

Beware of the Revisors!

The announcement comes from Albany that the Statutory Revision Commissioners have prepared a revision of the laws of the State which the next Legislature will be asked to enact as chapter 33 of the General Laws.

This compilation is said to include all existing provisions of law regulating the employment of labor, the protection of laborers, the collection of labor statistics, and the arbitration of differences between employers and workmen.

Our attention has been called to a remarkable performance in this respect, in their recent revision of the Real Property Law.

The old Revised Statutes, which regulated the descent of property, provided that the term "real estate" as used in the chapter on that subject should be construed so as to except leases for years.

It is true, the Commissioners had no such purpose in view, for in their note to the section of the law which contains the definitions, they refer to the corresponding section of the Revised Statutes now repealed, and say: "Unchanged in substance."

Unfortunately, however, it is so much changed in form that without this note the reader would be very apt to think that a substantial alteration in the positive law had been designed and effected.

And even for a change in form there was no necessity or excuse. No man can tell how much harm he may do by changing a single word in a law which works well as it is and has proved satisfactory to the people.

The past blunders and carelessness of the Statutory Revision Commissioners should lead those who are specially interested in the labor laws of the State to secure their work with great care before it receives the approval of the Legislature.

What Shall We Do with "Our Surplus?"

There is no event in all financial history more wonderful than the discovery by the Hon. GROVER CLEVELAND of an unsuspected surplus of \$188,000,000, and this at a time when everybody else supposed that the Government was running behind its expenses at the rate of seventy or eighty million dollars a year.

The credit for this astonishing find belongs exclusively to Mr. CLEVELAND. Wall street has not yet got through talking about it. It was the President alone who detected the \$188,000,000, which, as he says in his message, is now, "fortunately," in our Treasury, in addition to a gold reserve of one hundred millions.

Fortunately? FORTUNATELY himself never had a piece of luck like that!

The only perplexity is to know what to do with the tremendous windfall. How shall we dispose of these one hundred and twenty-eight millions which have fallen so opportunely into our depleted Treasury? To allow them to remain there, clogging the vaults and bothering the bookkeepers, would be, as the Hon. GROVER CLEVELAND points out in his message, "to allow our surplus to become an invitation to reckless appropriations and extravagant expenditures."

That would never do. The dangers in maintaining a surplus much smaller than the CLEVELAND surplus of 1896 were forcibly described nine years ago by the same great and surprising statesman in his message of 1887.

Two plans present themselves to the joyous imagination.

The first is to divide the surplus among the States, giving with a glad hand to each State its proportionate share of the \$188,000,000. Once before in the history of the Government the millions accumulated to an inconvenient extent in the National Treasury, and then this easy and equitable method of disposing of them was adopted. That was during the second term of ANDREW JACKSON, when LEVI WOODBURY was Secretary of the Treasury. The JACKSON surplus was much smaller than the CLEVELAND surplus. It amounted to a little more than \$40,000,000, and of this sum about \$30,000,000 was actually divided among the States. This produced great rejoicing. There are more States now, but there are also more millions to pass around.

The second plan, which will perhaps be preferred by the more prudent financiers, is to employ the \$188,000,000 in paying the annual interest upon the \$293,000,000 of bonds issued by Mr. CLEVELAND solely for the protection of the \$100,000,000 gold reserve. The existence of that little obligation is a circumstance which has apparently passed out of Mr. CLEVELAND's mind. He does not speak of it in his message. In his joy over the discovery of the CLEVELAND surplus, he has forgotten all about the CLEVELAND debt and the necessity of paying interest on the same.

It was commonly supposed that the return of LI HENG CHANG to China would mark the beginning of a new epoch for that country. It was thought that he would be assigned to a high place in the Government, and that there would at once begin a reform which his travels and observations had shown him were more than ever necessary for the development of the natural resources and the maintenance of the autonomy of the Chinese Empire; but those who entertained this thought were from the first destined to disappointment. They did not take proper account of the Chinese system of government, nor of the events which had taken place in Eastern Asia within the last two years. The accession of Li to a leading position in the Government necessarily implied the retirement of some other person or persons to an inferior position. The concentration of power and responsibility in his hands would necessarily take it out of the hands of others, and as the others were in office and strong enough to secure his detail as Ambassador, they were sure to make a strenuous effort to keep him in the background on his return. They have done

it little more than a question of arithmetic or bookkeeping; the other, that this year no new legislation was attempted in it, and accordingly it passed unheeded.

While the number of pensioners was, at the latest official report, higher than ever before, 970,078, an element in this increase not always noted is that soldiers in dying leave to the rolls their heirs, so augmenting the number of names. And yet, with a slight increase of names, we find some decrease of outlays for some pensions lapse altogether with the death of beneficiaries, or leave a smaller amount for dependents. If there is no new general pension legislation this year, the next estimates will probably be lower than the present.

The experience of this measure in the House shows that there need be no difficulty in disposing of any of the routine supply bills, if they are confined to their legitimate purposes. Some of them must be debated in detail; but if made as little as possible the vehicles of general legislation, there will be time enough for them and for other needed laws at this session.

Needs of the Navy.

Congress has long been liberal in its provisions for rebuilding and enlarging the fleet. Within the last four years there have been put in their first commission no fewer than twelve armored vessels, with an aggregate displacement of 81,517 tons. Unarmored cruisers and gunboats add about one-half more to this total displacement, with still other vessels to be commissioned early next year.

This result, it is true, follows the work of years preceding; but that the exhibit fairly represents current activity is shown by the fact that, within this same period, many new vessels have been begun, including six battle ships, each larger than any now in commission, with nine gunboats and sixteen torpedo boats, which will pass to the account, as commissioned ships, of the next four years.

There are losses of old vessels to offset, in part, these gains, but these are slight, and a fair example of net growth is furnished by the fact that while on July 1, 1895, we had in commission thirty vessels of 63,830 tons, on July 1, 1896, we had forty vessels of 122,698 tons. Supposing the Iowa to be ready next spring, and the present active ships to remain, we shall have over 160,000 tons in commission at that time.

Nevertheless we must not yet call a halt in this work. So greatly has the navy been neglected during the reaction after the civil war that we have much to make up in order to regain the relative status we occupied in former days among the world's maritime powers. Our experiences of late years with Chili, England, Spain, Turkey and China have shown the great value of a navy in protecting the rights and interests of American citizens and the honor of the flag. The coming century promises to emphasize this fact, since we may hope that our merchant marine will henceforth grow, and that the Pacific will be, far more than ever, a highway for the world's trade.

The authorization of three new battle ships and a dozen torpedo boats will therefore be only a suitable contribution to the navy from the present session of Congress. In torpedo yachts, and vessels of other kinds that cannot compete with us in battle ships and cruisers. These little craft, nevertheless, are of special value to a coast line so enormous as ours, studded with ports exposed to an enemy's choice of attack. Another consideration is that they furnish, at small cost, a great many independent commands, and so accustom officers in the earlier stages of their profession to habits of self-reliance.

It may be desirable, also, to increase some of the maximum of the enlisted force, although this has already to late been greatly enlarged. On June 30, 1893, there were serving in the navy 6,459 enlisted men and 1,215 apprentices; on June 30, 1896, there were 8,165 men and 1,378 apprentices. The marine corps, too, has been increased within a year by 500 men. Yet it seems desirable to give discretion for a small further increase in case of sudden need.

Congress may also consider the expediency of authorizing the Navy Department, in case of threatened war, to make use of tug yachts, and vessels of the fishing fleet, and cutwises and lake trawls with complements to man them. Provision has already been made for arming the auxiliary cruisers; but in addition to the four of the American line now under sublease there are many merchant steamers capable of like use, and another appropriation for this purpose should be made.

Powder and projectiles are also needed. The present supply of ammunition is, as Secretary HERBERT shows, limited to an outfit for the vessels in commission. There was a recent appropriation of \$250,000 for spare projectiles, but this does not furnish an adequate supply. It is advisable also to make an appropriation for the purchase of powder, and a part of it would unquestionably be expended forthwith.

Still another need is that of a dry dock at Norfolk, capable of taking in our largest battle ships, thus adding one more to the facilities now only to be found at Brooklyn, Port Royal, and Puget Sound. To this should be added a repair station on the Gulf of Mexico, since the strategic importance of those waters is becoming more and more manifest, and the advantages of not withdrawing vessels there stationed, to send them north for repairs, seems obvious.

These needs of the navy, with others of a minor and routine character, can easily be supplied, at the present session, with no strain upon the national resources. In the ready responses of Congress, hitherto, to the country's demand for its force afloat, we have the best assurance that it will do its duty once more.

Recent Events in China.

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will be generally regarded as only ordinary prudence if Russia takes measures to see that her creditor does not waste her substance in ill-advised undertakings, nor fall a prey to any European power which desires to develop her resources. So far Count CASSINI, who left Peking for St. Petersburg on Sept. 30 by the overland route, is nearly ahead of all competitors. Like Ekolpino, in the great American race, he is first and the rest nowhere.

The Gilt of Sugar.

Hundreds of thousands of people in the British and French West Indies have been reduced to misery by their sole dependence upon sugar raising as a means of living. In the French island of Guadeloupe, for instance, ninety per cent. of the total product is cane sugar, and 16,000 persons depend upon this industry. But they and the dense population of the British islands in the Lesser Antilles see dire want at their doors today because they cannot sell their sugar for what it costs to produce it. The means that Germany, France, and Austria, and other bounty-paying countries have taken to stimulate best sugar production have overtook the European markets, and the price of sugar has fallen so low that the cane growers of the islands cannot compete.

But beet sugar is troubling not only the poor natives of the West Indies, but also the economists of Europe. Many years ago, when beet sugar raising came into notice, various Governments decided to foster the young industry by paying a bounty upon every hundred weight of sugar exported. Under this stimulus the business has grown to enormous proportions. In vain the publicists have declared that the bounty system is pernicious and that the competition to produce sugar for export it engenders will, in the end, force prices so low that all the producers will be ruined. The Governments, having begun to pay bounties, have been loath to discontinue them, and have declared that ruin awaits them if it were withdrawn.

It was on this issue that the Agrarians of Germany, in June last, won one of the longest and hottest legislative battles of recent years. In 1891 the Imperial Diet reduced the sugar bounty by one-half and declared that, under certain conditions, the bounty should entirely cease on July 31, 1897. The Agrarians rallied to repeal this law and restore the bounty to the old figure. Their triumph was complete, and the effect is already increasing the enormous sugar product of Germany and depressing the general market.

There is talk again of convening a council of the bounty-paying Governments with a view to securing a mutual agreement to abolish these payments altogether; but thus far all efforts to this end have failed, though several attempts have been made to reach such an international agreement.

Thus, though the sugar market of Europe is overstocked, the areas given to beet culture are widening. There would have been a crisis long ago if it had not been for two unfavorable crop years and the abolition of our own sugar duties, which, for a time, helped Europe to dispose of her surplus in this country. Two big facts stand out very clearly just now. One is that the world is again, at present, too much making of sugar; and the other is that the islands in American waters that were once among the greatest sources of sugar will probably never be able again to compete with the home-grown article in the European markets. They must have a larger diversity of industries if they are to prosper.

The Aquarium.

Today the building that was known for so many years as Castle Garden, the only fortification that survives of the ancient battery that gave its name to the southern end of this island, will be opened to the public as an aquarium, the property of the city of New York. Whatever errors may have been committed, and whatever time may have been consumed in its construction, all will agree when they see it that the result is admirable. It will certainly be one of the most popular institutions in the city, valuable to the town and to its inhabitants alike.

Fish in captivity are like wild beasts in having a fascination all their own. In this aquarium, with which no other can compare in extent, convenience, and attractiveness of quarters, such a sight as the shark pool, or the striped bass pool, with its actual school of those beautiful swimmers, will give pleasure of a degree of liveliness never before derived from looking at fish. Everything, too, will be good to look at and study.

The Battery, which has perpetually been one of the most beautiful and interesting scenes in the world, has always been in itself worth the trouble of going there, and now in addition it has the Aquarium. Castle Garden has been a fortress, an opera house, an immigration bureau, an armory, and perhaps other things. May the Aquarium prosper so that hereafter its famous old building will never be used for anything else.

ALEX. R. SMITH, Secretary American Marine Association, New York, Dec. 8.

The New Custom House.

To THE EDITOR OF THE SUN: In view of the present agitation of the question of a site for a new Custom House, it may be a matter of interest to importers and others to be made acquainted with the plans approved by the late President Arthur while he was acting as one of the only two really able and efficient Collectors of the Port of New York.

First—To have the Government purchase the entire property running along Whitehall street from Bowling Green to State street, closing or bridging the intersecting lanes.

Secondly—To have all the buildings necessary for the prosecution of customs business under one roof, including the Appraiser's department, and the warehouse.

Thirdly—To have all package brought to the Harge Office pier by steam lighters, in charge of an inspector who would stop at the end of each pier as such vessels were discharging and collect all such as were designated to be sent for examination. These steam lighters would do all the work much more promptly and save more expensively than the present system of carting from all points, no matter how remote from the Appraiser's office.

Fourthly—All merchandise when examined and passed by the Appraiser to be put in sealed packages, and the destination is distant from the Battery, and hauled on the elevated roads at a time when passenger travel is slack, to three or four miles from the Battery, to the pier in the center of trade, where they could be delivered to the merchant's carman on presentation of a receipt.

Fifthly—It was the opinion of experts whom President Arthur consulted that this plan would greatly facilitate the prompt transaction of business, and be of great benefit to honest importers and custom-house brokers, by the more prompt delivery of the packages for examination, avoiding, as it would, all pier in New York and Brooklyn, ferriage on often crowded ferry boats, and, secondly, by the saving of the importers and brokers where packages are discovered. A visit to this new Custom House by an importer could be made at any time, and the goods which, under the present system, involve a delay of forty-eight hours at least, and an almost entire absence on trial matters, could be examined and passed in a few hours.

A careful consideration of this mere sketch of President Arthur's ideas by importers and others will show that the plan is a most desirable one, and possibly induce them to recommend the sale of the new Appraiser's building, and the consolidation of the intricate transaction, and the consolidation of the Customs business under one roof.

And how shameful and ruinous is Spain's government of Cuba. Her rule there has been marked by despotism, corruption,

rapacity, stupidity, and arrogance. She has made exactions at once monstrous and vexatious. She has trampled on the rights of the Cuban people. When these people found her rule unendurable, and revolted against it, she has repeatedly sent the most savage Generals in her army to destroy them. Whatever may be said about the fitness of the Cubans for self-government, Spain has certainly furnished abundant proof of her unfitness to govern Cuba.

The people of all the great colonies that Spain once held on the American continent learned from long experience that Spain was unfit to govern them. Since they drove her away, the world has seen that they are much better off under self-government than they were under the abominable rule of Spain. In our time the people of Cuba say that Spain is unfit to govern them, and that they regard themselves as capable of governing their own country. We do not doubt that, when they shall win their independence, they will make it manifest that they are entitled to the right of self-government by the judicious exercise of that right.

The truth is that before any people can gain the experience needed to fit them for self-government, they must be in possession of their rights and liberties. No people could ever acquire this experience under the tutelage of Spanish royalty and aristocracy, under Bourbonism or Carlism, under CANOVAS or WETLIER.

The Republican party of New York is lucky when it chooses for District Attorney of New York county one who is such a man as THOMAS ALLISON and W. M. K. OLCOTT.

The republic of Bolivia is a quarrelsome little country, and the President now in office is a man of ambition. A few months ago Bolivia encroached upon the territory of Argentina, which promptly ordered her off from it.

Chili, by making demands to which she later has angrily replied. She has now not only a squabble with Peru over a territorial question, and the Peruvian Government is preparing to give her a lesson. It is probable that Argentina, Chili, and Peru will unite in warning her to stop the peace, and keep within her own limits.

Bolivia fared badly in her last war with Chili, and she is likely to fare worse yet if she does not curb her belligerent disposition. There are not enough people in the country to make a big fight.

BUILDING AMERICAN SHIPS.

Mr. Cleveland's Involuntary Tribute to the Letter of Protection.

To THE EDITOR OF THE SUN:—Sir: Permit me to invite your attention to one little paragraph of Mr. Cleveland's message to Congress, in which he unconsciously, but none the less completely, vindicates protection—the thing he most abhors! It will be known that everything connected with the construction of our warships must be done in America, and that, therefore, foreign competition is absolutely prohibited from any part of our warship construction—the protection is prohibitive. As a consequence nine or ten great establishments on the American seaboard have been equipped with modern and extensive tools for the construction of warships. In most cases each establishment is spending over a million dollars in equipment.

What has been the result of the competition that this prohibitive protection has engendered? The President tells us in his message, in these words: "It is gratifying to state that our ships and their outfit are equal to the best that can be manufactured elsewhere, and that not only are our vessels built in our own yards, but that our own shipbuilders have been made in their case as to justify the statement that quite a number of vessels are now being constructed at rates as low as those that prevail in European shipyards."

Probably not a dollar would have been invested in equipping American shipyards so as to build modern warships if their construction had been open to foreign competition, where great shipyards exist, the owners of which were familiar with the construction and every possible detail of the complicated warship building. It was the prohibitive protection that has brought about the magnificent result the President informs us of.

For 104 years we have excluded foreign-built ships from American registry—the protection of our shipbuilders is prohibitive of foreign competition. The result has been that our shipbuilders in navigating their ships has restricted the demand for our ships until almost none are now building in our shipyards for the foreign trade. We have but to restore the demand for American ships by creating a preference for our own employment, as the discriminating duty policy of the Republican party and the present elect McKimley are voluntarily committed would do, and in a short time the knowledge and experience that our own shipbuilders would gain, coupled with their superior skill, inventiveness of genius, and better methods, would enable them to build ships as cheaply in the United States as anywhere else in the world. We only lack the demand for the ships, and if we protect American built ships against the competition of foreign built ships we thereby create a demand for them.

Why would not the same result follow the removal of our shipbuilders in the foreign trade, as to the cost of constructing ships in this country, that has followed the demand for warships in this country by excluding foreign competition?

Why not, then, protect our shipbuilders in the foreign carrying trade? And why not by the same duty policy that has succeeded in this country, that has ever succeeded in this country—which was in force for thirty-nine years.

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It is the best excuse for New York, as ever had—How to turn it into a city.

To THE EDITOR OF THE SUN:—Sir: Newspapers and clergymen seem to be reviving each other in pointing out the defects, real and imaginary, of the Raines Liquor Law. None of them that have noticed quite dare to say flat-footedly that they would like to go back to the system which that law superseded. They seem to think that law has no duty to suggest amendments or to do anything except find fault.

I was for two years or more, in 1866 and 1867, specially engaged in the enforcement in this city of the vicinity of the Metropolitan Excise Law, the most effective law of liquor regulation ever had. My experience thus acquired seems to me being employed to prepare two or three elaborate excise bills, drawn on the old theory. Consequently I have taken great interest in the Raines bill, and think I may claim to understand its merits and defects. If I were to apportion the responsibility for the recent failure to make it thoroughly effective in this city, I think I should apportion the responsibility about equally between the Excise Department at Albany, the Magistrates in this city, and looseness and defects in the law itself.

As for the Excise Department, which has done its doing as well as the law would permit to receive money? Yet the law provides for special agents to a limited extent and attorneys without limit who are to see to the enforcement of the law. To many, myself included, this nature of the bill was one of its chief recommendations. Introducing, as it did, what I knew to be almost essential to a proper enforcement of an excise law, officials who owed their positions to and were directly responsible to other than local authorities, officials who were bound to watch over the local authorities and to report to them the results of their work. But I have never heard that any such bill has been introduced since the Raines law passed, though I feel some salaries have been drawn. Again, the law gives a most summary and reliable remedy by injunction against sales without a tax certificate. I have not noticed that the Excise Department has availed itself of this remedy in a single case.

To judge from reports in the papers, some of which I have verified, as to the actions of the Magistrates, it is sufficient to say that with some exceptions—which do not include those who are loudest in objecting to the criticisms now made upon their actions—it seems to me that the Magistrates have, with few exceptions, uniformly leaned against the law and sought to find excuses to let off offenders. The papers have even reported that one of the best of the Magistrates has deliberately assumed to disregard a specific provision of the law because he thought it not wise. I do not know that this is true.

As to the law itself, it introduced new and untried phrasesology where language which the highest courts had already passed upon would have better sufficed. It left much undefined. It left any one to evolve from the law a definition of the phrase "place licensed," which in many cases involve an absurdity. It used the word "guest," which is applicable to any man on the right side of the bar, and gave it no limitation or definition. It used the word "meal" equally without definition. It did not define a "hotel," further than to require a certain number of beds and a certain number of rooms, and preparation of facilities for immorality. It apparently sought to embrace clubs in its provisions, but failed to use adequate language for the purpose.

I do not mean to blame Mr. Raines or any one for these omissions. Had the bill been prepared with the care and foresight of a practical acquaintance with the enforcement of excise laws, and who knew how shrewd dealers would make use of the law, and how they would avoid some of these defects, the law would have been made more effective. Some of them were seen before the bill was introduced, and some were remedied by a supplemental law, but things got into such condition in the Legislature that the bill was passed as it is, and that is because Mr. Raines insisted upon it.

All its defects, however, it seems to me to be a pity that it should have ever been passed, and I trust that now that we have a new Legislature, and that every good citizen will seek to contribute his mite of suggestion toward making it thoroughly effective. It is a pity that it should have been remedied by a supplemental law, but things got into such condition in the Legislature that the bill was passed as it is, and that is because Mr. Raines insisted upon it.

Probably not a dollar would have been invested in equipping American shipyards so as to build modern warships if their construction had been open to foreign competition, where great shipyards exist, the owners of which were familiar with the construction and every possible detail of the complicated warship building. It was the prohibitive protection that has brought about the magnificent result the President informs us of.