of the Dock Department on his part. If the Commissioners of that department are to be brought to trial before him upon charges of negligence or official misconduct, he evidently does not mean to act himself as their accuser. This is entirely proper. There would be something shocking to every one's sense of fairness and justice in seeing a Mayor act in the double capacity of complainant and judge in the same cause.

Accordingly, the Mayor has suggested to the Commissioners of Accounts that they may prepare and present charges against the Commissioners of the Dock Department if, in their opinion, such a course would be justified by the testimony which they have taken in the preliminary investigation. It may be thought that this suggestion, coming from such a source, is tantamount to a command; but, to say the least, it will put the Mayor in a better position to pass upon the charges, if he has them preferred by some one else, rather than make the formal accusation himself.

The intimation by the Mayor to the Commissioners of Accounts, that they may properly institute a prosecution before him designed to remove some of the principal officers of the city Government, is another step in the extraordinary development of the powers of these Commissioners. Upon a cursory reading of those sections of the New York City Consolidation act which relate to the Commissioners of Accounts, no one would suppose that it was the intent of the Legislature that those officers should conduct a legal proceeding in the nature of a trial, such as the investigation which has recently been made into the affairs of the Dock Department, attended by counsel learned in the law who examined witnesses with all the formalities observed in court. The Consolidation act makes it the duty of the Commissioners of Accounts—once in three months, and oftener if they deem it proper—to examine all vouchers and accounts in the offices of the Comptroller and Chamberlain, and to make and publish in the *City Record* a detailed statement of the financial condition of the city. They shall also "from time to time make an examination of the expenses of the several departments and officers, and make such recommendations to the Board of Estimate and Apportionment and other officers with reference thereto, and particularly with reference to salaries and duties, as they deem advisable.

This language hardly suggests the idea that the Commissioners of Accounts are to sit as a judicial tribunal, or to conduct their proceedings like an investigating committee of Congress or the State Legislature. We have no fault whatever to find with their conduct of the investigation into the Dock Department. It has revealed a looseness of administration, if nothing worse, which it was important to have exposed. But we desire to point out that, if the course pursued in this case is hereafter to be generally adopted, the Commissioners of Accounts may in the first place institute and carry on a public investigation having the form of a trial, in which only one side will be heard, and which may therefore result in unjust aspersions upon honest municipal officers, which will be all the more injurious from the fact that the inquiry, on account of its form, may seem to be fair and impartial, instead of being only a partial investigation designed to form the basis of a further prosecution.

It is a good thing to investigate the Dock Department, to punish any offenders who may be discovered, and to reform all abuses which may be revealed. But the fact that these good ends may be attained in this case by the agency of the Commissioners of Accounts does not prove that it is wise to magnify the powers of those Commissioners beyond the functions expressly conferred upon them by law, and convert them into a perpetual Grand Jury, but without the obligations and responsibilities which the law imposes upon grand jurors.

A Speech at the Goethe Banquet.

There is a society in town called the GOETHE Society, and on Monday it celebrated its fourteenth anniversary by a dinner. Among the erudite German and GOETHE scholars present were Mrs. JENNY JUNE CROLY, Mrs. FRANK LESLIE, Aunt FANNY BARROW, Mr. WILLIAM WINTER, Mr. C. B. PEET, and Mr. JOHN ELDERKIN.

Perhaps the most important speech of the evening was made by Mr. CHARLES R. MILLER, the editor of the *New York Times*. It was in response to the toast, "The Relation of the Press to Literature," which Mr. MILLER interpreted to mean that literature and the press are things separate and apart, and he commended the toastmaster for emphasising the distinction. "The newspaper," said Mr. MILLER, "is not a part of literature, never has been a part, and never will be until it becomes worthless as a newspaper."

Such a view from such a source strikes us with some surprise. Is not the *New York Times* itself a standing refutation of the assertion of Mr. MILLER? Literature, in the sense in which he spoke of it, is writing which is marked by artistic quality, grace of expression, and what is called style. If the literary character of the *Times* were not thus distinguished, how could that journal treat with satisfaction to a large number of readers subjects so dull, dreary, juiceless, and repellent as free trade and civil service reform? Yet our neighbor seems to be able to handle them with profundity of thought and great sobriety, and at the same time with so much literary grace that its editorial essays command a share of the public attention.

Mr. MILLER spoke, perhaps, with becoming modesty, but we cannot suffer him to disparage the work of his own hands along with the whole newspaper profession. If the *New York Times* is not literature, nine-tenths of the books published at this period are assuredly not literature. Simply because its young men apply the literary art to the manufacture of newspaper essays rather than volumes upon the questions of politics, reform, and political economy, there is no justification in shutting them out from the ranks of men of letters.

Neither can we agree with Mr. MILLER that "the function of the press is not to create anything permanent, but only something which will have interest but for a day;" and that "the influence of the press upon literature is slight, if any." The function of the press, as we understand it, is to influence the course of public sentiment, to direct the public policy, to discern and foresee the logical conclusion of political doctrines and tendencies, and in this republic to instruct the people in the art of self-government. So conducted, a sound newspaper, following out consistent principle, exercises a valuable and a lasting power. It is not for a day, but for all time, and its discussions are the more likely to be effective because their text is in passing events, and they come in chapters published daily and presented in a way to attract the public consideration. The number of books read is few in comparison with the number of newspapers carefully studied; and as the development of the newspaper goes on, the public demand for it steadily increases. The old essay and the old pamphlet have gone out of vogue, and have been succeeded by the newspaper article, so much more provocative of interest. One chief reason why we hear so many complaints of the decline of the conventional literature in these days is that the best informed and most productive minds are now employing their energies in newspapers and periodicals. And why do they do this? It is because they can thus secure more regular and better material recompense, and because they can wield a wider and a greater influence. They not only get a vastly larger audience, but they also gain the enormous advantage of iteration. Day by day they can hammer their thoughts into the minds of the people, so slow to receive and welcome new ideas and give up old prejudices and conceptions.

Nor is it true that a well-edited newspaper exercises little or no influence on literature. Much of the very best writing, judged by a high literary standard, is prepared at this period for newspapers. There are men now engaged on newspapers who would have been singled out for wide literary fame a hundred years ago. We have read newspaper articles as perfect in literary execution and as well deserving to rank with artistic literature as anything which the masters of style have produced. Such articles constitute an example and a lesson in literary art, and help to clarify the thoughts of many thousands of people. Even the unlearned know and enjoy good English, and their taste is improved by it. A well-written newspaper, lucid, logical, and vigorous, is the school in literature which exercises the largest influence. It trains the literary expression of the time.

Mr. MILLER, therefore, spoke without due consideration, which was rather unfortunate, considering that his address was delivered before a learned audience of students and admirers of the immortal Teutonic poet. But, luckily enough, he himself furnishes the conclusive refutation of his error.

Dr. Loring Amid Deserted Kitchens and Wineless Cellars.

In the long line of American diplomatists from MEREDITH READ in Greece to SAPODILLA SCRUGGS in the heart of the Andes, there has been no descriptive pen more truly eloquent than that of the Hon. GEORGE B. LORING, recently appointed as the United States Minister to Portugal. Dr. LORING'S impressions of that country are communicated to his fellow citizens through the columns of the *Salem Gazette*, and we hasten to acknowledge the value of his service to the cause of general cheerfulness.

What seems to strike Dr. LORING most forcibly is the fact that Portugal is now practically almost a Prohibition State, as compared with what it was in the good old days when the monastery kitchens were in active operation, and the monastery cellars repaid a visit. Here is the American Minister's picture of Alcobaça in its glory:

"The kitchen of Alcobaça was most attractive in its day—its traditions are most appetizing. It was a broad and lofty hall, furnished and decorated with great architectural skill and artistic taste, through which flowed a clear and crystal rivulet, stocked with the finest river fish. Game, venison and meats, vegetables and fruits were always heaped up there in great variety. Great ovens furnished most delicious bread in abundance, and every variety of pastry and tarts, sweetened with rarest sugar and made flaky by the highest culinary skill. A banquet from this kitchen and these stores can easily be imagined. Before it Mr. VANDERBILT's famous kitchen and rebellious cook sink into insignificance. It consisted, as we are told, of not only the most excellent usual fare, but rarities and delicacies of past seasons and distant countries, exquisite sausages, potted lampreys, strange messes from Brazil, and others still stranger from China, birds' nests and sharks' fins, dressed after the mode of Macao by a Chinese lay brother."

Dr. LORING'S tone becomes pathetic as he contrasts the past with the present:

"A hundred years ago it took a traveller nine days to get from Lisbon to Oporto; and if a visit were made to all the hospitable cloisters and refectories on the way, it might have taken nine months. Now it takes twelve hours by rail, and a few more hours will afford time to call at Alcobaça and Batalha and Coimbra, and Vizen on the way, if those deserted halls and empty larders and wineless cellars should present any temptation to the curious and hungry and thirsty traveller."

How personal a matter with Dr. LORING this retrospective view of the Portuguese monasteries became he freely confesses in this somewhat remarkable plaint:

"Were the American Minister invited by the Prince Regent of Portugal, during the present administration of President HARRISON, to visit the monasteries of Batalha and Alcobaça, he would join the royal company at the station in Lisbon, journey eighty or ninety miles in a luxurious railway carriage, and finish his journey in a comfortable coach, all within a few hours; and as a reward for his easy trip he would find absorbing traditions, the grandest and most inspiring architecture, sublime provisions for the loftiest worship, now silent and comparatively deserted."

No larders, no wine cellars, no kitchens with trout brooks running through them, no venison, no sausages, no tarts—nothing but deserted halls, empty larders, and wineless cellars. "How different in former times!" exclaims Dr. LORING. "The American Minister of a century ago, if invited, would have found a very different entertainment proposed for him."

That is so, and the great mistake of Dr. LORING'S life was in getting himself appointed as Minister to Portugal just a hundred years too late. To a diplomat of his robust digestion and appreciative œsophagus it must be constant torture to roam through banquet halls where the imagination is the only feeder.

No wonder that from such unsubstantial feasts his yearning fancy turns back to the "dinners of salt fish and apple pie of our old Saturday Club," and even to "the farewell banquet given me by the Naumkeag Fire Club last spring." Our Minister to Portugal is a hundred years behind his times.

The Quarter and the Mile.

The recent information that a three-year-old filly, Sunol, had struck a two-minute gait and held it for the not inconsiderable distance of a quarter of a mile, gives unwonted vitality to the consideration of characteristics necessary for the always fervently hoped for but still mythical two-minute trotter. How fast must a horse be able to show for a quarter to do the greater deed of a mile in two minutes?

Suppose we say that Maud S., who has also done a quarter in 30 seconds, is good for a mile in 2:06. That would be two and three-quarters of a second better than her record, and we do not imagine that her most hopeful friends would really look for anything from her materially better than 2:08; but for the present calculation let us allow her the powers for 2:06. For the quarters of such a mile the average time would be 31½, or 1½ seconds slower than the maximum speed of which she is capable. Johnston, the pacer, with a record of 2:06¼, is said to have shown a quarter in 29¾, or greater speed than is possessed by Maud S., to whom we have credited a faster mile than Johnston's. So, if there is any value in comparison, it stands for a reasonable certainty that before a horse can aspire to the honors of the great trick it must first show the ability to go a quarter of a mile in about 28½ seconds, or less.

Alas! when we take this ideal mile to pieces and see what a next to insuperable difficulty its performance implies, the more faint the prospect seems of our ever seeing it performed. For the present we must content ourselves with the expectation that before this time next year either Maud or Sunol, or both, will have beaten the record. That will be glory enough for the immediate future.

It may be something of a satisfaction to the heirs of the late Mrs. A. T. STEWART to know that they may now reasonably hope to survive the proceedings in court over her will, and to enjoy in person that fortune which, until the present announcement of a speedy compromise, it appeared would be eventually divided among the children or grandchildren of the lawyers in the celebrated case.

The oarsmen's scramble for the championship bequeathed to their circle by the late SEARLE, Australian, gives timeliness to the query, Who have been the two best men in those long and slender craft technically known as "best and best?"

Probably WILLIAM BEACH and JAMES RENFORTH.

Brother Harrison's New Cook.

From the Commercial Advertiser.

President Harrison has again engaged a new cook for the White House in the person of an old colored woman from Louisville. She has been employed in the household of Col. John Mason Brown, the son-in-law of Gen. William Preston, and was appointed partly on the recommendation of Theodore Roosevelt, who highly commended her for the good dinner he recently enjoyed at Col. Brown's.

For Congress to Think of.

From the Savannah News.

The fact that New York is the metropolis of the country, and that the Fair will come nearer being a financial success there than elsewhere, will have a strong influence with Congress.

Maine's Backward Winter.

From the Lewiston Journal.

A few back towns have not been heard from as to the big pig.

THE STATE FORESTRY COMMISSION.

An Important Decision Sustaining the State's Claims—Proposed Legislation.

A meeting of the State Forestry Commissioners was held at 32 Nassau street yesterday, at the office of Sherman W. Knevals. Those present were Commissioners Sherman W. Knevals, Theodore B. Basselin, Secretary Fox, and Albert Hesburg, representing the Attorney-General. The object of the meeting was to discuss the measures to be submitted to the next Legislature. There were four measures talked over which were presented to the last Legislature and failed to pass for various reasons. The first was the bill changing the venue in trespass cases from the county where the defendant resides to the adjoining county, or to the county where the office of the Commission is located. Another bill considered was one authorizing the Commissioner of the Land Office and the Forestry Commission jointly to purchase land. The third bill was the one to prevent railroads from extending their lines through the forest preserve. This passed the last Senate, but failed in the Assembly.

The fourth bill discussed was in regard to the cancellation of sales for taxes on the application of occupants of the lands sold. It is purposed to make some more definite description of what constitutes occupation of land.

The Commissioners are pleased with the recent decision of Judge Ruger in the case of the People agt. Benton Turner, and which sustains their views on the question of occupancy. The lands in question comprised a large tract in Franklin county. The court confirms the verdict of $1,250 against Turner, holding that Turner's act in going on the lands, ploughing them, and cutting the trees did not make him an occupant so as to entitle him to redeem these lands and hold them. The Court holds that the act of 1885, which provides for a certain notice to be filed by any owner who proposes to review the proceedings on which title to land has been taken by the State, is a limitation of the time during which owners may redeem land, and is therefore clearly constitutional. This decision confirms the title of the State to large tracts of land in the Adirondacks and puts a stop to proceedings by which about 40,000 acres of land which had reverted to the State has been reclaimed in the courts. If the Court of Appeals had not sustained the act of 1885 there would have been a practical end of the Forestry Commission, and all the State lands worth taking would probably have been captured.

INSTEAD OF THE LIBERTY CAP.

Jefferson Davis's Reason for Crowning the Statue of Freedom with a Helmet.

From the Washington Press.

Very few people know that Jefferson Davis had the cap on the present statue of Freedom on the dome of the Capitol changed from the original design, as created by the sculptor, Crawford. The original design was "the liberty cap," but Mr. Davis, who was then Secretary of War, in 1856, when the design was submitted by the sculptor, made objections to the cap, as it was the symbol of the freed slaves of the Greeks. He sent a letter to Capt. M. C. Meigs, the officer who at the time was in charge of the Capitol extension.

Mr. Davis preferred a helmet, and the design was changed in accordance with his wish. This fact at the time created much talk, and many said Mr. Davis was opposed to the liberty cap being placed on the Capitol. The following letter explains Mr. Davis's position in the matter. It is copied from the War Department records, and is the only correspondence on the matter:

"WAR DEPARTMENT, WASHINGTON, Jan. 15, 1856.

"*Capt. M. C. Meigs, in charge of Capitol extension, Washington City.*

"SIR: The second photograph of the statute with which it is proposed to crown the dome of the Capitol impresses me most favorably.

"Its general grace and power, striking at first view, has grown on me as I studied its details. As to the cap I can only say, without intending to press the objection formerly made, that it seems to me its history renders it inappropriate to a people who were born free and would not be enslaved.

"The language of art, like all living tongues, is subject to change; thus the bundle of rods being no longer employed to suggest the function of the Roman Lictor may lose the symbolic character derived therefrom, and be confined to the single signification drawn from its other source—the fable teaching the instructive lesson that in union there is strength. But the liberty cap has an established origin in its case, as the badge of the freed slave; and though it should have another emblematic meaning to-day, a recurrence to that origin may give to it in the future the same popular acceptation which it had in the past.

"Why should not armed liberty wear a helmet? Her conflict being over, her cause triumphant, as shown by the other emblems of the statue, the visor would be up so as to permit, as in the photograph, the display of a circle of stars, expressive of endless existence and of heavenly birth. With these remarks, I leave the matter to the judgment of Mr. Crawford, and I need hardly say to you, who know my very high appreciation of him, that I certainly would not venture, on a question of art, to array my opinion against his. Very respectfully, your obedient servant,

"JEFFERSON DAVIS, Secretary of War."

The suggestion of Mr. Davis contained in the above letter was carried out. The statue of Freedom wears the helmet.

Sound Observations About Wanamaker's Postal Schemes.

From the Detroit Sunday News.

Postmaster-General Wanamaker, after reciting the history of his recent controversy with the Western Union Telegraph Company, suggests his sorrow at being unable to get cheap Government telegraph rates for the people, and asks authority to go into the postal telegraph business, if only moderately. Mr. Wanamaker mistakes the functions of government under this democracy. Too close attention to the bargain counter has lessened the opportunities and the measure of his statesmanship. Our government has no more right to go into the telegraph business than it has to set up a dry goods bargain counter in every Presidential and second-class Post Office, with mail arrangements for the benefit of the patrons of offices of lower degree. It is entirely without the functions of our Government to maintain telegraph lines for any other purposes than those of the army, which requires a military telegraphic service reaching points in many cases not yet within reach by the ordinary facilities of commercial communication.

The postal savings bank system which Mr. Wanamaker proposes may be a very good thing in England, where the Government is always a large and increasing borrower from the people; but it is a fair question whether it would be successful or judicious here. Our Government is a borrower, it is true, but all its borrowings are now and have been for years definitely placed. It is now in the business of paying off those loans from its surplus income. The latter is so much in advance of the maturing obligations that if it had more money at its command the Government would not know where to place it to advantage, as it can scarcely place all its money now. The result of a postal savings system in this country would, therefore, be a stringency, radical or modified, in the money market growing out of the practical retirement from circulation of every penny so deposited. The Government would not, of course, become a lender in ordinary commercial business. If it did it would infringe on business with which it has no concern. It would simply be obliged to take in cash that it had no use for and pay out other revenues of the Government for interest thereon.

As American conditions are placed, we don't need the postal savings bank system just yet. The banking facilities of the country are already ahead of the necessities, and the Government has quite enough legitimate business to attend to without taking it up.

A Poet's Thought Cushion.

From the Boston Advertiser.

A well-known literary woman of Boston tells a funny story of a former acquaintance of her's who, in some way, heard that the poet Whittier, when he received an inspiration, was wont to retire to a certain corner of a certain room and there kneel while he reduced his thought to words. This idea made a deep impression upon the mind of its discoverer, and, although she had not the slightest acquaintance with Mr. Whittier, she at once with her own fair hands made a handsomely embroidered cushion. This she conveyed herself to Oak Knoll and formally presented it to Mr. Whittier. The emotions of the poet upon receipt of this attention can scarcely be described, but they are more easily imagined than is the spectacle of the good old man lugging a pillow about with him to kneel upon in the event of a bright thought striking him.

An Electric Current That Killed a Horse.

From the Washington Post.

There was a lively commotion in Harvard Square, Old Cambridge, about 2:30 yesterday afternoon, caused by a "dead" telephone wire. This wire extended between the college buildings, directly across the square. The wire had been disused for some time, and yesterday afternoon the superintendent of the college buildings, Mr. W. H. Eveleth, was engaged in pulling it down, when it dropped upon the West End trolley wire, and then to the ground, making a loud explosion. The wire tore up the ground and melted the railroad track in places. A number of men after a hard struggle succeeded in pulling the wire from its dangerous position with ropes. A horse driven by Mr. J. M. Hillier of 32 Elm street ran into the dangling wire and was instantly killed. Mr. Hillier was somewhat shocked by the wire, but escaped serious injury. The wire also crossed live telephone wires, and burned out several instruments.

Mayor Grant will Probably Sign.

Mayor Grant indicated yesterday that he would probably sign the resolution giving consent to the construction of a surface railroad on the route that the Metropolitan Cross-town Railroad incorporators have asked for.

The Death of Edward N. Dickerson.

Edward Nicoll Dickerson, LL. D., a very eminent member of the bar of New York, died yesterday morning at his house in Far Rockaway, L. I., at the age of 65. He had been ill of a complicated disorder since April last. He was the second son of the Hon. Philemon Dickerson, who was formerly United States District Judge for the district of New Jersey, and he was a nephew of the Hon. Mahlon Dickerson, Secretary of the Navy in President Jackson's Administration. Young Dickerson graduated at Princeton College, and three years afterward he was admitted to the bar at Paterson, in his native State. For some time he served as clerk of his father's court, but he resigned that office and soon entered upon a prosperous career as a lawyer. Gifted with many natural and acquired qualifications for it, and with indomitable industry, he became a distinguished patent lawyer. Among his earliest clients was the late Samuel Colt, inventor of the repeating firearm known as the revolver. Mr. Dickerson's first laurels were won by his successful establishment of Colt's patent, and in that litigation he displayed an extraordinary adaptability to the practice of the patent law. Being both theoretically and practically a mechanical engineer, and possessing great personal strength and activity, he ran for a time as engineer, or driver, the first locomotive engine that was put in operation between Paterson and New York. This gave him a propensity to study the subject of steam in all its applications; and while in after years some of his theories encountered opposition, there has probably been no man in America in his time who was a more accomplished steam engineer. He knew the whole history of steam, from the Marquis of Worcester's "Century of Inventions" down to Isaac Watts, and from Watts down to George Stephenson. At a later period he turned his attention to marine steam engines, and if the United States Navy had not been under a management opposed to his ideas, a great advance would have been made in the use of steam as a motive power on the water.

In 1852 Mr. Dickerson removed to New York, and immediately entered on a lucrative practice here as a patent lawyer. It was while he still resided and practised in Paterson, however, that he conducted Colt's litigation to a successful issue. Colt's revolver had been used by our troopers in the Mexican war with great effect, and infringements of his patent soon followed. The Massachusetts Arms Company, manufacturers in Springfield, Massachusetts was the concern which undertook with the most energy to break down Colt's patent. The suit brought by Colt against this company was an action at law, and was tried in Boston before the late Judge Levi Woodbury and a jury, in June, 1851. The usual specifications of prior invention were made by the defendants, and the defence of non-infringement was also set up. But the great struggle was over the novelty of Colt's invention. Mr. George Ticknor Curtis was then practising in Boston, and he was retained two days before the trial to aid Mr. Dickerson as senior counsel for the plaintiff. The defence was conducted by the late Hon. Rufus Choate and by the Hon. Reuben A. Chapman of Springfield, who afterward became Chief Justice of Massachusetts. Colt was lavish in the use of money, and in the preparation of the case Mr. Dickerson was supplied liberally with the means necessary to trace every alleged priority of invention that had been specified in the defence, before the trial came on, as the law required, in whatever part of the country the alleged prior invention was located. So thoroughly had Mr. Dickerson done his work that, as each of the supposed priorities was brought forward in the evidence and explained to the jury, Mr. Dickerson was ready to demolish it by rebutting evidence, and his senior associate, when he came to sum up the whole case, had a comparatively easy task. Mr. Curtis has often said, however, that he became at different times during the protracted trial a good deal anxious because of the apparent resemblance between Colt's repeating chamber and some of the supposed prior inventions. But in every instance, so thorough had been Mr. Dickerson's preparation, that each of the alleged priorities was exploded, and the plaintiff obtained a triumphant verdict. An amusing instance that occurred during the trial illustrates the wisdom of the law which requires a defendant to give notice of the time, place, and person having a prior knowledge of the thing patented. A cylinder having, like Colt's, different chambers for different charges, and revolving in apparently the same manner, was put in evidence by the defence. It looked old and rusty, and it was located at a town in the interior of New York, and a deposition was read of the man in whose possession it was said to have been found. After this proof had been made, an expert witness was put on the stand, who testified very confidently that this old fossil was the same thing as Colt's revolver. When Mr. Dickerson came to cross-examine the expert, he rose and handed up to the witness a letter, which proved to have been written by the expert himself to the man whose deposition had been read, telling him how to prepare this old cylinder to be produced in court. This, of course, broke down the defence in that part of it, and so it was all through the trial. The very eminent counsel for the defence could have known nothing of this fraud until it was made plain to them before their eyes, and their clients had only trusted too implicitly to a dishonest expert, who was employed to prepare the defence.

Mr. Dickerson's reputation soon led to his employment in many important cases after he removed to this city. He became, along with the late James T. Brady, counsel for Charles Goodyear's patent for vulcanized India-rubber. Goodyear, one of the most remarkable inventors of this country, had succeeded, through great difficulties and often through extreme poverty, in accomplishing the invention which has bestowed so much benefit on the practical arts. His chief opponent was Horace H. Day, a man of singular energy, and an untiring antagonist. The validity of Goodyear's patent was brought to judicial determination in the Circuit Court of the United States for the District of New Jersey, in the equity suit of Goodyear vs. Day, before Mr. Justice Grier. At that time Goodyear, who was always a careless and embarrassed man, had parted with a large part of his interest in the invention. Mr. Augustus H. Dorr, a lawyer who had advanced money to Mr. Goodyear when he was prosecuting his reseaches, had become interested in the patent, and an attorney named Judkins, who was also interested, had the management of the interest of all the several owners. Mr. James T. Brady and Mr. Dickerson were selected as the counsel for the Goodyear interest, and by them the case was prepared for hearing. As the time for the hearing approached it was learned that the principal advocate for the defendant was to be Mr. Choate. The plaintiffs therefore retained Mr. Webster, who was at that time Secretary of State in President Fillmore's Administration (1852). Mr. Webster came to Trenton a short time before the hearing to be instructed in the case. Mr. George Ticknor Curtis, in his Life of Webster, relates the following anecdote, the person to whom he refers, but whose name he does not give, being Mr. Dorr:

"Without expecting to be taken literally, Mr. Dickerson asked Mr. —— to make his suggestions to Mr. Webster. Thereupon Mr. —— repaired to Mr. Webster's room, and spent the greater part of the evening in explaining his views of the case. On the following morning Mr. Webster met his associate in the breakfast room and said to him, 'My young friend, did you send Mr. —— to me last evening?' 'Yes, sir, to be honest about it, I did, but I did not believe he would go.' 'Well,' replied Mr. Webster, with a smile, 'you appear to think that I am the residuary legatee of every man's nonsense.'"

Another anecdote may be given which Mr. Curtis has not mentioned. Among the numerous counsel assembled at Trenton for the Goodyear patent was Mr. Staples, an elderly patent lawyer of this city. He expected to take some part in the argument, but none had been assigned to him. Embarrassed by the situation, Brady and Dickerson asked Mr. Webster's advice as to what they should say to Mr. Staples. "You, Mr. Brady," said Mr. Webster, "must open the case, and, as to Brother Staples, ask him to see me." Mr. Staples called upon Mr. Webster, who said: "Brother Staples, I am not very well, and, moreover, I may be called back to Washington before the case is closed. I wish you would watch it, and be prepared to make the closing argument in the event of my having to go away." Mr. Staples was quite satisfied with this arrangement, but Mr. Webster did not go away; on the contrary, he made a most magnificent argument, which carried the case for the Goodyear patent.

It was, however, a difficult task for Mr. Brady and Mr. Dickerson to instruct Mr. Webster in the details of the case and get him interested. He came to Trenton on the eve of the assembling of a Whig National Convention to nominate a candidate for the Presidency, and his attention was absorbed in politics. But he had a marvellous faculty for appropriating and turning to account the labors of other men, and after many consultations, preparation of briefs, &c., by his associates, he was wrought up to the needful warmth, and made the argument, which Mr. Choate afterward said exhibited "perfect mastery of the cause in its legal and scientific principles and in all its facts." Webster was then 69. He died in the following autumn, Oct. 24, 1852. When he entered the court room on the first day of the hearing in Goodyear's case Judge Grier, with whom Dickerson was a great favorite from his boyhood, called the latter up to the bench and said to him in a whisper: "Ned, what have you brought that great elephant here for? Do you expect that he will trample us all down?" Dickerson replied with a smile: "I think, Judge, you can hold your own."

It would be tedious to refer to even a part of the great patent litigations in which Mr. Dickerson has been concerned in the past thirty years. He became the most eminent patent lawyer in the United States, and his professional emoluments from this branch of business were very large. His last and most prominent success was in establishing the Bell Telephone patent in the Supreme Court of the United States, in association with Mr. Storrow of Boston. No advocate of our time has been listened to with more attention and respect in the highest national tribunal. Mr. Dickerson was of commanding stature, full frame, and very expressive countenance. His eloquence was of the kind peculiarly effective in a class of cases which often affords materials for touching descriptions of the trials and struggles of inventors. But he never lost sight of the scientific and legal principles of his cause. Thoroughly master of both, he combined what was affecting in the personal history of an inventor with the most profound discussion of the science and the law on which his client's rights depended.

Mr. Dickerson's accomplishments were not confined to the practice of his profession. He ranged over the whole field of science, and one of his favorite pursuits was astronomy. His house in Thirty-fourth street, built by himself, is surmounted by an observatory, in which he erected, at great expense, some of the best instruments that could be procured. There he used to spend many hours in studying the skies. He was a warm friend of the late Prof. Henry, and his eulogy on that eminent scientist, pronounced at Princeton College, was a very noble tribute to a great man. Among his other recreations, Mr. Dickerson kept and sailed a fine yacht, but he did not take part in any of the races. His beautiful marine villa at Far Rockaway, and his house in town, were abodes in which hospitality, with all the appliances of wealth, was adorned by the genial spirit of a man who loved his friends and was ever studious of their comfort and enjoyment. A very wide circle will mourn for his death.

In politics, like his father and uncle, he was a Democrat of the Jackson school of Democracy; and this means that he was a Union man in all his feelings and political principles. During the civil war he was one of the class designated as "war Democrats," and along with Mr. James T. Brady and Mr. John Van Buren he advocated the second election of Lincoln, although he personally admired the Democratic candidate, Gen. McClellan. He was often consulted by President Lincoln, whom he had known as a lawyer in Illinois. In the last Presidential election, Mr. Dickerson's manly letter, in which he declined to support the Democratic candidate, because of the free trade tendency of the Democratic party under the lead of Mr. Cleveland, was another instance of his political courage in the assertion of his convictions. His inherited opinions on the subject of protection to our home manufactures against foreign competition had been confirmed by a wide knowledge and observation of the entire field of American industry.

Mr. Dickerson left a widow and an only son, who is one of the most prominent among the younger generation of patent lawyers, and who inherits much of his father's ability. Mr. Dickerson's only daughter died some years ago. It is understood that he leaves a large fortune, the result of his professional earnings and successful investments. Upon whatever he touched, he impressed himself as a man of great force of intellect and character, extensive knowledge, varied and versatile abilities, and untiring energy. The qualities of his mind, however, were not judicial. By nature and training a great advocate, he rarely saw more than one side of a subject, but that side he espoused with consummate skill. This is the proper function of an advocate, and it is that in which a lawyer is most useful to the tribunal before which he appears, as well as most useful to his client. Whatever might have been Mr. Dickerson's success as a Judge, if he had been placed on the bench at an early age, his career as an advocate has been an eminently useful one. To his professional opponents he was always courteous, although he could, when occasion seemed to invite cause for it, mingle denunciation and sarcasm with reasoning. But it is not known that he ever made an enemy of a professional opponent, while he had hosts of friends; and when the contests of the forum were over, those with whom there had been sharp interchanges while the battle went on were often seen as guests at his table or on his yachting excursions, where all the antagonism was forgotten.

GEORGE TICKNOR CURTIS.

JOHNSTOWN'S LATEST TRAGEDY.

All Theatrical Engagements Cancelled—No Public Amusements This Winter.

JOHNSTOWN, Pa., Dec. 12.—The investigation into the cause of the theatre disaster was concluded last night, and a verdict rendered that death was caused in each case by suffocation in a jam resulting from a panic precipitated by a false alarm of fire. The jury also found that, owing to the insufficient number of exits, the narrowness and faulty construction of the only one in the house, the building is entirely unsafe for any public gathering, and request the authorities to take proper measures to prevent any public assemblies in the building as now constructed.

The visitor to Johnstown is forcibly struck by the unconcern and coolness with which citizens on every hand view this last disaster. There were no weeping women lingering about the morgue, no knots of men standing around the street corners discussing the event. There is a logical explanation of all this. For over six months the people of Johnstown have seen more dead bodies than any other community in the world. It has been a daily spectacle to see a wagon load of victims of the great flood borne through the town from one cemetery to another. Piles of coffins stacked on the pavement in front of some undertaker's place or at the graveyard gates long ago ceased to excite comment. So it was that people began to compare the loss of ten lives with 5,000, and draw the conclusion that Tuesday night's disaster was a slight one.

All the injured are doing well, and the physicians report that all will recover. Messrs. Mack and Flinn, the lessees of the opera house, have cancelled all engagements and the house will remain closed until the hall has been remodelled and better exits provided. As this was the only theatre left in the city after the flood, no more theatricals will be witnessed in Johnstown this winter.

NONE OF THEM WILL RESIGN.

The Dock Board Await the Mayor's Charge and Meanwhile Discharge Gardinier.

The Commissioners of Accounts hope to have their charges against the Dock Commissioners ready this week, and next week, probably by Tuesday, the Mayor may be expected to open a hearing on the charges at which the Commissioners can appear and defend.

At the meeting of the Dock Commissioners yesterday Commissioner Cram moved to abolish the office of inspector of the dumping of dredged materials. He said that the United States attended to such inspection.

President Post objected that the Commissioners of Accounts had said that to discharge any employees pending the investigation would interfere with the course of justice.

"The Investigating Committee isn't running this department," snapped Commissioner Cram.

Commissioner Matthews announced emphatically that he agreed with Mr. Cram, and then all three voted that Randolph Gardinier, the holder of the office in question, be notified that he was discharged.

Commissioner Cram said yesterday that he wasn't going to resign.

"Are you going to resign?" asked THE SUN reporter of Commissioner Matthews.

"No, sir," laughed Mr. Matthews; "I'm going to stay here until I'm kicked out."

Jefferson Davis on Gen. Grant.

BOSTON, Dec. 12.—When Gen. Grant was dying at Mount McGregor the Boston *Globe* instructed its New Orleans correspondent to interview Jefferson Davis. Mr. Davis was not seen personally, but a few days later penned the following letter:

Mr. Norman Walker, New Orleans.

DEAR SIR: Your request on behalf of a Boston journalist for me to prepare a criticism on Gen. Grant's military career cannot be complied with for the following reasons:

First—Gen. Grant is dying. Second—Though he invaded our country with ruthless, it was with open hand, and, as far as I know, he abetted neither arson nor pillage, and has since the war, I believe, shown no malignity to Confederates, either of the military or civil service. Therefore, instead of seeking to disturb the quiet of his closing hours, I would, if it were in my power, contribute to the peace of his mind and comfort of his body.

JEFFERSON DAVIS.

International Marine Conference.

WASHINGTON, Dec. 12.—The reports of committees on the various divisions were laid before the members of the International Marine Conference this morning. In accordance with his notice, given earlier in the week, Capt. Flood of Norway offered a resolution that the Conference recommend that the advisability of a Bureau of Maritime Information should be considered by the Governments of the maritime nations. After a long discussion the resolution was defeated—ayes, 7; noes, 12—the following countries voting in the affirmative: Denmark, Hawaii, Japan, Norway, Siam, the Netherlands, and the United States.

The Conference then adjourned until Monday.

Indicted the Mayor and His Son.

LEXINGTON, Dec. 12.—This afternoon the Grand Jury of this county indicted the Mayor of this city, Charles Foushee, Sr., and the four Police Commissioners for neglect of duty in not having the liquor laws enforced and the law against pool rooms. The Mayor's son, C. W. Foushee, Jr., was also indicted for knowingly uttering a forged deed. These indictments have caused considerable excitement.

Amounts to the Same Thing.

"Is this accident policy good if you travel on the railroad trains?"

"No, only when the railroad trains travel on you."

RIVAL TOWN OFFICERS.

New Haven Will Have Two Town Governments After To-day and Until Jan. 1.

NEW HAVEN, Dec. 12.—The monotony which usually reigns in the office of the Town Agent and Selectmen was interrupted this morning by the appearance of James A. Reynolds, Town Agent elect, at the office and demanding of Theron A. Todd the keys, combination to the safe, and books of the office. Mr. Reynolds was accompanied by the Democratic members of the Board of Selectmen, Messrs. Fleischner, Goodrich, and Rowe. Mr. Todd, the present incumbent of the office, declined to give up his office, and Mr. Reynolds and his three supporters went to an ante-room adjoining the office of the Town Agent and proceeded to organize the Board of Selectmen for 1890.

Mr. Reynolds was elected Selectman about two weeks ago, having a majority of less than 100 votes over Gen. Frank D. Sloat, the Republican candidate. He was Selectman for several years prior to election a year ago, when Theron A. Todd defeated him, and the Republicans secured a majority in the Board of Selectmen. Mr. Reynolds has served notice on Town Treasurer Richardson not to disburse any town money by order of Town Agent Todd hereafter. His action, and that of his associates, is pretty generally condemned by Democrats all over the city, who seem willing to abide by a custom which has been in vogue for years, that makes Jan. 1 the time for town officials to enter upon their duties. The law in the matter reads:

Members of boards of relief, selectmen, grand jurors, constables, town treasurers, treasurers and agents of town deposits and other trust funds, auditors, surveyors of highways, haywards, gaugers, packers, sealers of weights and measures, pound keepers, and all other ordinary town officers elected annually by the several towns, except the towns of Hartford and Bridgeport, shall hold their respective offices for the term of one year from the day of their election, and until their successors are elected and qualified.

The present Board of Selectmen will meet to-morrow and decide whether to move out or not prior to Jan. 1. Mr. Reynolds and the new Board propose to meet also, and, furthermore, they intend to conduct the affairs of the town after to-morrow. A lively time is expected.

MISS STOKES WILL MARRY A BARON.

Mr. Stokes Announces Her Engagement to Young Baron Halkett.

Among the passengers on the Umbria, now on the way to this city from Liverpool, is Hugh Colin Gustave-George Halkett, Baron Halkett, an attaché of the London house of Rothschild, who is coming to America to spend the Christmas holidays as the guest of Mr. Anson Phelps Stokes. Mr. Stokes yesterday announced the engagement of his daughter, Miss Sarah Phelps Stokes, to the Baron. The couple met at Hanover a year ago.

Baron Halkett is 28 years old. He is a scion of the ancient Fifeshire family of Halkett, and is a descendant of Major-Gen. Halkett, was wounded at the battle of Waterloo. His father was the late Baron Colin Halkett, who was a Colonel of Hussars and A. D. C. to the late King of Hanover. The Baron's mother was Sophie von Schwanewede of Hanover, who died in 1869, leaving two sons and four daughters. The Halkett family seat is Freisdorfermühlen in Hanover. Baron Halkett lives in England.

Miss Stokes is a tall brunette. She is a granddaughter of the late Isaac N. Phelps, who died leaving an estate of $6,000,000.

Baron Halkett's visit will be the second he has made to this country. He was at Newport in the summer of 1888.

THE LARGEST BLACK DIAMOND.

An Interesting Product of the Brazil Mines Now in This City.

The largest diamond ever found of the sort used for tipping drills, glass cutters, and like mechanical appliances has just been brought to this country from the mines back of Bahia, Brazil. It was on exhibition yesterday at the office of D. L. Van Moppes, 2 John street. To the ordinary citizen the stone looks like a chunk of anthracite coal of a very dull color, or like a bit of coke. It was heavier than either, however. It is about two inches in its greatest length, and weighs 367¾ carats. It is valued at $5,000.

Unlike the diamond gem, this sort of carbon will not polish, and it is not more valuable than an equal weight of small ones would be, for the reason that it must be divided into about 150 different pieces before it is offered to the trade.

These diamonds are so hard that drills for boring into the hardest sorts of rock are tipped with them. They are not found in any other part of the world, but if found by the unlearned citizen lying loose in the street or anywhere else they would be passed unnoticed, because of their appearance.

SHIPPING GRAIN TO EUROPE.

Mr. Cain Thinks He Will Drive Eastern Brokers Out of Business.

ATCHISON, Kan., Dec. 12.—John M. Cain, a wealthy miller of this city, who has met with such good success in the exportation of flour direct from the Missouri River to England and Scotland, is at the head of a movement to organize a grain export company on the Missouri River for the direct exportation of grain. At present shippers of grain find they must submit to exorbitant brokerage at Baltimore, New York, and other American ports, and as better rates can be secured by shipping direct to the foreign points than by shipment to brokers on the seaboard and reshipment by them across the water, Mr. Cain thinks an organization of capital in the West might not only be profitable to the company, but also a protection to producers and shippers from the brokers on the seaboard. Mr. Cain is of the opinion that within three years all the export grain produced in the West will be shipped direct, and that many of the seaboard brokers will be driven out of business.

WHAT WE ARE ALL TALKING ABOUT.

One of the best racing experts in the country, and a man who has very large interests in various tracks in this vicinity, said yesterday:

"It will be time for the authorities to take a sharp stand soon on this city pool-room business. It has grown to extraordinary proportions. Never in the history of New York have pool rooms been so plentiful and so industrious as to-day, and their continuous business through the winter in connection with the little second-hand tracks at Clifton, Guttenburg, and other places is having the effect of disgusting honest racing men. It is a great mistake to allow gamblers to get such a thorough hold on racing, even in the city and in the winter, for it takes the edge off of the novelty of the season later on. It is rather a silly thing for people to express surprise at the result of the close finishes at these little tracks, considering the amount of wear and tear which the owners of the horses undergo in arranging the surprises for the man who buys the pools. They are rather a sharp lot of buyers, too."

"'McGinty'," a man remarked yesterday, "was written by a genius. I don't care whether Mr. Flynn is an educated man or one of the usual type of variety performers, but he has unconsciously touched a phase of life which has impressed every observing man. There are millions of 'McGintys' in this world. Some of them make more of a struggle than the hero of the song, but the end is always the same. They struggle for a time, but they invariably bring up in the bottom of the sea. The author of this particular song, by the way, is entitled to distinction for another reason. It is the one popular song in the history of the stage which has achieved a success entirely on its literary merits. Nobody really knows what the tune of 'McGinty' is, but the pathetic and touching story of the life of that unfortunate gentleman appeals to every heart that has a drop of blood in it. But, then, I am an Irishman, and that may have something to do with it."

The Gaiety girls are abroad in great numbers on Broadway these pleasant afternoons. It is the march of the Grenadiers. The forty tallest girls in the Gaiety forces came over with the troupe, and they were selected with great care by Mr. Marcus Mayer before the company left England. Mr. Mayer's theory was that, since our own choruses ran to short, chubby, and plump women, it would be a decided novelty to bring over the most statuesque and stalwart women in the London troupe. The Gaiety, in its two companies, has nearly 200 chorus girls, and this left plenty of room for selection. Very many of the chorus girls now here range very near six feet in height.

Ex-Alderman James Barker, the Tammany leader of the Thirteenth Assembly district, laughs at the stories that the forthcoming primaries will develop an opposition to him. He says that it seems to be necessary to go away from home to hear family news. John C. Sheehan, who has been mentioned as a probable successor to the leadership, says the same thing, and denies that he is a candidate, or that he will be under any circumstances. "I am with Barker, and so is the district," are his words.

A young woman said a few days ago that attending "The Charity Ball" at the Lyceum Theatre was next door to going to church.

"Everything is there," she said, "including the chimes, organ, Scriptural quotations, and goody-goody sayings. Everywhere on the stage there is an atmosphere of religious seclusion and piety, and it is delicious because everybody knows exactly who the actors are, and that it is the brightest sort of masquerading. There was never a man on earth as pure, good, and noble as the character which Herbert Kelcey portrays, but we do not believe that of Mr. Kelcey by any means. That is why we go to see the play. The deception is clever and entertaining, and it is great fun to read between the lines."