The Sun.

SUNDAY, JANUARY 31, 1897.

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Mr. Cleveland's Last Chance.

Without taking any notice of the party of the Revolution in Cuba, which must be very powerful if Spain is justified in using so great an army against it, the CLEVELAND Administration persists in puttering with the Spanish Government about Cuba. There are yet despatches from Washington about negotiations for peace, treaties for trade, the CLEVELAND "intimations," the granting of reforms, the terms to be agreed upon, the conferences of OLNEY with DE LOME or of TAYLOR with CANOVAS, the bargains to be struck, the limits of autonomy, the guarantees for Spain, and many other matters of very small concern to Cuba. All this time the Revolution is left out of the account; it is never consulted; it is not regarded as a factor in the case. The tinkerers assume that it will ratify any contract into which they may enter. One of them, the one at Washington, does not seem to believe that the Revolution is as strong as Spain knows it is, if we may judge by the size of Spain's army in Cuba.

Why is it that neither of the negotiators for makeshifts ever think of holding a dialogue, or, if Spain would like it better, something in the nature of a *pourparler* with the Revolution? It is an interested party surely. It ought to be permitted to say something for itself in the hearing of the other parties. It can speak both Spanish and American. It is not an unimportant party, as Spain has found out and as CLEVELAND ought to believe on Spain's word. We know that Spain calls it a rebellion and refuses to recognize it as a Revolution; but the name of it cannot be a matter of much consequence. The main thing is that Spain won't talk to it, and that CLEVELAND won't.

Has any revolutionary leader, civil or military, ever said, or ever given any sign that he would accept the terms of settlement which Mr. CLEVELAND has projected in Spain's interest, and which, in his opinion, ought to satisfy Cuba, and which he has sought to get Spain to agree to? Has any man authorized to speak for Cuba, or possessed of any right to speak for Cuba, ever said anything of the kind? Has any body of armed Cubans enlisted for the Revolution, or any body of unarmed Cubans living in any province, ever said so? Has not the Revolution, from the day it began till this time, steadily refused to submit to Spanish ascendency? Such questions are not to be cast aside. The Revolution is not to be ignored; it says to the shufflers, both Yankee and Spanish: "They reckon ill who leave me out."

We are told of Mr. CLEVELAND's anxiety to get Cuba to submit to Spain before the end of his term. Yet he won't speak to Cuba, or listen to Cuba. He wants to fix up things with Spain, in his own way, while Cuba stays out of sight, and until her defenders admit that they are beaten, deliver up their arms, and lie down like the dumb dogs which cannot bark. But Cuba ignores CLEVELAND, as CLEVELAND Cuba. Her patriots are yet in the field; yet keep up the fight against Spain; yet believe that they will gain their country's independence.

If CLEVELAND is so very anxious to save Spain before he goes out of office, he can easily do it. He can have a talk with Cuba, and then tell Spain what Cuba says. He can ask Cuba about his "intimations," and then send her opinion of them to Madrid. He can find out and promptly inform CANOVAS DEL CASTILLO what Cuba thinks of a treaty for trade, Spanish reform, the guarantees, the terms of peace, the bargains to be struck, the number of executions after the war, the payment of the war debt, the size of the permanent army of repression, and lots of other things. By taking down the Cuban Revolution's answers to such questions, and cabling them to the Spanish Ministry, free of expense to the royal exchequer, Mr. CLEVELAND would render an excellent service to Spain without causing any harm to Cuba. We do not see in what other way he can be of use to Spain's Government during the next thirty days.

But then he will neither speak nor listen to Cuba. He sticks to it that all the talk about Cuba shall be between himself and Spain. That is exceedingly disadvantageous to Spain, and also to CLEVELAND, more especially as Cuba will not ratify CLEVELAND's terms. Had he talked to Cuba a year ago, or about the time he began to talk to Spain, he might have been able to give the Spanish Government some information or advice which would have led it to put a stop to the war in a way satisfactory both to Spain and Cuba. He missed his chance then, but he can seize it yet. His time is short. Spain is drawing ruin upon herself; she is carrying ruin to Cuba. Spain and Cuba are bleeding; the people of both countries are slaughtering each other. Mr. CLEVELAND has yet an opportunity of sending a despatch to Spain which may be the means of saving her throne, and of giving to Cuba the full assurance of independence. A few days more, and his opportunity will be forever lost.

In Spanish Prisons.

Responding to a resolution of the Senate, Mr. OLNEY has drawn up for that body a list of American citizens, both the native and the naturalized, who have been arrested and imprisoned in Cuba by the Spaniards, since the outbreak of the revolution, nearly two years ago.

There are seventy-four persons on this list, and out of these only seven have been tried. These men are SANGUILY and SOMEILLAN, condemned to life imprisonment, and the five Competitor prisoners sentenced to death, but now, under a suspension of the order, to have a new trial. Eighteen persons have been expelled from the island after confinement lasting through periods from a few days to nearly a year, while thirty-six have been released, after the charges against them had been found baseless. One, DELGADO, died in hospital a few days ago. There are fourteen who have not yet been tried, but are mostly charged with sedition and rebellion. Finally, against three, no charges, at the latest account, had been formulated, and Mr. OLNEY has demanded that this shall be done or the prisoners released. Besides these seventy-four imprisonments there have been expulsions of nine newspaper correspondents after temporary detentions.

The Senate has done well to bring out this official record, showing what countrymen of ours are victims. They have been seized and hurried to jail on one pretext or another. CARILLO was held over three months for not having inscribed himself in the register of foreigners. Another man was expelled because "his presence on the island is a source of danger to the Government." PEREZ, born in Cuba of American parents, was accused of "proposing treasonable acts," but after about four months was released. The presence of ANSLEY and his two sons was "prejudicial to peace of island," and so was that of SOWERS, a native of Virginia. GONZALEZ was charged with riding on a railroad without paying his fare; but after a week's imprisonment and no evidence against him, he was released. Several were arrested as suspects; others for "treasonable correspondence." Two colored men were charged with nanigusimo or voodoo, and were expelled. VIVES was accused of "disorderly conduct and insults to Spain." Such are examples of the charges.

Out of them will grow a crop of claims against the Madrid Government, and it is for our country to see that for every wrong done to these citizens as full reparation as is possible shall be made.

Still Another Treaty with England.

Secretary OLNEY is prolific in international compacts during these closing months of his career in the Department of State.

He has now drawn up, with Sir JULIAN PAUNCEFOTE, a convention which provides for a joint commission to determine the meridian that forms a part of the boundary line between Alaska and the Dominion of Canada and to erect monuments along that meridian. The placing of visible marks upon the route of the 141st meridian is an important, practical measure, because that boundary runs through the Yukon gold fields, and, in some places, notably on Seven Mile Creek, the question of jurisdiction should be made so clear to the settlers that there can be no conflict among them on that ground. The placing of marks there should hardly create dispute, the determination of the meridian having been a matter of science, which, indeed, has already been acted upon.

But there is another boundary question in Alaska not so easily disposed of. The provision of the treaty of 1825 between Russia and Great Britain makes the dividing line south of where it strikes the meridian just spoken of, at Mount St. Elias, "the summit of the mountains situated parallel to the coast;" or, if this summit proves to be more than ten marine leagues from the coast, then "a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

We purchased Alaska from Russia in 1867, and at that time it was already evident that the supposed continuous range parallel to the coast did not exist, so that the boundary line had to be determined by the treaty alternative of thirty nautical miles from the windings of the coast. This matter remained so settled, apparently, for twenty years, until, in 1887, a Dominion map maker came out with the extraordinary theory that the thirty miles should be measured, not from the mainland, but from the outer edges of the islands that fringe it.

The effect of this peculiar claim would be to hand over to British possession not only large settled tracts belonging to us, but a considerable part of Yaku Inlet and Lynn Canal, two great estuaries opening from the interior. Thus instead of the palpable intent of the treaty to give Russia the absolute control of the coast from Mount St. Elias down to the southernmost point of Prince of Wales Island, the British would secure an outlet in the midst of the strip, could cut off land communication between parts of our territory except through their domains, and could control Lynn Canal by fortifications. This would give them the further control of the only overland trail from the south to the Yukon gold region.

In order to have two strings to their bow, the Dominion map makers at the same time set up a claim that they could find a chain of mountains close to the coast. Since such a range could apparently be constructed only by ignoring the gaps between a series of individual mountains, this theory is not expected to cause any trouble. But the other method proposed for grabbing our domains is certainly not more admissible. The very phrase "windings of the coast" implies that continuity which could only exist in a mainland coast line, and could not properly be applied to the outer edges of islands scattered along the coast. If we go back to the French, in which the treaty of 1825 was written, we find a phrase that is, if possible, still more suggestive than its English rendering. "*Une ligne parallèle aux sinuosités de la côte*" certainly suggests the bendings of a continuous coast line, as distinct from the broken outermost edges of separated islands.

In addition to this extraordinary assumption, Canadian map makers have argued, beginning first, we believe, in 1884, that Behm Channel is the one through which the line runs at its southerly end, instead of Portland Channel, which the treaty distinctly names, and on that theory they have sliced off another great tract of our domains.

This subject may attract attention when the new convention upon Alaska's boundaries, soon to be presented to the Senate, comes up. Can any one suppose that, in face of the facts just presented, and especially after holding our possessions there for thirty years, during nearly or quite twenty of which Canada's own maps concurred fully with ours, we shall now abandon any part of the territory thus conceded to us?

Although the new convention concerns itself only with providing boundary marks along the 141st meridian, there will be an opportunity, which the Senate should improve, to inquire into the subject of the southeastern boundary of Alaska, and to find whether our present possessory rights can possibly be affected by the proposed general arbitration treaty. The despatches say that in the Committee on Foreign Relations a proposal expressly to exclude the Alaskan boundary question from that treaty secured four votes against six, and the full Senate may, therefore, be expected to take up the matter again.

Feeders of Bryanism.

The Administration falsehood that the $262,000,000 of CLEVELAND bonds were chargeable to the gold standard, has been used by two parties. To the Bryanites it was the most powerful of their arguments for Repudiation. It did more toward bringing the country to the brink of dishonor than any other sentiment in the canvass. To the bank currency party, the greenback abolitionists, it is the sole hope for success, that group having rejected with unsoundness and insincerity of logic equal to Repudiation's, the official evidence that about $190,000,000 of the bond money has been used to pay the Government's expenses left unprovided for by a deficient revenue. The Bryanite sentiment now lives chiefly on the slander of the Federal currency with which the bank party carries on its agitation.

In view of their pernicious activity in misrepresentation, the following figures, given with great reluctance at the Treasury in Washington, are interesting:

Mr. CLEVELAND would have the public believe that he was forced to sell $262,000,000 of bonds in order to obtain gold to exchange for paper money. During his present term, however, or from March 7, 1893, to Dec. 31, 1896, which includes of course the period of bond sales, $195,000,000 in gold has been paid into the Treasury in exchange for $11,000,000 of silver and $184,000,000 of paper. The work of the "endless chain" in conveying gold into the Treasury is as sedulously concealed by a Clevelandite or a greenback abolitionist as by a Bryanite.

What the country needs first of all for prosperity is more revenue and less lying by high officials.

Report of the President of Harvard College.

We have before us the report of the President and Treasurer of Harvard College for the academical year 1895-96. It is unusually interesting, especially in its references to the Divinity, Law, and Medical schools, to the Museum of Comparative Zoölogy, to Radcliffe College, to the library, and to the general financial condition of the University.

Before glancing at the particular features enumerated, we should mention that, while there was a gain of one hundred and four students in Harvard College in 1895-96 over the preceding year, this gain has not been continued in the year now current; on the contrary, the freshman class which entered in 1896 was smaller than its immediate predecessor. The preliminary examination of 1895 had, indeed, foreshadowed a smaller freshman class in 1896; on the other hand, the preliminary examination in 1896 forecasts a larger freshman class in 1897. President ELIOT does not undertake to explain all such fluctuations, but he has no doubt that many persons, who were admitted to the College or Scientific School in the summer of 1896, were prevented by poverty from joining their respective classes. Some light is thrown by the report of the Dean of the College on the practical effect of the provision whereby a knowledge of Greek no longer figures among the prescribed qualifications for the freshman class. The Dean points out that nearly half of those candidates who do not offer Greek at admission, fail to enter; and that 81 per cent. of all the candidates for admission offer the history of Greece and Rome rather than history of England and the United States. From the first fact the President seems inclined to draw the inference that the substitutes for Greek are harder than the Greek. We prefer his alternative surmise, that the schools which do not teach Greek are less competent or less willing than the classical schools to prepare their pupils minutely for passing the Harvard examination. The second fact mentioned is evidently the concomitant of another fact: namely, that 407 candidates out of 533 offered both advanced Greek and advanced Latin. All these candidates had obvious reasons for substituting Greek and Roman history for English and American.

We observe that the Divinity Faculty, after discussions which have gone on at intervals for some twenty years, finally, in 1895-96, recommended the Corporation to raise the tuition fee of the Divinity School to the level of the fees charged in other Cambridge departments of the University, namely, to $150 a year. The President and Fellows gave effect to the vote of the Faculty; consequently, the Harvard Divinity School will cease to be conducted on eleemosynary principles. It is possible that this measure may reduce the number of students in the School; but the Faculty and the Corporation are unquestionably right in believing that it will tend to put the school and the clerical profession in general on a footing which will commend them to self-respecting young men and to the Protestant community at large. In the Harvard Law School in 1896 new students were fewer by thirty-two than in 1895, the decline being the expected result of the innovation requiring every candidate for the degree of Bachelor of Laws to be already the possessor of a degree in arts, letters, or science, or, at all events, to be qualified to enter the senior class of Harvard College. Moreover, all special students, by which are meant those students who do not hope to take the degree of Bachelor of Laws, are now compelled to pass an admission examination in Latin, French, and BLACKSTONE's Commentaries. Through the working of these rules, put into force this year for the first time, the Law School becomes a graduate department, like the Graduate School and the Divinity School. This reform should have been effected long ago; it was a subject of reproach at Harvard that men could enter her Law School who could not gain admission to the freshman class in the College proper. The most important incident in the history of the Harvard Medical School during the last year was the decision of the faculty to require after the year 1900 all candidates for admission to the school to present a degree in arts, literature, philosophy, science, or medicine, with the exception of certain persons of suitable age and attainments who may be admitted by a special vote of the faculty in each case. This step will place the Medical School after 1900 by the side of the Divinity School, the Law School, and the Graduate School, which already require for admission a degree in arts, literature, philosophy, or science. After that year, therefore, there will be four graduate departments in the University. It is suggested that the Medical School is in urgent need of one or two halls of furnished chambers with low rents, not too remote from the school building in Boston; in connection with these a dining room, conducted on the plan of the Foxcroft Club at Cambridge, would be serviceable.

The Museum of Comparative Zoölogy, founded by LOUIS AGASSIZ in 1859, has developed into an establishment which has cost for its buildings, collections, and library more than a million of dollars, and possesses, also, an invested endowment of nearly $600,000. The building, however, which AGASSIZ projected is unfinished, and the endowment has remained stationary since his death, twenty-three years ago. During that period the income from the funds has greatly decreased in consequence of the universal fall of the rate of interest on investments. The generosity of the second Director (the founder's son) in furthering the objects of the museum from his own private fortune, has hitherto concealed the poverty of the establishment; but, as President ELIOT points out, it is not in the nature of things that this large private expenditure should continue, and, when it ceases, the impossibility of carrying out the designs of AGASSIZ without a great increase in the resources of the museum, will appear with startling vividness. With regard to Radcliffe College, as the Harvard annex for women is now called, we learn that the attendance of students in 1895-96 showed a gain of 74 over that of the preceding year. The number of students registered in Radcliffe had increased from 30 in the year 1894-95 to 44. It is likewise noteworthy that of the 31 feminine students who received the degree of Bachelor of Arts at commencement in June, 1896, only 8 took the plain degree, without distinction, or what is called a pass degree at Oxford. The proportion of distinguished students at Radcliffe was, therefore, as President ELIOT reminds us, much higher than in Harvard College, the examinations for the degree being precisely alike for the students of the two institutions. It appears that the authorities of Radcliffe College have lately bought some wooden buildings in the immediate vicinity of Fay House, which afford temporary accommodations for the increased attendance; but it is evident that substantial structures, thoroughly adapted to their uses, are needed by this admirable institution for the higher education of women.

The acquisitions of the university library in 1895-96 numbered, it seems, 17,677 volumes, and have been exceeded but once during the last eighteen years. The diminishing rate of interest on the invested funds of the university has naturally been expected to have a serious effect upon the library. Within the last ten years the income available for the purchase of books has decreased about $3,000, while in the same period the faculty and students have become much more numerous. Nevertheless the President expresses the opinion that the acquisitions are unlikely to fall much below 16,000 volumes a year; in view of this estimated increase in the number of books, the importance of keeping a large area around the present library free for the necessary expansion of the building becomes obvious. The event of the year in connection with the library was the expenditure of $52,000 on the construction of a new stack in old Gore Hall, and of a temporary reading room above this stack. This reading room, which may be used in the evening as well as by daylight, was opened in January, 1896; it contains 275 seats and tables. In this reading room are placed upward of 18,000 volumes, to which the students have entirely free access. We remark, next, that not the library alone, but every department of Harvard University, is suffering from the general decline in the rate of interest upon capital. It is true that the capital funds of the university have signally increased during the last twenty years. On Aug. 31, 1876, the invested funds amounted in round figures to $3,406,000; on July 31, 1896, the amount of the funds was $8,526,000; there had also been added to the resources of the university, lands, buildings, and collections representing several millions of dollars. When we turn to the question of revenue we see another side of the picture. In the five years from 1870 to 1875 the average rate of income from university investments was 7.59 per cent. In the year 1876-77 the rate of income was 6.75 per cent. In the five years from 1890 to 1895 the average rate of income from the university investments was 4.93 per cent.; the rate of income in 1895-96 had sunk to 4.73 per cent. This marked decline in the return from investments has especially embarrassed such departments of the university as depend chiefly or wholly on the income of permanent funds. That is the position of many important professorships. In the early part of the century $20,000 constituted the foundation for the Eliot, Perkins, and Smith professorships respectively. Forty years ago $50,000 was considered a very satisfactory endowment. To-day $100,000 is required for a professorship fund. We note, finally, that the value of the gifts and bequests made to the university in 1895-96 was in round figures $243,790, a somewhat larger sum than was received in the previous twelvemonth. In the three years ending last July the total value of gifts and bequests to this seat of learning was nearly $600,000. During this same period at least five American universities, all situated outside of New England, received much larger additions to their endowments. President ELIOT, in concluding his report, submits that if the primacy of Harvard University among American agencies for the higher education is to be maintained, it ought not to be surpassed by any other institution in material resources. He announces that the corporation could use the income of additional endowments to the amount of $10,000,000 without expending a penny on the satisfaction of any but well-known and urgent wants.

Our Affair with Siam.

Although the despatch of the Machias to Bangkok has been followed by ordering the Detroit to proceed to the same point, it is safe to say that this was not through any doubt that the gunboat would be adequate to protect American interests at that port. The real purpose in having the Detroit join the Machias is to allow her to take from that vessel the officers and men ordered home, for the Detroit is to return to New York by way of the Suez Canal. It may be, indeed, that the Machias will have returned to her station before the Detroit leaves Chinese waters.

While the assault upon Mr. KELLETT, our Vice-Consul-General, by Siamese soldiers must be atoned for, there is as yet no reason to doubt that Siam will gladly make any proper reparation. The whole trouble grew out of the fact that the Siamese Government had made a concession to Dr. CHEEK, the American, and had advanced him money for getting teak wood out of the forests. Believing that he had violated his contract, it seized the wood, and also, it seems, some elephants used in the business. While Mr. KELLETT was investigating matters in behalf of the estate of CHEEK, the soldiers, who may have had strict orders to prevent intrusion, are said to have handled him roughly.

The Machias was sent to Bangkok at Consul-General BARRETT's request, but it seems probable that Siam is only anxious not to give away any part of her case against Dr. CHEEK, who had made a claim of $200,000 against her. It is said that she will be ready to submit her case to arbitration.

"Nous Sommes Trahis!"

The pamphlet of the German officer, Major KUNTZ, on what BAZAINE might have done in 1870, a sketch of which is printed in another column, recalls attention to the surprise of Gen. SHERIDAN at the inactivity of the French army around Metz.

It seems plain now that BAZAINE, notoriously jealous of CANROBERT, wanted him to be beaten at Rezonville on the 16th of August. That fight, however, was what in sporting phrase is called a draw; but it left CANROBERT in a good position to resume the battle at daylight the next morning, the 17th. He could not do this, according to CANROBERT's testimony at the trial of BAZAINE, for the reason that, by an extraordinary combination, resulting from stupidity or treachery, a French army corps, moving with extreme slowness, was thrown across his road to almost certain victory. He was compelled to remain inactive during that entire day.

On the following day, at Saint-Privat, or Gravelotte, the bloodiest battle of the war and the "key of the campaign," CANROBERT had the best of it until evening. All his appeals to BAZAINE for reinforcements were in vain. The French reserves were kept motionless, while "immense masses of the enemy" were thrown against CANROBERT, and the last chance of the Army of the Rhine to form a junction with MACMAHON was lost. The entire French army was hopelessly cut in two, and, thanks to BAZAINE, VON MOLTKE found little difficulty in finishing the business in short order by throwing masses against particles.

Time reveals many mysteries, and at this distance from that war three things seem plain: first, that the French soldier of 1870 was as good as he ever was before that date; secondly, that NAPOLEON's final promotion of BAZAINE was a fatal blunder; and thirdly, that VON MOLTKE was a great General who knew how to make the best use of his opportunities.

The Gold in the Crucible.

The Hon. JOHN B. HENDERSON, formerly a Senator of the United States from Missouri, used to be known as a man of courage and of brains. Yet he is reported as saying this at the arbitration mass meeting in Washington on Tuesday:

> "Let the Monroe doctrine be placed in the crucible of human reason. If we may claim under it at all, our demands must be settled either by arbitration or by war."

Let the Monroe doctrine be placed in the crucible of human reason! It was placed there seventy-three years ago by JAMES MONROE, and it has remained in the crucible ever since. It is pure gold; shining American gold. There is no occasion for any further test of its quality by Mr. HENDERSON or any other American.

This Government does not "claim" anything whatsoever under the Monroe doctrine. Under that established principle of American policy we do not claim; we assert. Our assertions may be disputed or resisted, but they can never be adjudicated. The doctrine is as far outside of the province of arbitration as is the Constitution itself. The American is unworthy of the name who would ever make it the subject of arbitrament by a foreign tribunal.

Mr. HENDERSON declares that our demands under the Monroe doctrine must be settled either by arbitration or war. There is another method. Our demands under the Monroe doctrine will continue to be settled, as they have been settled in the past, by the acquiescence of the other party. Generally by acquiescence, possibly by war, but never by arbitration.

> Nothing to-day is more remarkable in this State than the almost complete disappearance of discussion of questions of government, including under this head the character of public men.—*Evening Post.*

Oh, no; LARRY is making all the noise he can. The only trouble with him is that nobody pays any attention to his outcry; but there is nothing remarkable about that. People can get so much accustomed to the din of a boiler factory as to be able to pursue their own reflections without any distraction because of it.

Mr. THEODORE ROOSEVELT's discussion with the "labor" men, at Clarendon Hall, may eventually prove to have been a very useful event, to the laboring men particularly. Mr. ROOSEVELT reasserted to his audience the well-known principles of himself and every other law-abiding and fair-playing citizen, that when it comes to strikes, disorder and attempts on the part of strikers or their sympathizers to prevent other men from earning a living must be suppressed with all the force that may be necessary to repress them promptly and relentlessly. This declaration on Mr. ROOSEVELT's part was received with great applause at the meeting, and various labor leaders have since expressed a desire to vote for him as the next Mayor of New York.

Yet, these ideas are all that the supporters of order and liberty have insisted on in any labor strike that ever occurred. When the trade unions come to respect them, the world will be able to report progress.

The Senate of Nebraska has not neglected to send a message of encouragement to Cuba:

> "*Resolved*, That the Senate of Nebraska send to the people of Cuba, now struggling to free themselves from four hundred years of Spanish misrule, oppression, and cruelty, our active sympathy in their struggle for liberty, and our earnest hope that they may soon secure the right of self government now enjoyed by the people of the United States; that we condemn the cruelty and outrages which have marked the present Spanish wars in that island as deserving the reproach of all civilized nations, and express our hope that the day may soon dawn when Cuba shall be free and European domination and intrigue shall be banished from American soil; that we respectfully urge the President and our Senators and Representatives in Congress to actively support immediate measures designed to secure honorable and, if possible, peaceful independence for the island of Cuba."

The trouble is that the President's activity seems to be exerted just now not for Cuban independence but for keeping the island under the Spanish yoke.

> In a few weeks more Mr. THURBER's official responsibility will have ended. It is a solemn thought.—*Kansas City Journal.*

Why solemn? Why not joyous rather? Upon a sensitive and poetical mind, such as Mr. THURBER's is in a high degree, the strain of constant service in the presence chamber of grandiosity must be severe. The mighty fans of thought forever pat the consecrated air of that shrine, an air suffused with intellect and sonorous with the echo of the everlasting Ego. The docile strings of an imaginative temperament must be constantly tense in such an atmosphere. Every moment is a pulse of mental emotion. The private secretary has no rest. Even on ducking days there are arrears of correspondence to be settled, scores of reflection that must be paid. Even on Sundays the heavy and the weary weight which rests upon the pillar of greatness allows no day off. The sublime but necessarily wearing thought, Of what a Man am I the Private Secretary, goes with the poet into the fields, and the rattle of the trolleys does not shake it off. It must be a happy day for Mr. THURBER when he departs for his beloved Michigan and throws down the cares of state. Greatness may be catching, but it may also be severe on the constitution.

It seems to be becoming a practice of visitors to the Capitol to strike matches on the statue of DANIEL WEBSTER, near the entrance of Statuary Hall. A man who would light a match on a statue must belong to a singular type, and ought to be killed and stuffed at once and sent to the anthropologists of the Smithsonian Institution for examination. These match-strikers not only deface Mr. WEBSTER's statue, but they insult him further by striking their matches on his coat-tails. It is bad enough to desecrate any statue, and worse to desecrate the statue of one of the greatest of Americans; but these inconceivable barbarians with the matches do not even know a civilized manner of igniting a match. They will see Mr. WEBSTER's coat turn to its original blue if they do not reform, a blue that will not only light but burn them up until their malodorous manners and cigars have perished from the earth.

NOTES OF LEGAL EVENTS.

The title to the land under water in Fort Pond Bay, at the eastern end of Long Island, has been finally settled by the recent decision of the Court of Appeals in the case of the Trustees of the town of Easthampton vs. Vail. The town authorities claimed that all the land in Fort Pond Bay had been granted to the freeholders and inhabitants of Easthampton by the patent from Governor-General Nicholls in 1666. On the other hand, the defendants, Jeremiah H. Vail and George M. Vail of Orient, denied the ownership of the town, and claimed the right to fish without interference in any part of Fort Pond Bay below low-water mark. The trustees, accordingly, brought a suit to establish their title. In this litigation they have been defeated at every step, from the trial before Mr. Justice Cullen up to the Court of Appeals. All the Judges before whom the case has come agree in the opinion that the Nicholls patent was not broad enough to include the land under water in Fort Pond Bay. It was contended in behalf of the town that if this land did not pass under the words of express description in the patent, it was, nevertheless, granted by the additional clause comprising "all havens, harbors, and creeks" thereunto appertaining. At the General Term Mr. Justice Dykman declared that Fort Pond Bay was not entitled to the designation of a good harbor. Like every lee shore, he said, it is a secure and quiet place for vessels when the wind blows from the land, but when the wind is from the south there is no protection. Gen. Benjamin F. Tracy was the counsel for the town and Mr. Thomas Young of Huntington, formerly County Judge of Suffolk county, represented the successful defendants.

Mr. Justice McLennan of the Fifth Judicial district has the reputation of being an able and learned Judge. It is with considerable surprise, therefore, that his admirers have read of the rebuke which he administered to the Grand Jury of Onondaga county while holding a Criminal Term of the Supreme Court in Syracuse on Monday. The Judge appears to have been made indignant by the omission of the Grand Jury to find an indictment in any one of sixty cases of alleged violations of the Excise law. He refused to discharge the jury, but kept them together with instructions to reconsider these cases "and certify to the Court that there is no violation of the law, or else say that there is, by bills of indictment." Judge McLennan declared that in this way it would be made known whether Grand Jurors were a body who determined whether a law should or should not be enforced. No doubt his motives were most praiseworthy, but he would find it difficult to refer to any law or precedent in this country or England to justify his course in requiring a Grand Jury to furnish such a certificate as he exacted. The members of a Grand Jury have just as much right to demand of a Judge an explanation of his judicial action as a Judge has to compel them to explain their official action in the Grand Jury room.

A recently enacted statute of this State provides for the forfeiture of vessels illegally employed in taking oysters. It matters not whether the owner of the vessel is aware or is ignorant of the use to which the craft is put. If she is employed in the oyster fishery contrary to law, she is declared liable to be forfeited by a proceeding in a court of a Justice of the Peace, without trial by jury. The constitutionality of this statute was questioned in a case which has just been decided by the Appellate Division of the Supreme Court in the Second Judicial Department, and on Tuesday that tribunal pronounced against the validity of the law. The opinion of the court was written by Mr. Justice Hatch of Buffalo, who declares that the statute is unconstitutional because it deprives the owner of the vessel of the right of trial by jury.

The Appellate Division of the Supreme Court in this city adjourned at the end of the third week in January with a clear calendar. The Appellate Division in Brooklyn continued in session during the past week, however, being occupied in the hearing of cases transferred from New York under that provision of the Constitution which permits such transfer to be made when any particular department is overburdened with work.

In the Eastern States, applications to change the place of trial of a case on the ground that the Judge is prejudiced with reference to the parties, are extremely rare. In many of the Southern and Western States, however, there are statutes authorizing proceedings for the removal of causes on this ground, and a noteworthy application of this character has just been made in Colorado at the instance of the Attorney-General in reference to certain indictments against persons concerned in the mining strikes at Leadville. Upon affidavits alleging that the Judge of the District Court there was so prejudiced in relation to the strikers that he could not act impartially, the Supreme Court of that State has granted a temporary restraining order preliminary to the hearing of a motion to send the case to another district where it can be fairly tried.

Collectors of law literature who are in search of that which is entertaining as well as instructive should procure from Messrs. Alexander & Green a copy of their brief in the horse and cow case of Gulliver vs. Blauvelt, in which Mr. William C. Gulliver, the well-known lawyer, recovered a verdict of $600 for injuries inflicted upon a saddle horse by a cow said to belong to the defendant, which was tethered by a chain on a rural highway in New Jersey. The author of this argument declares therein that the "defendant is anxious to have his cow take her place among the immortals, along with the white heifer Io, beloved by the King of Gods and harried by his queen, and the cow that overleaped the moon (presumably in an effort to join Taurus in the Zodiac), and Mrs. O'Leary's cow that is said to have overturned the lamp and started the Chicago fire." He also suggests that the defendant was jealous of Mr. Burgess's purple cow, and quotes for the benefit of the court the celebrated lines:

> I never saw a purple cow,
> I never hope to see one;
> But I can tell you anyhow
> I'd rather see than be one.

The horse that was hurt by the rival of the purple cow was named Robin Hood.

The announcement comes from Albany that the State Board of Claims is to have its name changed to the Court of Claims, and that the members, who are now known as Commissioners, are hereafter to be called Judges. A bill to effect these changes has been introduced in the State Senate. It may well be doubted, however, whether the Legislature has any power to make them. The authority to establish new courts must be found in the Constitution. That instrument does empower the Legislature to create inferior local courts of civil and criminal jurisdiction, but provides that no inferior local court hereafter created shall be a court of record. The Board of Claims, if transmogrified into a court, could hardly be deemed to fall within the category of inferior local tribunals, dealing as it does with private claims against the State at large. The Commissioners are three in number, but only two of them are lawyers. They are appointed by the Governor, by and with the advice and consent of the Senate, for a term of six years, and they receive an annual salary of $5,000 each, with $500 a year additional for expenses.

The confirmation by the Senate of the nomination of Charles B. Howry of Mississippi to be a Judge of the Court of Claims of the United States must be regarded as relieving him from the charge that he had unlawfully shot an antagonist while engaged in the practice of the law in the South. The Senate could hardly have consented to the appointment without being satisfied that the shooting was justifiable.

A Suggestion Concerning Elevators.

TO THE EDITOR OF THE SUN—*Sir:* Pneumatic tubes are now used for various purposes, why couldn't they be used for passenger elevators in tall buildings? Especially for the through service to upper floors.

QUICK TRANSIT.

WHAT IS GOING ON IN SOCIETY.

By a singular coincidence nearly all the great balls of this winter have taken place on Monday evenings, and the greatest of all the great nights at the opera have preceded them. It was on a Monday that Calvé made her first appearance as *Marguerite* in "Faust," and drew an enormous crowd. The same evening was given the first ball of the season at Mrs. Astor's. Last Monday night Mme. Emma Eames reappeared after a two years' absence as *Juliet* and attracted another immense audience, brilliant with showy evening gowns and glittering jewels. Enthusiasm reached a boiling point over the girlish-looking heroine, with her fresh, sweet voice and the chivalrous lover, Jean de Reszké, whose exquisite love making awakened sentiment and sympathy in the hearts of the veriest worldlings. No one was willing to lose even one of the last notes, and the ball at Mrs. Gerry's was, therefore, a very late one. It was a large and representative dance, however, as New York society, old and new, was present in more than one generation, and the Livingston-Gerry and Goelet connections, who were beaus and belles and ball-givers fifty years ago, gazed with mingled surprise and admiration at the magnificence of the up-to-date function, the glitter of the ballroom, and at the dancers, whose adornments were of the costliest jewels, and who occupied the uppermost places in the cotillion, but who bore no resemblance to those of by-gone times.

The dresses were all fresh and handsome, without a suggestion of having passed their first youth. Mrs. John Jacob Astor was more than usually beautiful, in a delicate shade of heliotrope velvet, with sprays of diamonds on the bodice, a coronet of the same precious stones on her head and a necklace of pearls with diamond pendants around her throat. Mrs. Ogden Mills also looked well in white satin and silver brocade, with jewels flashing from every available point. Mrs. Roche, who is at her very best this winter, wore very few jewels and trusted to a profusion of lilies of the valley to ornament her silver-spangled bodice. Among the strangers present were Mr. and Mrs. Bradley Martin—Mrs. Martin, very distinguished looking in cream-colored and rose pink satin, with the usual display of superb gems distributed about her; Sir Bache and Lady Cunard, Mr. and Mrs. Forbes-Leith, and Count Sierstorpff.

Between this dance and Mrs. Gerry's on the previous Monday came two sumptuous banquets—one at Mrs. Astor's and one at Mrs. W. C. Whitney's. Mrs. Astor's guests included, among others, Mr. and Mrs. Cornelius Vanderbilt, Jr., Mr. and Mrs. Sydney Smith, and Mr. and Mrs. Paget. Around Mr. Whitney's hospitable board in his tapestry-hung dining room were the Bradley Martins, the Henry T. Sloanes, the John Jacob Astors, Mrs. Roche, Mr. Belmont, and Mr. Van Alen.

On the same evening Mr. and Mrs. Levi P. Morton gave one of their charming dinners, at which literature, art, politics, and diplomacy were tactfully blended with fashion, wealth, and beauty. The guests of honor were the future Vice-President of the United States and Mrs. Hobart, and to meet them came Mr. Edward J. Phelps, formerly Minister to England, and Mrs. Phelps; Mr. and Mrs. Ogden Mills, Mr. and Mrs. J. J. Astor, Mr. F. Marion Crawford, M. de Madrazo, Mr. Julian Story, Mr. and Mrs. Stanford White, Miss Brice, Miss Garrison, Miss Blight, and others.

The second Assembly was as gay and jolly a dance as the first, and, although the number of private balls this month must necessarily dim the lustre of the subscription affairs, yet the spaciousness of the Waldorf ballroom is dear to the hearts of the dancers, and there was a go-as-you-please atmosphere about the cotillion which disappears in the magnificent surroundings of the new palaces of the present day.

The dinner dance at Mrs. Frederic Bronson's on Thursday evening next is to be given for the début of her daughter, who has already appeared at all the dances of the winter and has won opinions of gold from all who have met her by the charm of her manner, which is genial and unpretentious to an unusual degree for a maiden brought up in the somewhat artificial atmosphere of a metropolis like this.

Other dinners are to be given by Mrs. Ogden Mills, Mrs. J. J. Astor, Mr. Van Alen, Mrs. Adrian Iselin, Jr., and Mrs. Lispenard Stewart, and the guests are all to assemble at a late hour in Mrs. Bronson's ballrooms, for a cotillion.

The Thursday Evening Club will meet at Miss Louise Lee Schuyler's, on Gramercy Park, on Feb. 4, and Mr. and Mrs. Bradley Martin have cards out for a large dinner on the 6th.

On the same day Miss Henrietta Cram and J. Woodward Haven will be quietly married at Mrs. Cram's house in East Thirty-eighth street, and on the 8th Miss Maud Cass Ledyard, daughter of Mr. Henry B. Ledyard, will be married at her home in Detroit, Mich., to Baron Hermann von Kettler, Minister from Germany to Mexico.

The engagements reported but not officially confirmed are those of Miss Helen Cochrane, daughter of Mr. Alexander Cochrane of Boston, to Mr. G. Richmond Fearing, son of Mr. George R. Fearing and grandson of the late William R. Travers, and of Mr. Henry Whitehouse, son of Mr. Fitzhugh Whitehouse of Eastbourne Lodge, Newport, to Miss Ethel Duntze, daughter of Sir George Duntze, Bart., of Exleigh, Devonshire.

It is said that the wedding of Miss Belle Neilson and Mr. Arthur Kemp is to take place in Easter week, as will also that of Miss Mary Howland Pell and Mr. Samuel Hopkins.

The marriage of Miss Coster and Mr. Schermerhorn is expected to take place before Lent.

No one who has seen Mrs. Bradley Martin on her afternoon drive through Fifth avenue to Central Park, always in an open carriage, whether the temperature be at zero or the snow descending in stinging flakes, would ever imagine that she was carrying the burthen of a great social entertainment on her shoulders or enduring the vexations and annoyances that have been showered upon her since her fascinating invitations were issued, so bright, happy, and joyous does she look. Very few persons, however rich and socially important they might be, would have followed Mr. and Mrs. Martin's example and spent their time and energies as well as a round sum of money, for the amusement and gratification of their friends in this city, to whom they owe nothing in the way of social debts, and the greater part of whom have never even dined them in their lives. The causeless persecution that has followed this kindly host and hostess, and the poor return that has been made for their generous hospitality, must always be a reproach to our city.

Happily, however, all goes well with the preparations for the ball. Mr. Martin, who is an authority in all social matters, is looking carefully into everything, and it is quite certain that not the smallest detail in arrangement and decoration will be omitted or mismanaged. As for the costumes of the guests, it is too soon yet to give any accurate information. The secrecy, which is half the battle, in making a striking impression at the opening of the ball, prevents people from talking about their costumes, and, therefore, half the accounts given are incorrect. That the Waldorf ballrooms will be filled with visions of beauty on that evening is beyond a doubt, and the memories of them will probably be as delightful as the reality.

A good deal of excitement always accompanies a Presidential inauguration, but the preparations at the capital this year seem to exceed anything that has been known since the days of Washington. The leasing of the Lowery mansion by Mr. Cornelius Vanderbilt will [illegible] the interest and give a boom to the letting of rooms and windows that will make many a [illegible] man's heart sing for joy. Mr. and Mrs. Vanderbilt will of course take no part in the festivities, but it is hoped that the change of air [illegible] will greatly improve Mr. Vanderbilt's health.

Among other New Yorkers who will go on for the inauguration are Mr. and Mrs. [illegible] Cruger, who have taken apartments at the Shoreham; Mrs. Clarence Potter [illegible], Mr. and Mrs. Remsen Whitehouse, Mr. [illegible] Martin, and Mr. Heber Bishop.

The preparations for the Charity Ball at the Metropolitan Opera House on Tuesday evening have all been made, and the doors will be opened at 9 o'clock. At 10 o'clock the ball will commence with the usual procession, led by Mrs. William M. Kingsland, Mr. Chauncey M. Depew, Mrs. W. C. Egleston, and Gen. [illegible], after whom will come the managers and their escorts. The music will be furnished by Lander's band and by that of the U. S. Navy Yard.