The Sun.

WEDNESDAY, JUNE 18, 1890.

London Offices of THE SUN, 450 West Strand.
All communications should be addressed to FRANK W. WHITE, 450 Strand, London, W. C.

The Law and the Cottage.

To-morrow the Jersey coast will be the scene of an unpleasant spectacle. The family of the President of the United States, even to the second and third generations, will move into a seaside cottage which they have neither purchased nor hired for the summer. This establishment is, in plain words, an eleemosynary institution. Certain gentlemen have subscribed to pay for the land, the building, and the interior furnishings, even to the brass wanamakers in the billiard room. On the part of some of the subscribers the gift is a matter of disinterested although mistaken charity. Other contributors to the fund, as there is reason to apprehend, were inspired by motives not quite so unselfish.

There is probably no law in the Revised Statutes under which Gen. HARRISON could be punished for this disgraceful proceeding. Sections 5,500 and 5,501 come as near to his case, perhaps, as any. These sections contain the following provision:

"Every officer of the United States, and every person acting for or on behalf of the United States, in any official capacity under or by virtue of the authority of any department or office of the Government thereof, who asks, accepts, or receives any money, or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may be by law brought before him in his official capacity, or in his place of trust or profit, influenced thereby, * * * shall be punished by a fine not more than three times the amount asked, accepted, or received, and by imprisonment not more than three years."

We suppose that an attempt to punish Gen. HARRISON under sections 5,500 and 5,501 of the Revised Statutes could be met successfully with a technical defence on these grounds:

1. The nominal receiver of the gratuity is not Gen. HARRISON, but Gen. HARRISON's wife; and she is not an officer of the United States. On the other hand, it might be shown that this is a mere evasion, since Gen. HARRISON is the head of the family which now possesses the cottage at Cape May Point, and it has been fitted up with special reference to his occupancy. The billiard table in the great billiard room, and the brass wanamakers that adorn that apartment were certainly not designed for the use of Mrs. HARRISON or of Baby McKEE.

2. The cottage is not conveyed with intent to have Gen. HARRISON's decision or action influenced in any question which may come before him in his official capacity. If that defence were raised, it might be exceedingly difficult to prove the contrary. Where disinterested motives are loudly proclaimed, and, perhaps, where the consideration expected by the donor is a matter of the indefinite future, a conviction would be very hard to procure. And yet, at the same time, nobody can doubt that every subscriber to the HARRISON-McKEE fresh air fund, with the possible exception of Mr. GEORGE WASHINGTON CHILDS and Mr. ANTHONY JOSEPH DREXEL, expects to obtain sooner or later, through the influence of Gen. HARRISON's official station, a return in some shape for his investment.

Such a line of defence might be sufficient to save Gen. HARRISON from a fine of three times the value of the Cape May Point cottage, and likewise from imprisonment for the prescribed term of not more than three years. We do not think the President could be convicted under the statute quoted above, or under any other statute. We have no idea that he will ever be prosecuted in the United States courts. He is on the safe side of the law concerning bribery.

Nevertheless, there is another and an unwritten law which prohibits Presidents while in office from accepting gratuities of any sort, no matter how ingeniously they may be disguised. It is based on well-defined principles of public morals, as well as on considerations of personal self-respect, which no sensitive intelligence can fail to recognize. Most of the men who have preceded Gen. HARRISON in the office of President have understood this unwritten law of honor, and have scrupulously obeyed it. Whenever the law has been violated by a President in office, that President has disgraced himself and his office, and the nation which elected him.

We are sorry for BENJAMIN HARRISON!

The Validity of the Bribery Bill.

A bill was passed by the last Legislature amending the laws relating to bribery so as to make it a felony for any public officer, his deputies or subordinates, to ask or receive any emolument or gratuity for doing or omitting to do any official act, except such fees as are prescribed for the particular services rendered.

This bill received the approval of the Governor, but serious doubts have arisen as to whether it has really become a law. The name of the Assembly is omitted from the enacting clause, and it is suggested that this omission deprives the bill of the character of a statutory enactment and renders it unconstitutional and void.

The enacting clause of the bill as passed and signed reads: "The people of the State of New York, represented in Senate, do enact as follows." The enacting clause should read, "The people of the State of New York, represented in Senate *and Assembly*, do enact as follows."

That this omission is no light matter is made evident by a reference to the Constitution of the State. Section 14 of Article III. is in the following words: "The enacting clause of all bills shall be, 'The people of the State of New York, represented in Senate and Assembly, do enact as follows', and no law shall be enacted except by bill." Here we find that the form of the enacting clause of all statutes is expressly prescribed in mandatory language, the verb "shall" being employed. A similar form has been in use ever since the colony of New York was organized into a State. The enacting clause of the first chapter of the laws passed at the first session of the Legislature beginning Sept. 10, 1777, reads: "Be it enacted and declared by the people of the State of New York represented in Senate and Assembly, and it is hereby enacted and declared by the authority of the same." In the essential particular, therefore, of referring to both branches of the Legislature, the form is not only fixed by the Constitution, but sanctioned by usage extending back to the foundation of the State Government.

In the face of the positive constitutional requirement that the enacting clause of all bills shall be in the prescribed form, how is it possible to hold that the new bribery statute is valid? Only by saying that the provision of the Constitution is directory, instead of mandatory. Courts sometimes distinguish parts of statutes by holding that while some of them are positive commands, others are merely directions which ought to be followed, but a disregard of which is not fatal to the exercise of power thereunder. In 1853 a question arose in this State as to whether the constitutional requirement that the yeas and nays shall be taken upon the final passage of a bill and entered on the journal had been complied with in a particular case; and the Judge who wrote the opinion of the Court of Appeals, after declaring that there had been a full compliance with the provision, went on to say that it was merely "directory to the Legislature." This remark, however, was what lawyers call an *obiter dictum*. It was not necessary to the decision of the case, and does not constitute a binding precedent. Furthermore, it has been disapproved by some of the ablest constitutional lawyers in the country, and seems very unlikely to be followed. Mr. Justice COOLEY says in his classical work on American Constitutional Limitations that the decision we have mentioned is at variance with the weight of authority; and he truly declares that "the courts tread upon very dangerous ground when they venture to apply the rules which distinguish directory and mandatory statutes to the provisions of a Constitution."

These considerations render it probable that the Anti-Bribery Amendment act of 1890 is fatally defective. Its provisions are excellent, however, and should become law in 1891, if the constitutional objection which we have discussed proves to be well taken.

And What Make You at Wittenberg?

At Springfield, in Ohio, not far from the waters of Mad River, is a respectable Lutheran institution of learning called Wittenberg College. A few days ago the students of Wittenberg held a mock political convention for the purpose of nominating a Democratic candidate for President of the United States. In this convention GROVER CLEVELAND was nominated by an overwhelming majority. The youth of Wittenberg promptly informed Mr. CLEVELAND of the result, and filled him with overwhelming joy. He addressed them in a letter full of solemn exhortation which must have edified them greatly. "It seems to me," wrote the Wittenberg candidate in a rapture of gratitude, "that I ought to express the satisfaction afforded me by the kind expression contained in your letter of the 7th inst., accompanied by the announcement that at a convention held by the Excelsior Society of Wittenberg College I was nominated for the Presidency. So far as the action of the young men of your society may be taken as evidence of their friendship toward me, of course it is gratifying." After thus expressing his personal comfort, Mr. CLEVELAND indulged in his usual stock of pompous commonplace. The nomination was only one of a number of mock nominations which he has received from undergraduate non-voters. Doubtless it is gratifying to him to believe that the vote of the people who don't vote seems to be solid for him.

We submit to the authorities who have charge of the government and discipline of Wittenberg College that they have a duty to perform in this matter. They ought to teach the young men in that institution to respect the office of President, and not to play upon the foibles and the monomania of a former occupant of the office. Gravely to encourage Mr. CLEVELAND in his delusion, fool him to the top of his bent, and draw from him a ponderous letter penned in the sweat of his elbow at the sweltering season of the year is something more than a thoughtless joke. It is disrespectful, unkind, cruel. The young Wittenbergers ought to have more respect for an ex-President, and not lead him into needless exhibition of his weakness.

It seems to have become a recognized joke in the smaller colleges to hold mock conventions and nominate Mr. CLEVELAND for President. In fact, there is a lamentable tendency in some of the colleges to use Mr. CLEVELAND as a sort of substitute for and successor of that celebrated academic lecturer and human universal dictionary, the late Hon. DANIEL PRATT, G. A. T. Such a tendency ought to be checked at once. It is downright unkindness to make a man of Mr. CLEVELAND's waist measure write letters in hot weather.

Wittenberg should reform.

Some Things to be Settled with Mexico.

The proposal submitted to Congress by the House Committee on Foreign Affairs for the creation of an international commission, which shall take into consideration the relations between our country and Mexico, implies that there are matters in those relations which require adjustment.

The facts bear out that assumption. While the diplomatic intercourse of the two countries is entirely friendly, and while the sentiment of the people, even in the border regions, shows a gratifying improvement upon that which prevailed during the CUTTING episode, and on several occasions before and since, there are causes of friction and irritation. These should be removed as far as possible, and the best means for that purpose should be adopted.

The boundary line requires readjustment. This ought to be accomplished whether a general international commission is created or not, and special legislation for that purpose has repeatedly been contemplated by Congress. The entire boundary from the Rio Grande to the Pacific apparently needs retracing; but some portions more urgently require it than others. It is said that landmarks have actually been removed, and perhaps put in other places for private purposes. At all events, since the accurate defining of the boundary is important, not only for the sake of determining rights of property, but also in many international matters, such as those involving the pursuit of fugitives to the border, there should be no occasion for doubt or dispute.

The customs regulations of the two countries, particularly as affected by the Mexican Zona Libre, demand rectification. This free zone was established thirty-two years ago in Tamaulipas, and then was extended along the entire border of Mexico from the Gulf to the Pacific. It is twelve miles broad, and its inhabitants are exempt from the customs duties imposed upon the remainder of Mexico. Without going into the reasons which have induced the sister republic to establish and maintain this discrimination, it is enough to say that it leads to smuggling, from which both Governments suffer. The inhabitants of the Zona Libre can import goods free of duty, and such goods can also be warehoused there for an unlimited time, paying duty only if afterward carried into the interior of Mexico. On the other hand, foreign dutiable goods pass through our country into the Mexican free zone without paying duties to us.

But the special reason for an international commission seems to be the recent practice of importing Chinese laborers through Mexico into California and Arizona, in violation of our Restriction act. That this has been carried on to a large extent is indicated by the reports of Treasury inspectors and by the recent captures made near San Diego. Whether Mexico would consent to help execute our laws for us, or to what extent she would be able to execute them, may be a question; but the subject might fairly come before an international commission for the ascertainment of the facts and the recommendation of a remedy. It is true that the same process of smuggling Chinamen is going on upon the Canadian border, but a satisfactory arrangement with Mexico would be a help to an arrangement with Great Britain on the same subject.

Since the international commission was proposed, a new source of trouble has arisen from the disclosure of the scheme to rob Mexico of Lower California. While the exact facts on this question are still a matter of controversy, there is no doubt that such a plot existed, and that it found adherents in California. That our Government was chargeable with any negligence in the matter is, of course, not for a moment supposed anywhere; in fact, the entire project was evidently confined to a few persons with whom it existed on paper only. Had there been the slightest overt act to attract the attention of our Government, its punishment would have been speedy; but even in Mexico itself, where, according to one version of the story, the plot originated, it was too flimsy to attract notice, and even up to the present time there seems to have been no proceeding against those who were accused of connection with it. An international commission, occupying itself with other matters, could properly take this subject into consideration.

The construction of dams on the Rio Grande also demands attention, since under the present custom the water is sometimes diverted so as to wash away the opposite shore. The use of the river for irrigation on one shore or the other should also be the subject of definite understanding. There are, furthermore, unsettled claims between the two countries which ought to be adjusted, if possible, without further delay. In short, an international commission will find employment enough.

The interests of the two chief republics of the North American continent do not conflict. Mexico may be assured of the integrity of its territory, and no fillibustering designs upon it will be permitted by our Government, even were that republic less able than she is to cope with them. The capital, the industry, the enterprise, and the ingenuity of the United States are destined to find abundant employment in Mexico, and there they will be welcomed. Everything that tends to remove obstacles to this beneficial intercourse should be encouraged.

The Heathen Chinee in His Glory.

If any one supposes that Chinamen have not applied their most refined ingenuity to beating the famous Chinese system of competitive literary examinations, he is mistaken. Cheating at those ordeals is developed to such a point in China that lately the young Kaiser WILLIAM of Cathay summoned the imperial factotum, the "Board of Rites," and told them to examine into the examinations. They have reported.

AH SIN'S commonplace trick of slipping cribs up the voluminous Chinese sleeve doesn't seem to be important enough to demand a long section of the report. The trick of running in a veteran scholar, to score a successful examination in the name of some timid and uncertain young one, who will take the place eventually in *propria persona*, gives the Examining Board a lot of trouble; but it is helped somewhat out of practice by the rule holding the "identifying officer" responsible for such substitutions.

The report reveals that among the most dangerous obstacles to genuine examinations is the bedding, or the food taken by each candidate into the little cell where, for three or four days, he is locked up, as it is supposed, alone with his question papers. Mattresses and sausages both have to be turned inside out for cribs. Then opposite the windows of these cells some fellow outside will combine business with pleasure by letting a kite float up inscribed with more or less useful information. The Board of Rites goes even so far as to express the opinion that some sort of MORSE system of communication is made to work by manipulating the kite so that its tail shall flourish thus and so. Again, perhaps a weary pigeon, laden with learning under its wing, will drop in to pick up the grain on the window sill and see an old friend within. When night comes, lanterns of various colors are seen to dance very eccentrically. Passers by in the streets may also heave in bricks that prove very learned and useful to the temporary recluses. The national emblem, the rupturous firecracker, cracks out tattoos that happen to be full of meaning.

These are some of the incidents of the Chinese system at home. The more severe espionage called for by the new regulations will doubtless drive the indomitable heathen to counter efforts of fresh genius, and so the tremendous contest will continue. We commend to its devotees in this country a careful examination of this report of the Chinese Board of Rites.

A Missouri Deliverance.

If it be thought that the Democratic party of Missouri desires to remain standing with both legs in the tariff ditch, we refer them to the Hon. M. E. BENTON, of Neosho, the permanent Chairman of the Democratic State Convention which met at St. Joseph last week. Mr. BENTON assumed his honors with some advice to his party of far more expanded scope than that which of late years has been narrowing its majority with such threatening steadiness. His speech may be said to have culminated in this:

"Let the Democratic war cry be tariff reform and a free and unlimited coinage of silver."

The enlargement of the Missouri platform beyond its former restriction to free trade championship is not the most interesting phenomenon of this awakening in the direction of normal politics. Coupling a declaration for free silver with the old programme leaves no question as to the Missouri Democrats' deliverance from the hypothesis that their sort of tariff reform is inseparably bound within the rotundity of GROVER CLEVELAND. If there has been any principle declared unmistakably by the Stuffed Prophet, now of William street, since his election in 1884, it is his uncompromising intolerance of silver coinage.

As for the respective merits of free trade and free silver, no Democrat will incline to criticise his Missouri brethren at such hopeful evidence of returning health.

Our esteemed contemporary, the *Atlanta Constitution*, has been examining the tax books of 1884 and 1889 with a view to determining whether the Georgia farmers have been prosperous or not in the last five years. We give in its own words the result of its researches:

"The official records show that two thirds of the farmers of Georgia gained ground handsomely in five years, while one third lost a little. The gainers gained 30 per cent., while the losers only lost 16 per cent. The total gain by two-thirds of the farmers heard from was $1,290,313, and the total loss by the losing third was $384,601, leaving a net gain of $905,712 in the whole list of 1,891 farmers.

"The list is a thoroughly representative one: not the rich or the poor, but average farmers taken at random and looked up on the tax books afterward.

"The story is simply this, that 1,344 farmers started out in 1884 with an average property of $2,136 and in five years gained an average of $960. At the same time 647 larger farmers started out with an average property of $3,739 and lost $860 each.

"If this ratio runs through the 100,000 white farmers of Georgia, two-thirds of them have gained $64,000,000 and the other third has lost $19,858,000—a net gain by the farmers of $44,000,000 in five years.

"This means that out of an average list of farmers starting five years ago, two thirds supported their families and added 30 per cent. to their capital—and that capital only $3,136!"

In commenting upon these facts the *Constitution* pertinently asks:

"Where is there an equal number of average business men who will show as good results on so small a capital? And yet the average business man works more hours than the farmer, and puts up with less room and less sunshine. The lot of the Georgia farmer is not so bad after all.

"While in every other business combinations of capital are crushing out the small man, in agriculture alone it remains true that the man of small means had as good a chance to rise as his neighbor of larger property. In fact these returns show that the losing farmer has nearly a fourth more property in 1884 than his more thrifty neighbor. As these tax returns represent little else but land, there is a direct inference that the small farms are the ones which have paid their owners best. It is the old truth reasserted in a new form, that the man who tills a little land well will soon have more to till."

The Georgia farmers are, in fact, doing well; better, on the average, than men in other vocations. What reason, then, is there for the excitement of the Farmers' Alliance? Why do the Georgia farmers, instead of being grateful that they are better off than other men, demand new-fangled legislation to improve their condition? Why have they found it necessary to gobble up the Democratic party of Georgia?

We wonder if the Georgia farmers will be as successful in politics as they are in farming?

The *Albany Argus* intimates in a sneaking manner that Mr. S. B. ELKINS has put the editor of THE SUN in a way to make money.

This intimate is a lie without a leg to stand on.

That distinguished Republican journalist, the Hon. MURAT HALSTEAD, having found it convenient to leave Cincinnati and the newspaper he had long conducted there, and come to this town to take charge of a newspaper in Brooklyn, has finally arrived at conclusions which would be discouraging but for the possibility that they may be strictly professional:

"Some months of closer study than I had been accustomed to give the affairs of New York are convincing that this vast metropolis exceeds all precedents in municipal rascality and mismanagement. The amount of money squandered here in corruption and plundering that results from flagrant and criminal neglect of duty is something prodigious."

From this it is evident that Mr. HALSTEAD has either come here on high missionary duty, or that he has made a great mistake in taking up his abode in a place so wicked.

We suppose that Brother HALSTEAD has come here because he was tired of Cincinnati, and because New York is the pleasantest, most convenient, and most satisfactory town in the world to live in. As for the amount of money squandered here in corruption and plundering, that is all talk. The facts are exactly not so; and HALSTEAD will never be frightened away by his own picture. May he remain long among us to enjoy the pleasures and the comforts of this delightful and well and cheaply governed metropolis!

Newspapers of all kinds of politics in various parts of the country are showing that in their respective localities the census has been very imperfectly and very inaccurately taken.

It looks as if this census might, after all, turn out to be erroneous and unsatisfactory.

This would be a very great pity.

Although the election is still five months distant, the Republicans have already begun to nominate candidates for Congress in some of the interior districts of the State. Our esteemed contemporary, the *Tribune*, understands that as there is no State ticket to elect this year, with a Republican State Senate holding over, and the Republicans at a decided advantage in the battle for control of the Assembly, through the refusal of their party to reapportion the State, the only real stake which the Republicans of New York have in this election is that regarding members of Congress. We quote from our contemporary:

"The delegation from New York in the Fifty-first Congress is made up of nineteen Republicans and fifteen Democrats. If a vigorous and united canvass is made there is no reason why our party friends should not retain all the districts which they now hold and make some gains. The First district (Queens, Richmond, and Suffolk), which is now represented by a Democrat, might be captured by a strong and popular Republican, and the same remark applies to the Fifth Brooklyn district and to the Tenth New York, now represented by Gen. SPINOLA. The Republicans of Albany have demonstrated their ability to elect their Congressional candidate, although the district ordinarily goes Democratic. The Republicans of the Twenty-third (Erie) district have only themselves to blame for the fact that they are now represented in Congress by a Democrat."

In the contest of 1886 the Democrats of New York State suffered under the serious embarrassment of having a national Administration in office which did not represent the views or sentiments of their party, which did not conform in its acts to Democratic principles and pledges, and which, by the unpopularity of its head, had precipitated a dangerous labor defection. Notwithstanding this, they elected fifteen Representatives, and but for the peculiar unpopularity of the President in Buffalo, where he resided, they would have elected two more from Erie county, making an even half of the whole delegation of the State. In the unfortunate contest of 1888, through the free trade issue, the Democrats lost the Troy district, though its Democratic Representative, GREENMAN, had voted against the MILLS bill. They regained, thanks to the splendid canvass made by the friends of Governor HILL in Erie county, one of the Buffalo districts and retained the Albany district.

This year the conditions are to a great extent reversed. It is the Republicans whose national Administration is a source of weakness to their party. It is from their ranks that secessions are frequent. The Democrats, on the other hand, are united, well led, and earnest, and the political conditions all point to their success. We subjoin the vote of last year's State election, divided according to Congress districts:

DEMOCRATIC. Dist.	Incumbent.	Maj.	REPUBLICAN. Dist.	Incumbent.	Maj.
1.	Covert	2,956	3.	Wallace	3,699
2.	Campbell	4,993	15.	Stivers	461
4.	Cassidy	5,011	16.	Graham	3,051
5.	Magner	1,947	17.	Knapp	1,102
6.	Turner	6,942	20.	Sanford	2,399
7.	Dunphy	6,139	21.	Merritt	6,734
8.	McCarthy	11,760	22.	Lansing	7,514
9.	Cummings	7,985	23.	Sherman	1,459
10.	Spinola	7,448	25.	Belden	4,802
11.	Quinn	4,880	26.	De Lano	5,701
12.	Flower	8,174	27.	Payne	7,720
13.	Fitch	7,504	28.	Hiscock	952
14.	Stahlnecker	3,069	29.	Rathbone	1,728
18.	Quackenbush	1,042	30.	Baker	2,924
19.	Tracey	3,350	31.	Sawyer	4,127
24.	*Wilber	256	32.	Farquhar	1,545
			33.	*Wiley	402
			34.	Laidlaw	8,476

*Republican. *Democrat.

As may be seen, those districts which are Democratic are, with a single exception, securely so, whereas five of the Republican districts are fairly debatable and several of them probably Democratic. That, briefly, is the situation.

It is indeed good news, if it is true, that the Mahdi's successor has released all the Europeans who have been the prisoners of his predecessor and himself since the fall of Khartoum. Few people are ever placed in so hapless a position as that of these twelve or fifteen Europeans, who for a number of years have been at the mercy of fanatical enemies, seemingly out of reach of human aid. Among the prisoners are natives of England, Germany, Austria, Italy, and Greece. No Government has attempted to negotiate for their release, for there has been every reason to believe that negotiations would be fruitless. Some of the prisoners sent word to Europe that any interference in their behalf would only increase their misery. An expedition to rescue them would certainly have been fatal to them all. Several attempts have been made by private persons and a Catholic mission to bring about the release of the prisoners, but every effort failed, and all that was gained was the information that ransom money would not be accepted, and that even if the Mahdi's successor consented to release the captives his councillors would not permit them to depart.

So these poor whites have suffered at Omdurman, opposite more famous Khartoum, and some of them have perished. Doubtless they long ago wholly despaired of ever seeing the day of deliverance. LOUTON BEY, the former Governor of the Bahr al Ghazal province, according to the best information we have, toiled in the arsenal, almost naked, doing the most menial work, until over a year ago, when death came to his relief. SLATIN BEY, another Egyptian Governor, has been the footman of Khalifa ABDULLAH, who succeeded the Mahdi, holding his master's stirrup when he mounted and running in front of his horse. In one of the letters SLATIN wrote to his friends he said that any effort to ransom him would be fruitless.

NEUFELD, the German, was long kept in chains, and twice was led to the gallows and drawn up, but was cut down before he was badly hurt. The poor fellow finally escaped, but was caught as he was trying to make his way to the sea, led back to Omdurman, and hanged in earnest. KLOTZ, once a Prussian corporal, was also kept in chains, and died of ill treatment.

The Greek merchants have been allowed to wander about in a very forlorn and ragged condition, compelled to any sort of work to get food. The missionaries and four Sisters of Charity were treated a little better, and at last accounts they were earning their living by cooking beans in oil and selling them in the streets. All the prisoners had the choice placed before them of death or espousing the Mahdi's faith. They all chose, ostensibly at least, to become followers of the Prophet.

Further particulars than the brief despatch from Cairo will be necessary before the report can be credited that these unfortunates are at last at liberty to rejoin their friends.

RAFFERTY INDICTED FIRST.

More in the Same Boat for Collecting Money to Re-elect Cleveland.

Rafferty was indicted yesterday by the United States Grand Jury, according to programme, and so, it is said, were several other Custom House officials, and more are wondering if their turn is coming. Rafferty, Peter Francis, was a Custom House weigher in the day of Cleveland. The sin that he and the others are accused of is taking up collections among the Government employees to reelect Cleveland.

The only indictment about which anything was definitely said was the indictment against Rafferty. He had not been apprehended up to the time the United States Marshal's office was closed last evening, but it is said that he will be on hand to-day prepared to give bail. The statute under which he is indicted says that no Senator or Representative * * * and no clerk or employee of any department shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose whatever from any officer, clerk, or employee of the United States. Violation of the act is made a misdemeanor, punishable by three years' imprisonment or a fine of $5,000, or both.

Rafferty brought it on himself. He had just been discharged by Surveyor Beattie at the time when Commissioner Roosevelt was busy at the Custom House inquiring into the contributions paid over to the Hon. Dick Jordan in 1888 for the benefit of the Democratic National Committee. Rafferty had gone with evidence on this head to Secretary Foster of the Chinese Reform Association, and he notified the Hon. Mr. Roosevelt. Rafferty was sorry then and wanted to back out, but Roosevelt wouldn't let him go. In the investigation that ensued, Rafferty gave testimony against John W. O'Brien, now chief of Surveyor Lyons's staff of weighers, who he said had levied assessments on the men in his department. Before long Rafferty's testimony acted as a boomerang, however, and other witnesses testified that he had done the very things that he charged against O'Brien. It was then that Mr. Roosevelt recommended action on the part of the District Attorney.

In a report made by Mr. Roosevelt to the authorities at Washington he declared that one witness could substantiate the charge against O'Brien. Two witnesses, he alleged, were ready to testify against Alexander C. Hinton, superintendent of the store bookkeepers' room; two more would do as much for Charles T. Duryea, chief clerk of the Fifth division; three were arrayed against Augustus Gerrettson, six against Chief Clerk Frederick N. Dodge, two against John U. White, a clerk, and three against Thomas Magee, another clerk. Testimony was also, it was alleged, in course of preparation involving William T. Miles, formerly chief clerk of the Seventh division; James A. Cryan, entry clerk in the Second division, and Judge John Quackenbush, chief entry clerk of the entry division. Some of these persons, or the majority of them, are, it is believed, included in the present indictments.

On Friday afternoon it was given out that Rafferty had testified before the Grand Jury against Assistant Foreman O'Connor and Assistant Weighers Letcesier, Bertholf, Dally, Mallon, Putnam, Skidmore, Madden, Eldridge, Hopkins, Knox, and Hunter.

TEACHER MERRIAM'S $90,000.

The Surrogate Approves His Will Bequeathing it to Uncle Sam.

Surrogate James H. Tuthill of Suffolk county has decided that William W. Merriam, the eccentric school teacher who bequeathed his entire fortune of $90,000 to the United States Government, was competent to make a will, and has admitted the document to probate. The contestants were Merriam's four sisters, who live in Connecticut. They attempted to prove their brother of unsound mind. In the testimony it was shown that Merriam had a mania for making wills in favor of little girls and favorite pupils. He was 80 years old when he died, and he had spent the greater part of his life teaching school in Suffolk county. He was known to hire children to attend his school. One of his hobbies was to rise in the middle of the night and blow a fish horn, dance, and sing nursery songs until he aroused the whole neighborhood.

The reason he gave for willing his estate to the Government was that it was rich and could afford to fight his relatives should they contest it. After his death money and bonds were found stuck in the ceiling and out-of-way corners in the room in which he lived. He was a brother of the publishers of Webster's Dictionary in Boston. The courts will be asked to set aside the Surrogate's decision.

WHERE'S COMSTOCK'S MAN?

Hilliard and His Evidence Against a Lot of Policy Dealers Missing.

John Hilliard, a special officer in Anthony Comstock's office, disappeared from his lodgings, 644 Hancock street, Brooklyn, five weeks ago, and has not been seen by his friends since. He had been active in recent raids on the policy shops, and was to have been a witness at the coming trials of about 100 offenders. There are several theories as to the cause of his disappearance. A friend of his thinks that the policy men may have put him out of the way. But the police have not been notified, and other acquaintances have no apprehensions about his safety. At 644 Hancock street and at 69 Fornelmon, where he boarded some time ago, Hilliard's acquaintances say that he was drinking heavily at the time of his disappearance.

Smoking.

At Leipsic they are now celebrating the centenary of the pipe, and the *Frude Presse* seizes upon the occasion to give a few notes upon the history of the use of tobacco in Europe, which will be interesting to smokers and their enemies.

Snuff, it appears, was the first form in which tobacco was used in France, and the pipe didn't make its appearance until the reign of Louis XIV. At that time the French movement began to distribute pipes among the soldiers. Jean Bart was an inveterate smoker, and the story goes that some Bourbon princesses used to smoke pipes. There was very little smoking in Europe in the eighteenth century. No great man of that time was a smoker. During the French revolution the pipe was comparatively unknown. Neither Robespierre nor Danton, nor any one of the leaders of that period, was a smoker. But when Napoleon's army returned from Egypt the pipe became fashionable. Gen. Lasalle used to lead his cavalry charges with a pipe in his mouth; and d'Oudinot was the possessor of a splendid meerschaum, which was presented to him by Napoleon, and which was ornamented with stones to the value of about $7,500. Gen. Moreau, when his legs were about to be amputated, called for his pipe, that he might smoke it during the operation; but how he enjoyed it history doesn't state.

The Restoration brought about a reaction against the pipe, and it was not until 1830 that it regained a popularity which it has preserved up to the present time. Except perhaps in England, the pipe is considered out of place on the street, but at home it is just the thing in all sorts of society, and it is smoked by many great men, including Bismarck.

French poets have frequently compared a man's existence to a lighted pipe, whose contents pass off in smoke and ashes. In an old volume of the eighteenth century, entitled *Mordic de Guérard*, there is an engraving representing a young man smoking a clay pipe, and the legend calls him, the "Universal Portrait." This is followed by a queer old piece of poetry comparing everybody to a lighted pipe.

Easily Overcome.

"Suppose your wife ceased to love you!" suggested the cynic.

"Well," said the young lawyer, "I would get out a writ of attachment."

WILL CONFER WITH LIQUOR MEN.

Mr. Terrell of the Distilling and Cattle Feeding Company Says It Is Not a Trust.

Mr. H. L. Terrell, the only New York director of the Distilling and Cattle Feeding Company, said yesterday of the action of the spirit dealers in reference to the methods of the company:

"I want to correct an erroneous impression that the Distilling and Cattle Feeding Company is a trust. It is not a trust. It is an ordinary business corporation, owning a large portion of the distilling capacity of the United States, but it is by no means a monopoly. So far as the company is concerned, there is no intent or disposition to oppress the trade which is engaged in the sale of alcohols and spirits and the various compounds into which they enter. If there was any such desire, the directors of the company are wise enough to know that its prosperity is bound up with the property of their customers, and that as a corporation it can have no hope of succeeding unless it can maintain cordial relations with the trade.

"The committee appointed by the meeting yesterday will have no difficulty in conferring with the company. We are confident that upon such conferences and upon a full explanation of the reasons for the system recently adopted by the company, and of the objects to be attained thereby, the committee will become satisfied that they are at least as much gainers by the adoption of the system as the company possibly can be, inasmuch as the only object in establishing the system was to secure the property of the trade as well as of the company. Unless the system conduces to that end the company will be quick to abandon it. We are confident that upon full examination it will be seen that it is clear, for the best interests of all parties concerned, to maintain the system as formulated. The average price of spirits for ten years before 1887 was at least $1.03. During the life of the trust, which was from the middle of 1887 to May 1, 1890, the price of proof spirits during the first year was about $1.07@$1.08, and during the last year of the trust the price was $1.02.

"This is a lower price than was ever known for spirits. Considering that the taxes paid to the Government on every gallon of proof spirits is 90 cents, that price left the trust 12 cents per gallon for spirits, including the barrel or package, which was itself equivalent to 3 cents a gallon, so that the trust was practically selling spirits at about 9 cents a gallon. Naturally this company, like every other company organized for a profit, will be glad to establish its business on a paying basis, and its managers are working to their best ability to that end."

OBDURATE MISS GRIFFIN.

Once Her Lover Jumped Down a Well, and Once He Scratched His Throat.

Lockwood De Mott, Jr., of Hempstead, fell in love with Miss Ida Griffin, the eldest daughter of the widow Griffin, who lives in apartments in a cottage in Bell street in that village. They became engaged last summer. Wednesday night last was set for the wedding. When Mr. De Mott appeared at the house on that evening it is said he was met at the door by Mrs. Griffin, who informed him that his presence was no longer desired. While he was endeavoring to obtain an explanation the door was shut. He waited for some time in the hope of catching a glance of his sweetheart, but in vain. He returned home, but the next morning he went to the house again. The Griffins were eating breakfast, but they saw him coming. They fastened all the doors, and De Mott pulled at the door bell in vain. Finally one of the sons opened a window and told the lover that his sister would have nothing more to do with him.

De Mott then left the house, but returning later, he sent a note to his sweetheart, telling her if she did not relent he would kill himself. She sent word, it is said, that she didn't care. De Mott then started back home, but on the way he jumped into a well. He broke some of the small bones in one of his feet, but he climbed out again. The next day, while he was seated at his window, Miss Griffin passed the house. She did not notice his salutation. He then drew a knife from his pocket, and attempted to cut his throat. His sister happened to enter his room, and, seeing the blood, gave an alarm. The wound was slight. Miss Griffin still remains obdurate.

THEY MADE A BIG HAUL.

Two Men Held for Stealing $25,000 Worth of Jewelry from a Safe.

Five Central Office detectives appeared before Justice Hogan yesterday and asked to have their prisoners remanded. James Donovan, one of the prisoners, complained that he had been locked up since Saturday, and that there was no complaint against him. He had not been able to see any one, not even his counsel.

A telegram from Gloversville, N. Y., was shown to Justice Hogan, calling for the arrest of a man with a hole in his cheek and a red moustache, who is wanted for a $25,000 safe burglary in the store of A. D. Morton last Tuesday night. Donovan said he could prove that he was in New York at the time.

Chief of Police Nelson Taylor, Walter Fidlin, and Miss Ella Day, all of Gloversville, identified Donovan as one of the men they had seen in that town on the night of the burglary. Donovan and another man they said, had called at Morton's jewelry store on that day, and during the night the store was entered and the safe cracked. The burglars carried off 700 gold and silver watches, 1,100 gold and diamond rings and nine diamond ear drops, and other jewelry valued at $25,000. A description of the two men was sent to Inspector Byrnes, and Detective Sergeants Cottrell and Allonzle arrested Donovan, alias Biggy, and Thomas Scott, alias Tommy Nichols, who left State prison only a month ago.

Justice Hogan committed the men for examination.

A CLOSE WATCH ON MR. BEATTIE.

Garbage Must be Collected by Night or he will be Reported to the Mayor.

The directors of the Ladies' Health Protective Association met at the residence of Mrs. Clark Bell, 108 West Forty-fourth street, at 10½ o'clock yesterday morning. There were present Mrs. S. A. Ostrom, Mrs. R. Trautmann, Mrs. M. J. Ravenhill, Mrs. M. F. Schoen, Mrs. S. Baum, Mrs. M. J. Herbert, Mrs. O. Fendler, and Miss Barcelow.

Three weeks ago Mrs. Bell proposed a resolution asking that garbage and ashes be collected at night instead of during the day, but it was laid on the table, as one of the Board had heard that Mr. Beattie was going to try the plan himself. As nothing had occurred to confirm this report, the resolution was taken up yesterday and was passed unanimously. Before the ladies adjourned they resolved that if Mr. Beattie doesn't take action in the matter within ten days they will send a committee of five to Mayor Grant and ask him to interfere. The committee is composed of Mrs. Schoen, Mrs. Pearce, Mrs. Fendler, Mrs. Ravenhill, and Miss Barcelow. As the directors will hold no more meetings this summer, the committee has been left with full power to act for the association.

KEPT HIS BANK OUT OF IT.

Gov. Lounsbury Wasn't Discounting Notes for Republican Leaguers.

In his suit to recover a printing bill of $12,000 from the Republican League, Printer Martin testified that he had withdrawn the suit as against ex-Gov. Lounsbury of Connecticut, Treasurer of the League, on Mr. Lounsbury's assurance that he would see that the bill was paid. Mr. Lounsbury testified yesterday before Referee Raegener that what he said was that if Mr. Martin had done work for the Republican party he ought to be paid for it; and he promised to use his influence to get Mr. Martin paid. Martin admitted that he didn't know whether it was the League or the National Committee that owed him the money.

"I don't owe Talmadge A. Martin a red cent," said Mr. Lounsbury. He said that he had refused to allow the Merchants Exchange National Bank, of which he is President, to discount notes for the Republican League or any member of it because he wanted to keep his affairs as President of the bank and as Treasurer of the League entirely separate.

Proposed License Campaign in Maine.

BANGOR, June 17.—The dissatisfaction among the Democrats over the refusal of the Democratic State Convention to adopt a license plank in its platform has culminated in a movement to call a State Convention and nominate a candidate for governor. A call is being circulated antiticipating a belief that the present prohibitory law is a failure, and should be superseded by local option, to meet in convention in this city on July 15.

A Correction.

*From the Springfield Republican