The Sun.

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New Christmas and Old Christmas.

New Christmas has come and gone, but Old Christmas is a number of days distant. When one considers how generally Christmas Day is now celebrated in this country, it is curious that so few persons should pause to ask themselves on what grounds the 25th of December has been selected to commemorate the birth of JESUS CHRIST. How could He have been born in December, which, in Palestine, was coincident with the rainy season, in which it is scarcely possible that shepherds could have been tending their flocks by night amid the fields near Bethlehem?

As a matter of fact, it was not until the fifth century of our era that the 25th of December was generally accepted as the anniversary of the Saviour's birth. During the first four centuries, that anniversary appears to have been kept conjointly with the Feast of the Epiphany on the 6th of January; that is to say on Twelfth day. After Christianity, however, in the course of the fourth century, was first tolerated, and then made the State religion of the Roman Empire, a tendency arose to throw the festival back into the last week of December, either from the influence of some tradition or from the desire, strongly felt in more than one direction, to supplant the heathen festivals which had fallen in that period of the year, such as the Saturnalia. AUGUSTINE, who died in A. D. 430, mentions Dec. 25 as in his time the commonly recognized anniversary of the Saviour's birth, while CHRYSOSTOM, who died in A. D. 407, speaks of the celebration of that particular day as a custom imported from the west of the Adriatic within ten years. Nowadays, not only the Roman Catholics, the Episcopalians and the Lutherans, but the Greek and Armenian Churches, concur in accepting Dec. 25 as the date of the birth of JESUS.

Most of the Calvinists, on the other hand, on both sides of the Atlantic, long declined to make the day a festival, regarding the commemoration of it as a Popish superstition. Native Americans, who are able to look back some sixty years, can remember when, in New England, but little heed was paid to Christmas, the principal holiday at that period of the year being Thanksgiving Day. It is an interesting fact that, up to the tardy adoption of the reformed Gregorian Calendar in England, the day celebrated for Christmas was about eleven days too late, and nearly coincided with Epiphany, on which day, as we have said, up to the close of the fourth century, the birth of CHRIST was supposed to have occurred. Long after the reform of the Julian Calendar was accepted in England, the birth of CHRIST was celebrated in parts of rural England on what was called Old Christmas. Readers of CHARLES READE'S "Put Yourself in His Place" will recall a delightful description of the ceremonies incident to Old Christmas in an agricultural district, about the middle of this century.

Before the Reformation, the Christmas holidays lasted much longer in England than they do now. An officer, the Lord of Misrule (in Scotland called the Abbot of Unreason), was appointed to superintend the revels; his reign began on All-Hallow Eve, the evening before Nov. 1, and lasted till Candlemas Day, that is to say, till Feb. 2. We have greatly curtailed the season of rejoicing, and not many are now left who remember that New Christmas is one thing and Old Christmas another.

Bad Precedents in the Roberts Case.

"It would seem but fair reasoning upon the plainest principles of interpretation," says Mr. Justice STORY, "that when the Constitution established certain qualifications as necessary for office, *it meant to exclude all others as prerequisites.*"

Applying this doctrine to the case of BRIGHAM H. ROBERTS, Representative-elect from Utah, we have insisted that he is entitled to admission to Congress if he possesses the qualifications as to age, citizenship and inhabitancy prescribed by the Constitution. We concede that any question as to whether he lacks the prescribed qualifications may properly be investigated before he is sworn in; but the inquiry should be limited to the question whether the applicant for admission is constitutionally qualified. If this inquiry is answered in the affirmative he should be admitted. If it is thereafter ascertained that he is for any good reason unfit to remain a Representative, he may be expelled by a two-thirds vote; and the power of expulsion may be exercised not merely on the ground that the member has committed a crime, but in cases of moral turpitude not amounting to a violation of the criminal law.

The principal advocate of exclusion rather than exclusion in the Roberts case is Mr. ROBERT W. TAYLER of Ohio, an able and well-meaning man, who insists that the precedents are in favor of his procedure. There have been some cases, it is true, in which the House of Representatives has refused to admit persons duly elected to Congress, on other grounds than their lack of the constitutional qualifications. But precedents are entitled to little weight in political determinations which are not subject to judicial review. The power of the House of Representatives in passing upon the qualifications of its members is absolute and exclusive. No court can supervise or control it. There is no remedy for a wrongful exercise of the power. To those who agree with Mr. Justice STORY in the interpretation of the Constitution, it seems that the power to exclude was exercised without warrant of law in the cases which Mr. TAYLER cites as precedents. And they believe, furthermore, that a great constitutional question is never finally decided until it is decided right.

Mr. TAYLER admits that "some very excellent authority" has declared that Congress has no power to add to the qualifications prescribed for a Representative by the Constitution; but after this polite reference to STORY and other eminent commentators, he proceeds to combat their opinion by the citation of cases in which he says a contrary doctrine has been asserted by the New York Court of Appeals, the Ohio Supreme Court and the Supreme Court of Colorado.

According to Mr. TAYLER, the Court of Appeals of New York, in the case of ROGERS against the City of Buffalo, "in an opinion rendered by Mr. Justice PECKHAM, who now adorns the bench of the Supreme Court of the United States, held that a provision of the Constitution declaring certain qualifications for office was not exclusive and did not bar the Legislature from imposing new, reasonable and proper qualifications. We have been unable to find any such proposition in that opinion. What Judge PECKHAM did declare in the Rogers case was that the civil service legislation there in question did not amount "to a general regulation requiring qualifications not mentioned in the Constitution;" which is a very different thing from saying that the qualifications for office mentioned in the Constitution may be increased by enactment of the Legislature.

The Ohio and Colorado cases to which Mr. TAYLER refers are capable of a construction which affords some support to his position, but these decisions can hardly prevail as against the plain language of the Constitution and the opinion of such a jurist as JOSEPH STORY. In this controversy we are content to be on their side.

The British Seizure of Food in Delagoa Bay.

The seizure of three cargoes of flour by the British fleet in Delagoa Bay seems to indicate the determination of the British authorities to prevent the landing of provisions at the Portuguese ports in that neighborhood. The reason for this undoubtedly is the fear that they will eventually be carried over the Portuguese boundary to the Boer army in the Transvaal Republic. These cargoes were shipped from this country by the Pennsylvania Milling and Export Company, and their seizure raises the question whether the British authorities can lawfully intercept provisions in transit between the neutral ports of the United States and a Portuguese colony.

The answer to this question depends upon whether in this case provisions are to be construed as innocent merchandise or as contraband of war. In 1793, during the war between Great Britain and France, the former claimed the right to seize and confiscate all provisions destined to French ports. Mr. JEFFERSON denied this right except in case of blockade, declaring that "a stoppage to an unblockaded port would be an unequivocal infringement of our neutral rights." While admitting that implements of war destined for the enemy might be captured by a belligerent on the open seas, he insisted that "corn, flour and meal are not of the class of contraband, and constantly remain articles of free commerce." Great Britain, however, insisted that in view of the fact that the whole male adult population of France was engaged in war and that she was dependent upon outside sources for the support of her people, her enemies had a right to cut off this source of supply and thereby compel her to make peace in order to avert famine. Mr. JEFFERSON maintained his position as long as he was Secretary of State, but after he left the Cabinet a compromise was made in the Jay treaty of 1794, the eighteenth article of which provided:

"*Whereas*, The difficulty of agreeing on the precise cases in which alone provisions and other articles not generally contraband may be regarded as such, renders it expedient to provide against the inconveniences and misunderstandings which might thence arise; it is further agreed that whenever any such articles so becoming contraband, according to the existing laws of nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified; and the captors, or, in their default, the Government under whose authority they act, shall pay to the masters or owners of such vessels the full value of all such articles, with a reasonable profit thereon, together with the freight, and also the demurrage incident to such detention."

This article was denounced by the followers of JEFFERSON as a surrender to Great Britain of the principle of neutral rights. The war of 1812 terminated the Jay treaty, and no subsequent treaty has contained any reenactment of this article.

The principle upon which modern authorities on international law are agreed in reference to provisions is that their status is to be determined by the use for which they are intended. In the case of "The Jonge Margaretta," decided in the High Court of Admiralty in 1799, Sir WILLIAM SCOTT held that a cargo of cheese was contraband, because the proof showed that it was intended for the use of the French navy. Referring to the tests by which merchandise was to be adjudged innocent or contraband, he said: "But the most important distinction is whether the articles were intended for the ordinary use of life, or even for mercantile ships' use; or whether they were going with a highly probable destination to military use."

And in the case of the "Commercen," Justice STORY, in delivering the opinion of the United States Supreme Court, said:

"By the modern law of nations provisions are not in general deemed contraband, but they become so, although the property of a neutral, on account of the particular situation of the war, or on account of their destination. If destined for the ordinary use of life in the enemy's country, they are not, in general, contraband, but it is otherwise if destined for military use. Hence, if destined for the army or navy of the enemy, or for his ports of naval or military equipment, they are deemed contraband."

The British Government claims the right to extend or reduce the list of articles to be held absolutely or conditionally contraband, according to circumstances, and the British "Manual of Prize" Law for 1888 gives lists of articles which it declares are "for the present" pronounced absolutely or conditionally contraband. Provisions "fit for the consumption of the army or navy" are placed among the articles conditionally contraband.

In 1885, France, during her war with China, issued a manifesto declaring all rice shipped to any port north of Canton to be contraband, but the British Government protested against this declaration, and Lord Granville wrote to the French Ambassador:

"I regret to have to inform you that her Majesty's Government feel compelled to take exception to the proposed measure, as they cannot admit that consistently with the law and practice of nations, and with the rights of neutrals, provisions in general can be treated as contraband of war. Her Majesty's Government do not contest that under particular circumstances provisions may acquire that character, as, for instance, if they should be consigned direct to the fleet of a belligerent, or to a port where such fleet may be lying, and facts should exist raising the presumption that they were about to be employed in victualling the fleet of the enemy. In such a case it is not denied that the belligerent would be entitled to seize the provisions as contraband of war, on the ground that they would enable warlike operations to be carried on. But her Majesty's Government cannot admit that if such provisions were consigned to the port of a belligerent (even though it should be a port of naval equipment) they could therefore be necessarily regarded as contraband of war. In the view of her Majesty's Government, the test appears to be whether there are circumstances relative to any particular cargo, or its destination, to displace the presumption that articles of this kind are intended for the ordinary use of life and to show, prima facie, at all events, that they are destined for military use."

Mr. KASSON, who was at that time our Minister to Berlin, thought this question a matter of so much importance that he transmitted a summary of the correspondence to Secretary BAYARD in a letter in which he said:

"The greater number of the European powers, so far as I have observed, have failed to avow their position on this question. England, however, found her navigation and commercial interests so much involved that her Government appears to have protested against the doctrine. But more especially I beg your attention to the importance of the principle involved in this declaration, as it concerns our American interest. We are neutrals in European wars. Food constitutes an immense portion of our exports. Every European war produces an increased demand for these supplies from neutral countries. The French doctrine declares them contraband, not only when destined directly for military consumption, but when going in the ordinary course of trade as food for the civil population of the belligerent Government. If food can be thus excluded and captured, still more can clothing, the instruments of industry, and all less vital supplies, be cut off on the ground that they tend to support the efforts of the belligerent nation."

It does not appear that our Government took any action in this matter at the time, owing probably to the fact that by the termination of the war it had ceased to be a practical question when Mr. KASSON'S letter was received.

During our civil war the town of Matamoras, in Mexico, on the south bank of the Rio Grande, occupied a position very similar to that now occupied by Lorenzo Marques, the Portuguese port in Delagoa Bay. A blockade had been established by the United States against the Confederate ports on the north bank of the Rio Grande, and, to avoid this, cargoes were shipped to Matamoras, and when landed there were conveyed across the Rio Grande to Confederate territory. The ship Peterhoff, while bound to Matamoras, was captured by the United States fleet. She carried a mixed cargo, part of which was certainly contraband, while a part consisted of provisions, which were in all probability destined for sale in the Confederacy, but not necessarily for military consumption. The ship was libelled, and the case was carried to the Supreme Court. That court adjudged the arms and ammunition that were a part of the cargo to be contraband, and condemned them as such, but it declared the provisions to be innocent merchandise, and, as such, not subject to condemnation.

The rule of international law on the subject as understood by the British Government itself seems to be that food cannot properly be treated as contraband of war unless it is reasonably clear that such food is intended for the use of the military or naval forces of the country to which it is consigned.

In the absence of such evidence in the case of the ships seized at Delagoa Bay, their seizure is unjustifiable.

Copyright and the Music of the Machines.

Phonographs, gramophones and other instruments for the mechanical making of speech or music have become of such great variety and the subject of such extensive business enterprise, that an exposition of the law touching the use of these instruments is of wide public interest. A leading case affecting them has just been decided in the English Court of Appeal. The British Judges held, in substance, that such machines, so far as their private use is concerned, are entirely beyond the law of copyright.

The well-known firm of BOOSEY & Co., musical publishers, applied for an injunction to restrain the agent of one of the prominent organs of this species from reproducing three songs "My Lady's Bower," "The Better Land," and "The Holy City," whose copyright the BOOSEYS owned. The mechanical principle of the operation of this particular machine is well understood. When it is set going rolls of perforated paper are unrolled, the holes serving at the proper moments to let air into pipes, by means of which the desired musical sounds are produced with great precision. Machines of this character have had a very large sale all over the world. The BOOSEYS maintained that the perforated rolls were substantially copies of sheet music; and hence, when played upon, caused an infringement of the copyright act. It was admitted that upon these rolls there were also inscribed various musical directions, such as "crescendo," or "fortissimo," and these, it was asserted, served to make the infringement of copyright certain and obvious.

Mr. Justice STIRLING, before whom the application came in the first instance, declared that, in his judgment, the perforated paper could not be considered as the copy of a sheet of music, and hence was no violation of the copyright law. He thought, however, that the musical directions upon the rolls did infringe upon the law. He, therefore, refused to grant an injunction restraining the use of the rolls, but granted one as to the musical directions. This, of course, was unsatisfactory to both plaintiff and defendant. It was, in essence, a decision against both, as it held practically that the owner of the copyright could not maintain it against the machine, while the use of the machine was thereby seriously restricted in its operation and its sale was hampered.

In the Court of Appeal, to which the case was carried, and before which long and able arguments were made by some of the most distinguished members of the English bar, all three Judges, Lord Justice ROMER, Sir FRANCIS JEUNE and Sir NATHANIEL LINDLEY, agreed in refusing the injunction altogether, either as to the musical directions or the perforations.

The Court of Appeal declared that copyright in an article meant the exclusive right of printing or multiplying copies of that article, that is to say, in the case before the court, of copies, sheets of music and of the notes and other printed signs and words upon those sheets. The holder of a copyright had, however, no exclusive privileges in the private execution of the music indicated by such sheets, nor in mechanism for its execution. Regarding the perforated rolls the only question was whether they could be held to be copies of the sheets of music in question. Were they copies within the meaning of the copyright law, or were they even copies at all? It was one thing to play an instrument from a sheet of music which appealed to the eye, but quite another thing to play it from a perforated piece of paper, which was in itself a part of the very mechanism, often automatic, by means of which the music was produced. A copy, in general, was that which came so near the original as to give to every person seeing it the idea created by the original, and in this sense perforated rolls could not be regarded as music sheets.

It was strenuously urged by the counsel for the plaintiff that many persons were so trained that these rolls presented to their eyes the original musical score and that they were able to play or sing from the one with as great readiness as from the other. But the judges held that the rolls were not so used in general nor were they made to be so used, and that such a use represented a mere theoretical assumption, and not a practical business fact. While it was true that the manufacture and sale of these rolls might diminish the sale of the plaintiff's sheets, it was not clear that the plaintiff's copyright had been in any way infringed, and the decision of Mr. Justice STIRLING in this regard, therefore, was affirmed. The Judges of the Court of Appeal declared moreover that Mr. Justice STIRLING'S decision on what they thought was a subordinate aspect of the case, namely, the issuance of an injunction restraining the defendant from copying the musical directions on the sheets of music was wrong. They held that no copyright could vest in such directions apart from their connection with the musical scores themselves. The directions were not in themselves a sheet of music, nor were they a sheet of letter-press published separately. They were mere words, not sentences forming a literal composition in which copyright could be acquired.

While the case was one regarding simple sheets of music and a particular machine, it is obvious that the principle laid down by the English Court of Appeal applies thoroughly to the use of machines devised to make sounds that in any way become the subject of copyright. Its effect is, therefore, far reaching. The wax cylinder of a phonograph cannot be a copy if perforated strips of paper are not copies. One may use these instruments freely in private as one may read or sing or play a printed page, without violating the law of copyright. It must be borne in mind, though, that, so far as the English decision goes, it in no sense nullifies the English law preventing a public performance of a copyrighted work, but only applies to private reproductions. In this country it seems clear that the effect of the decision, if it is followed by our courts, will be much wider than in Great Britain. The law of copyright, as it stands, has received a construction greatly limiting its operation.

The questions involved in this case, however, cannot be regarded as settled until passed upon by the House of Lords.

Joe Bailey's Change of Top.

The Hon. JOE BAILEY of Texas arose in the House the other day to defend the Constitution. The Washington correspondent of the *Indianapolis Sentinel* paints, with a reverent hand, the impassioned young orator of the dithyrambic hair and straying shoestring tie:

"Standing in the aisle, brushing his black hair back as it fell disordered on his forehead, free in movement and in gesture, speaking in the deepest and most beautiful voice in Congress, a language chaste, simple, Saxon, he was a most impressive figure. The fact that the bow of his string tie gradually wound its way to the side of his collar added to the charm of a man who had lost all sense of personal appearance."

The notion that Mr. BAILEY ever loses the sense of his personal appearance must be dismissed. Of his own costume and properties he has an acute realizing sense. He dresses as he believes a Democratic statesman should dress. That frock coat, the pride of Gainesville, Tex., that ocean of shirt bosom, that black sombrero of about the size of the Capitol, are his trademarks. As he paces thoughtfully along, repeating the Constitution to himself, strangers stare and guides nudge their customers and whisper: "That's him; that's JOE BAILEY of Texas." And he smiles, like DANTE, for pride in fame. That sombrero is his crest. The Lone Star twinkles more brightly at the sight of it. The Southwest feels that the Constitution is safe and that evening clothes are doomed.

We should have said "the Southwest has felt." For, alas! the sombrero and JOE BAILEY have fallen. The young statesman has been seen on F street with a tall hat, "a silk hat of latest fashion," on his majestic nob. "People have been saying," he explains, "that they knew me only by my hat; now I want to see if I haven't just as much sense without it as with it."

No doubt the amount of Mr. BAILEY'S sense is as great or little as it was before he took off his crown and badge, but what becomes of his statesmanship? Accoutred as he is, can he beat back the hordes of imperialism and save the Constitution? He wants to be elected a Senator in Congress. Why, then, does he assume the dicer of the Money Demon? The producing classes of Texas will weep when they hear that their champion has given up his spreading sombrero and put on a tall hat of the latest fashion. Whom can they trust now? The strength of the mighty faints. Shorn are SAMSON'S locks. JOE BAILEY dons a "slicky."

The *Church Standard* of Philadelphia does not hesitate to say to its readers that the articles on religion in THE SUN are written by a man who "is understood to be a Romanist," a "sly Romish controversialist masquerading in the garb of a theological GALLIO." Now, as that is wholly false, we call the attention of this professionally and professedly religious paper to the warning concerning the everlasting fate of all liars contained in the 8th verse of the 21st chapter of Revelation.

There are landscapes that injure the soul to look at.—RICHARD LE GALLIENNE.

Mr. LE GALLIENNE should tell the multitude how to choose landscapes without injury to the soul. By picking out a collection of landscapes, approved and guaranteed by himself, he will do a great favor to the unilluminate. Large white signs with gold letters, "O. K., R. L. G.," or with black letters, "N. G., R. L. G.," should be set up at proper intervals. Under such a guide the true moral beauty of landscape will be learned easily.

PETTIGREW seems to be working night and day to fit himself to take JERRY SIMPSON'S place as the buffoon of Congress.—*Cleveland Leader.*

This comparison is shamefully unjust to the Sockless SOCRATES of Medicine Lodge. As a matter of Populist professional duty, JERRY frequently turned flapflaps and stood on his head. But he knew better. He had sense if he wanted to use it. PETTIGREW hasn't. PETTIGREW cannot help pettigrewing.

A WRONG TO BE REMEDIED.

Will not Some Congressman Introduce the Necessary Bill at Once?

From the Philadelphia Press.

No better evidence can be offered that the law's provisions are not always just than the stand taken by Government officials that they cannot pay the wages yet due the employees of Jacobs, the Lancaster cigar manufacturer, who was one of the principal conspirators in the great counterfeiting scheme. At the time the Government seized this establishment the arrearages due his employees amounted to about $8,000. The Government speedily sold everything belonging to Jacobs that could be secured, realizing from the sale between $40,000 and $50,000 in cash. The poor people who had been in the employ of Jacobs pleaded for the wages due them, but it was claimed that under the laws all the money realized from the confiscated property must be turned into the treasury, and this was accordingly done, leaving the just claims for wages unsatisfied. Eventually the wage earners will likely get their money, but they may have to wait a long time, and then it may require a special bill through Congress, appropriating enough to liquidate the claims.

THE SITUATION IN SOUTH AFRICA.

One of the most interesting features of the latest news from South Africa is the contradictory character of the despatches dealing with the attitude of the Dutch Afrikanders toward the British Government. While one observer reports that after a tour through the colony he found no signs of increasing disaffection except in the Queenstown district, another states that in that and the Cradock district he found less than he expected. Another despatch says that the Cape Government has received reassuring reports from all the country Magistrates as to the sentiments of the Colonial Dutch; while yet a fourth report states that disaffection is spreading and that at least four Members of the Cape Parliament are implicated. Other statements represent the Boers as having received large additions to their forces since the three successive reverses to the British arms at Stormberg and on the Modder and Tugela rivers. In view of the numerous arrests that have been made by the British commanders of suspected rebels, and the measures taken by Gen. Gatacre toward the Dutch in his district, it is extremely unlikely that any one would make his sentiments known to casual travellers or Government officials, and the fact that such numbers of young Afrikanders have joined the Boers is adequate proof of disaffection such as has already been reported. It has also to be taken into account that the Hon. W. P. Schreiner, the Cape Premier, has been exerting all his influence to induce the Dutch Afrikanders to remain quiet, even risking his popularity in doing so and being more than once denounced as a traitor by the hotter heads of the Bond. The British Government has a very great interest in at least the neutrality of the Afrikanders during the struggle, more particularly since the recent reverses, as even a partial rising such as would endanger the communications of the army far advanced in the interior might compromise the whole campaign. The neutrality of the Dutch Afrikanders as Mr. Schreiner described it is therefore a consideration of the highest military importance, and demands delicate treatment of them by the various commanders.

At the Modder River, the British War Office report says that Gen. Methuen is well intrenched and undisturbed by the Boers, and another report says that several correspondents that were with the Kimberley relieving force had returned to Cape Town. This probably means that Gen. Methuen was ridding himself of superfluous non-combatants in anticipation of his having to take a sudden decision to advance or retire. The latest despatch from his camp is dated the 20th, and says that the fire of the British artillery elicits no response from the Boers and that no Boers have been descried since the 16th, when some were seen near Jacobsdal in the angle between the Modder and Riet rivers, about ten miles away on his right flank.

Gen. Gatacre reports from Sterkstroom that Dordrecht, about ten miles to the northeast from there, had been reoccupied by 150 Natal police after the Boers had retreated, without loss on either side. In Natal there has been a bombardment of Ladysmith with insignificant results, and there was some fighting on the 23d, in which five officers and ten men were wounded and nine men killed. The road bridge over the Tugela has been destroyed by the British naval artillery fire, so that now there is no communication between the two banks anywhere down to the junction of the Buffalo River with the upper Tugela.

But the most serious news is the appearance of glanders and horse sickness among the transport and cavalry and artillery animals both in Natal and Cape Colony. Before this, should it spread to any great extent, all the other difficulties of the campaign are of trivial account. The projected campaign across the veldt of the Orange Free State might have to be abandoned and the advance confined to the line of rail from Cape Town, as it is now. It can well be understood that the matter is causing grave anxiety, both to the Government and War Office in London.

The latest despatches refer to the surprise by the Boers of a British Hussar picket at Chieveley; and the appearance of a 95-pounder gun on the Boer positions near the Modder River. It is also stated that there is a reserve of 8,000 European officers and soldiers in the Boer service at Pretoria, which apparently forms the garrison of that place, and are well exercised in artillery drill.

WOMAN'S HOTEL NEEDS $75,000 MORE

Which Must Be Pledged Before Jan. 1, or the Undertaking Will End.

TO THE EDITOR OF THE SUN—*Sir:* The impression has gone abroad, and has been announced in many of the papers, that the total amount necessary to be pledged before the Woman's Hotel Company can be incorporated and begin operations, has been subscribed. As this statement is incorrect and seems to hinder and prevent further expected subscriptions, will you permit the committee to say that pledges for $75,000 more are still required, and this amount must be secured before the close of the year or the undertaking will end. Therefore all friends of this needed enterprise, which, while offering a sound and profitable investment, promises so much for the social betterment of the higher grades of self-supporting women, are requested to be prompt in advising the committee of their willingness to co-operate. Very truly yours,

CHARLES D. KELLOGG.

NEW YORK, Dec. 26. 105 East 22d st.

"The Night After Christmas."

TO THE EDITOR OF THE SUN—*Sir:* I observe in THE SUN of Sunday, Dec. 24, a poem entitled "The Night After Christmas." It is credited by you to the *Fredericksburg (Va.) Free Lance*, and although no author's name or initials appear, the date line at foot of poem leaves the inference that the poem was written at that place on Dec. 16 last.

In the interests of truth and of a well-known New Yorker (Henry Bedlow, author of "The White Year," &c.) I beg to state that the poem referred to was printed in the *Chatham Republican*, a year ago (Dec. 28, 1898) with the author's name attached to it. On that occasion it was put into type from Mr. Bedlow's manuscript, although he wrote the poem at Newport in 1840. I enclose a copy of the poem as it appeared in my paper.

CHATHAM, N. Y., Dec. 25. JOHN STREETER.

The "Twelve Days of Christmas."

TO THE EDITOR OF THE SUN—*Sir:* The poem for the "twelve days of Christmas," referred to by Mrs. E. E. Stevens in the Sunday SUN, and the custom of celebrating the holiday for twelve days, are well remembered by Mrs. Almedia Woodman of this city, now in her eighty-first year, a native of Massachusetts. The New England custom during those early years of the present century was to observe Christmas from Dec. 25 to Jan. 6, the twelve days being generally given up to receiving and returning family visits. Contemporary with this custom was the belief, inculcated in the minds of the children, that if they would visit the cow stables at midnight of Christmas eve, they would see the cattle kneel before the mangers.

The poem of the twelve days, as Mrs. Woodman remembers it, varies slightly from the version given by Mrs. Stevens, the gift for the first day of Christmas being a parrot on a juniper tree instead of a "partridge on a pear tree." The verse for the twelfth day, which embodied the entire list of days and "gifts," was as follows:

"The twelfth day of Christmas my true love gave to me twelve guns shooting, eleven bears chasing, ten men hunting, nine fiddlers playing, eight ladies dancing, seven swans swimming, six chests of linen, five gold rings, four coffee bowls, three French hens, two turtle doves and a parrot on a juniper tree."

JOHN RODEWEIR, JR.

NEW HAVEN, Conn., Dec. 25.

Littre Defines the Twentieth Century.

TO THE EDITOR OF THE SUN—*Sir:* It seems to me that in view of THE SUN'S clear exposition of the matter, the question of the twentieth century might rest for another hundred years, but since the question still proves itself of importance, I would like to submit the following.

The late M. E. Littré, member of the French Academy, author of "Dictionaire de la Langue Française," tersely explains the meaning of century in the first two paragraphs of definition following the word, which reads: "A period of a hundred years. The present century commenced on the first day of the year 1801, and it will end on the last day of the year 1900." If high authority is needed that which I cite fully corroborates THE SUN'S assertion that the new century will begin with the expiration of the year 1900.

C. N. F.

HARTFORD, Dec. 25.

NEGROES' JUBILATION.

How Liberty Day and an American Civil Government Were Greeted in the Island.

The island of Negros in the Philippines was turned over to the native civil authorities appointed by Gen. Otis on Nov. 5, the anniversary of the hauling down of the Spanish flag. The event was made the occasion for a celebration extending over three days, an interesting account of which is given in *La Libertad* of Bakolod, the capital of the island, of Nov. 9, 1899, "2 of our emancipation." Rain had fallen in torrents for two days, but the weather cleared up in time for the show. The houses were decorated with red, white and blue draperies and with American flags, and the town was crowded with people, who came in from the country and from the neighboring island of Panay.

The festivities began on Sunday afternoon, Nov. 5, with a "civic procession," in which were allegorical floats. The leading one represented the Press, and from a handpress on it were struck off handbills on which were printed poems by Rizal. These were snatched eagerly by the infantile element that surrounded the car and followed it along the itinerary. Next morning at 5 bands played in the streets to wake the people up and at 8 all the authorities went to church, where a Te Deum was celebrated. At 9:30 the military officials met Gen. Otis's appointees in the Government House, where Gen. Smith, the Military Governor, administered the oath of allegiance and of office to Chief Justice Estanislao Yusay, who then in turn administered the same oath to the other officials. Gen. Smith then turned the Government over to the new Civil Governor, Señor Melecio Severino, in a short speech, to which Gov. Severino replied, and Lieut.-Col. Miner of the Sixth Infantry, commanding the military district, said a few words on behalf of the army. There was a state dinner, horseraces in the afternoon and a ball at night. On Nov. 7 there was a regatta in the forenoon and a sham fight between two detachments of American soldiers in the afternoon. The fight "delighted the public, who applauded loudly those who made believe to be killed, on account of the natural way in which they fell."

In the evening there was a literary and musical entertainment, which began at 11 o'clock and must have lasted all night. "The culture of the people of Negros was never manifested more clearly," says *La Libertad*. Young ladies played pieces by Rubenstein and sang Tosti and operatic songs, and in between an inordinate amount of poetry was recited. Seven columns of selections are printed by *La Libertad*, which apologizes for omitting the others, on the ground that it was unable to get copies from the reciters. The verses seem to have been chosen more for poetic merit than because they were suited to the occasion, though the idea of liberty is at the bottom of several: "To the Nameless Martyrs of the Fatherland," "To Poland," "To Rome," "To Bolivar." A poem "To the Philippines," though beginning with an illusion to the liberation, soon turns to a description of natural beauties:

"Virgin of Malaysia, spray of flowers, silvered by the foam of the rough seas, thine are my sighs and love, of the quavering rhythm of my song. Now thy breast is radiant free from bonds; now, art thou clad in no helot's garb, as yesterday; and now the dreamed-of dawn shines in thine eyes, and thy tunic floats free from stain."

TO MARK FULTON'S GRAVE.

Present Project of the American Society of Mechanical Engineers.

In addition to collecting all the mementos of Robert Fulton, the inventor, that could be found the American Society of Mechanical Engineers at its meeting in Washington some time ago determined to disinter the remains of Fulton, which now lie in Trinity churchyard, and to have them reburied in a granite sarcophagus in the same churchyard. At present Fulton's name does not appear on any stone in the churchyard, as it lies in the vault of the Livingstons, his wife's family. The fact that his tomb was known only to few was considered by the society to be a sad reflection on public interest in the great inventor, and led them to begin the movement which has for its object the erection of a suitable memorial. This is to cost not more than $3,000, and, although the committee appointed has only been engaged in collecting subscriptions for a few months, already about $1,100 has been raised. This includes a subscription of $250 which came unsolicited from Andrew Carnegie.

The circulars describing the movement which have been sent abroad have resulted in arousing the interest of foreign engineers to such an extent that substantial contributions have been received from some of the great ones. It is expected that the whole amount needed will be raised in a few months more. A committee composed of Charles W. Hunt, H. H. Suplee and G. C. Henning, has lately secured the consent of the Trinity Corporation and the Livingston family to the removal of the body, and the Trinity Corporation has agreed to provide a site in the churchyard, near the south entrance of the church, for the new sarcophagus. This, it is expected, will be completed in time for the annual meeting of the society in December, 1900, when the remains will be removed and reinterred with proper ceremonies.

The Society of Mechanical Engineers already possesses a number of interesting relics of Fulton, including his dining table, which is used by the council of the society. Other relics are three drawings of the working plans for the steamboat Fulton, a copy of Fulton's work on canal navigation, and a letter, supposed to have been written to Commodore Perry, advising him to use the torpedoes just invented by Fulton to drive the British from the Lakes.

A Kentucky Comedy of Errors.

From the Pike County News.

There is a story of a young lady who was much admired and courted by a young man, who one day kissed her against her will. It made her furious, and she indignantly exclaimed: "If you dare kiss me again, I'll tell my father!"

She meant it, but he took it for the usual feminine buff of such occasions and repeated the dose on the spot. She ran out of the room to the back porch, where her father had just finished oiling his gun.

But by the time she arrived there she found out she wasn't as mad as she thought she was, and hatching up an excuse for her sudden appearance, said: "Papa, go in and show Mr. Blank your gun. He is a great authority on birds and guns." "I will," said the father, who is an enthusiastic sportsman, and he made for the parlor, gun in hand.

When her father entered the parlor that young man didn't even wait to say good-by; nor was he particular about his manner or place of exit. He broke through the window and struck a speed he thought would distance the gun as well as the old man.

It was with difficulty the father cornered him a few days later, and explained; then it was a month later before the girl could persuade him she had not intended a practical joke. But he is modified now, and goes to see her, and, maybe, repeats the microbe doses, but she don't "tell papa" any more.

The Pride of Manhood.

From the Memphis Scimitar.

The happiest time in a boy's life is the day that he dons his first short trousers. Mrs. Poyser's bantam cock, which imagined that the sun rose every morning to hear him crow, could not strut with more conscious pride than did this little fellow, and he felt the importance incident to his first pair.

Finally, he stopped in front of his little sister and delivered himself of these indisputable facts:

"Sister, you can't never wear pants! Sister, you can't never have a mustache!" and finally, as a complete clincher: "Sister, you can't never be a man, nohow!"

Overcome with the gloom of her future, "sister" burst into an uncontrollable flood of tears.

One Grateful Descendant.

From the Chicago Tribune.

"This," said the guide, "is the grave of Adam!"

Historic spot! With reverential awe, nay, with a feeling of deep thankfulness, the weary merchant tailor on his first trip to the Orient drew near and cast a flower on the tomb.

"Erring ancestor," he murmured, "I should be the last man on earth to revile your memory! To your sin I owe my prosperity!"

Unprepared for Santa Claus.

From the Nebraska State Journal.

From "Christmas Carols," by the editor of the *Lost Creek Lur*:

We will not lure old Santa Claus
Into our slumber shack
In good, old-fashioned way, because
The luring power we lack.
We will not see the saints who sneers
At bolts and bars and locks,
Nor hear the hoof-beats of his deers—
We're plum dead shy of socks!

JEWS IN AMERICAN HISTORY.

Interesting Papers Read Before the American Jewish Historical Society Yesterday.

The American Jewish Historical Society held its annual meeting yesterday in the Hebrew Charities Building, about one hundred members from all parts of the country being present. The President, Dr. Cyrus Adler, in his address spoke of the duty of the society to collect all the material possible concerning Jews connected with the early history of the nation, particularly with the original thirteen Colonies.

The following papers were read: "The Early Settlement of the Jews in the Island of Barbados," and "Lorenzo Machado," by Prof. Richard Gottheil; "The German-Jewish Migration to America," and "The Jews and the Anti-Slavery Movement," by Max J. Kohler; "The Jews of South Carolina," and "A Prominent Jewish Patriot of Revolutionary Times (Francis Salvador)," by Leon Huehner; "Isaac Levy and His Claim to Property in Georgia," by Dr. Herbert Friedenwald; "Additional Information Respecting Haym Salomon," by Prof. J. H. Hollander; "Notes on the Early Newport Jews," by Dr. H. Pereira Mendes.

Among those who took part in the open discussion of Dr. Mendes's paper was Andrew H. Green, who was present as a guest. Other papers were by Miss Annette Kohn on the "Jewish Topography of New York," and Rev. George A. Kohut's paper on the "History of the Marranos in Mexico," which was summarized by Dr. Adler.

Prof. Hollander's paper on Haym Salomon, who was the agent of Robert Morris and who loaned to the nation, from his own private fortune, through James Madison, large sums of money, brought about some discussion, in the course of which a lawyer who is a member of the society announced that the New York descendant of Haym Salomon, Jackson, by name, were going to bring suit to recover money loaned by the Jewish patriot, and would be glad of the co-operation of the society. President Adler said afterward that the society would certainly take no part in any such lawsuit, with which it was not in sympathy.

The following officers for the ensuing year were elected: President, Dr. Cyrus Adler of Washington; Vice-Presidents, Simon W. Rosendale, Mendes Cohen, Prof. Charles Gross and Dr. B. Felsenthal; Treasurer, Prof. Richard Gottheil; Corresponding Secretary, Herbert Friedenwald; Recording Secretary, Prof. J. H. Hollander. Newport was suggested as the place of the next annual meeting. In the evening the members of the society were entertained at a reception by Mr. and Mrs. Isidor Straus, at their home, 105th street and Boulevard West.

CUBAN CUSTOMS FRAUDS.

The War Department Interested in the Prosecution of Accused Officials.

WASHINGTON, Dec. 26.—War Department officials are very much interested in the prosecution of the customs officials recently arrested in Cuba by direction of Col. Bliss on charges of attempting to change the classification of imports into the island. Soon after entering the War Department, Secretary Root had prepared a special circular providing for the