The Sun.

WILLIAM M. LAFFAN.

TUESDAY, MARCH 11, 1902.

The Boston Strike.

The strike of freight handlers, begun yesterday in and about Boston, has this history:

Some weeks ago a majority of the drivers employed by the Brine Transportation Company struck, and proceeded to visit the familiar outrages upon their fellow drivers who refused to strike in sympathy, upon the men who took their places and upon the property of the company.

The Boston police gave to the Brine company the protection which the law required, and soon their trucks were moving again.

The defeated union men appealed for help to the Freight Handlers' Union, and soon seven men were discharged by the New York and New Haven Railroad for refusing to handle freight of the Brine company's transportation.

The demand for the reinstatement of these men being refused by the railroad, the strike spread as reported. It is needless to say how crushing the effect on business would be if the railroad had yielded.

Well, there is no law forbidding a body of men, however large, from stopping work without notice, no matter whom it hurts. But there is a law forbidding them to injure or interfere with any men who work in the places they leave vacant.

Sufficient unto the day is the mention of this precious rule.

The Axe at the State Constitution.

The Davis bill proposing to amend the State Constitution is up for consideration to-day in the Assembly.

Seven years ago, after a melancholy experience of the insufficiency of statute legislation to protect the State Forest Preserve from encroachment and spoliation, this safeguard was inserted in the Constitution by unanimous vote of the Convention of 1894:

"The lands of the State, now owned or hereafter acquired, constituting the forest preserves as now fixed by law, *shall be forever kept as wild forest lands*. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed."

If the Adirondack wilderness is to remain a wilderness, this provision is none too sweeping and this prohibition is none too strong.

The reasons why the forests should be preserved do not need to be recited. We have exhibited them a hundred times. They have prevailed in the policy of the State. They account for the Constitutional provision.

Assembly bill No. 646 proposes to let down the barriers again. It is guarded in its wording, but it amounts to nothing more or less than an entering wedge for destruction. It provides for a change in the Constitution which shall permit the leasing of parts of the forest preserves to individuals for twenty years, the invasion of the wilderness by trolley lines, and the cutting up of the timber under the supervision of "scientific forestry."

This means the beginning of the end of the wilderness. The private interests that want a twenty years' monopoly of advantageous camp sites, the greedy enterprise that sees profit in the extension into the preserves of the electric railway, and the theorists who believe that the unbroken forests should be scientifically treated to a process of landscape gardening, must all stand back and hold off in the presence of the main consideration.

The main consideration is stated vigorously in a protest sent to Albany by the New York Board of Trade and Transportation:

"If the health and prosperity of the Commonwealth are to be assured, this priceless heritage of our wooded reliefs must be jealously guarded. The people having twice shown at the polls by overwhelming vote what their desires are in relation to the forests, it remains for you, gentlemen of the Legislature, to consider not how many cubic feet of timber, but how many cubic feet of *water* these forests may be made to yield."

Hands off the wild forest lands! The Davis bill to amend the Constitution and similar measures now pending in the State Senate should be defeated.

Chaplains in Three Navies.

The question of chaplains in the naval services has been raised of late in the United States, Great Britain and France; in our navy, it has to do with the subject of pay, in the British Navy, with that of representation for the Catholic Church, in the French Navy it refers to the continuance of chaplains.

In our naval service there are twenty-four chaplains, four with the rank of Captain, equivalent to Colonel in the army, seven ranking as Commanders or Lieutenant-Colonels, and thirteen as Lieutenants or Captains in the army. A naval chaplain recently submitted to the Secretary of the Navy suggestions for an increase in the number of chaplains and in their pay; with the first suggestion Mr. LONG agreed, in view of the increase in the navy at large; but not with the second. A chaplain begins with $2,800 salary at sea, and after five years gets $2,800, which sum thereafter is not increased; this pay, the Secretary thinks, is much larger than the average salary paid to civilian clergymen; the duties of other naval officers, who receive regular increases in pay, become more onerous but those of chaplains in practice do not. The Secretary points out that though army chaplains receive increased pay for length of service, they begin with lower salaries than naval chaplains, and even after twenty years' service get less than naval chaplains receive after five years.

The Secretary's objections appears to us well founded; but chaplains should receive quarters or commutation therefor which are not now given to them.

The Irish Members of Parliament are trying to obtain the appointment of Catholic priests as sea-going chaplains in the British Navy, thus far without success. They have appealed to the sense of justice of the Government, pointing out that though there are now some 12,000 Catholic sailors actually afloat, there is not a single Catholic chaplain at sea. Two priests serve as chaplains on shore, though their highest pay is just half of the highest pay received by Anglican chaplains.

Perhaps more effective than an appeal to British fair play in a matter involving religious differences is the reminder of the Catholics that the British Navy needs men, and that the Irish hierarchy has warned Catholics not to enter the service until provision is made for their religious necessities. The importance of Catholic chaplains at sea is explained by the *Tablet* in these words:

"The cruelty as well as the rank absurdity of the thing becomes apparent when we consider what are the respective functions of an Anglican and a Catholic chaplain. To the dying Catholic the presence of the priest means just this tremendous difference—the difference between going into eternity with his sins forgiven or unforgiven. To the dying Protestant his chaplain may talk consolingly, and that is all."

The French feeling against the Catholic Church is manifesting itself in new regulations "to protect liberty of conscience," which some French officers say are really an attack on all religion. The regulations just abolished gave full liberty to any man to attend or to stay away from mass; but the French Government, not satisfied with this abolition, is suppressing chaplaincies in the navy entirely.

It may be noted that in the British Army a Baptist minister has just been appointed, the first of his Church to become a chaplain; Presbyterian and Catholic clergymen have long served as army chaplains there. In our army, of the forty-eight chaplains on the list, seven are Catholics; in the navy, five of the twenty-four.

The "Religious Crisis."

The Rev. Dr. LORIMER, preaching on Sunday on "America's Religious Crisis," expressed the opinion that "at the present rate at which we are living in fifty years we shall have no Sabbath."

Such a consequence is not improbable. The "American Sabbath," as the method and theory of observance of Sunday handed down from Puritanism are called, is manifestly passing away, and in fifty years it may be gone altogether. Great changes due to declining religious faith are taking place and if they continue at the rate of progress they have reached during the last generation the religious situation fifty years hence must be transformed very radically.

It may be that during that coming period there will be a revival of religious faith, but if it takes place the new faith is likely to assume a new form as compared with that which was brought in by the revivals of the first half of the last century. At present strange substitutes for the lost faith are appealing to the craving of many people for belief in the supernatural and for spiritual food—Christian Science, the "New Thought," the "Metaphysical Movement" and like attempts to perform the impossible feat of reducing to a science the unknowable and the undemonstrable. They will have their day as sensations for the credulous and then will be heard of no more.

The present "religious crisis" has been brought on, according to Dr. LORIMER, by the accession to our population of many millions of immigrants "entirely out of harmony with the religious institutions," and he instanced especially Magyars, Italians, and those from southern Europe generally. All these immigrants, however, are of the Christian belief, and generally they are firmer, more conservative, in that faith than is our American population of the older and the oldest settlement here. The responsibility for the "religious crisis" is rather with the descendants of the Puritan colonists of New England, for example.

Speaking of "evangelical religion" particularly, Dr. LORIMER said it "is to-day of very low vitality; the attendance at church service is shamefully small;" but it must be remembered that the service referred to by him is of religious communions with which the great mass of this later immigration is not in sympathy; of Churches which have never been able to attract the attendance of these people. If it has become "shamefully small" the reason for the falling off is that those Churches have lost hold on the people of the older American stock, whose religious faith was formerly expressed by attendance upon their services, and not to any tendency to irreligion induced by these newcomers. The churches in whose tenets these later immigrants were reared are crowded at every service.

Nor can the change which has taken place in the observance of Sunday be said to be a consequence of this immigration. The "American Sabbath" as it was in the past is an institution which has departed largely from New England communities, where these foreigners are unknown and few of the foreign born of any nation or any period of immigration are to be found. Of recent years, church going, once a necessary badge of respectability, so that those who neglected it were under social reproach, has fallen off without the visitation of any such penalty on those who refrain from it. Sunday has become more and more a day of social festivity, and outdoor recreations once frowned upon as disreputable are now pursued without criticism. The prayer meeting, formerly one of the most important of the religious institutions of the America about which Dr. LORIMER talked, preserves now only a feeble existence.

We receive in THE SUN great numbers of letters expressive of religious criticism and downright infidelity, and they come from all parts of the Union, but the names of their writers and the circumstances and antecedents they describe indicate usually American birth and rearing. The preachers and teachers of the criticism of the Bible in nominally Christian pulpits and theological seminaries who are doing so much to make church attendance "shamefully small" by assailing the supernatural foundations on which religious faith rests, were not brought to us by this late flood of immigration, but belong to the older American stock.

The "religious crisis," Dr. LORIMER, cannot be attributed to any such particular influences as you describe. It has a far larger and broader cause, and the character of the present immigration has had nothing to do with it.

The Commissioner of Pensions.

According to a Washington despatch printed by the *St. Louis Globe-Democrat*, Senator BURTON of Kansas and certain Representatives in Congress from that State are trying to induce President ROOSEVELT to make a Kansas man Commissioner of Pensions in place of the Hon. HENRY CLAY EVANS. The Hon. SAMUEL R. PETERS and the Hon. RICHARD WHITING BLUE, former Kansas Congressmen, are looking for the job. The appointment of either of them would be satisfactory to the Sunflower delegation.

It is natural for man to seek office, and doubtless Mr. BLUE and Mr. PETERS are excellent men in their way. The trouble is that however satisfactory they may be to Mr. BURTON and his associates, Mr. EVANS's administration of his difficult office has been in the highest degree satisfactory to the country and honorable to himself. He has done his duty in the face of many selfish and sinister influences, and in spite of much unjust attack upon his motives and his methods. Mr. MCKINLEY, whose affection for his old comrades in the Civil War was at least as great and sincere as that of the noisy defamers of Mr. EVANS, stood by the Commissioner courageously. MCKINLEY's death interrupted the assaults of the pension attorneys. Apparently those assaults are now renewed.

The country has been more than generous, it has been reckless in the bestowal of pensions. It desires that the Pension Office shall be conducted justly and fairly. It believes that Mr. EVANS has so conducted that office, and it does not sympathize with the persistent efforts to oust a competent and honest Commissioner, himself a veteran. Mr. BURTON and his Kansas friends might be in better business.

Secretary Long.

The Hon. JOHN DAVIS LONG has resigned his office of Secretary of the Navy, which he administered during a time of war with signal efficiency. Under him as Secretary the Spanish war broke with the navy ready for duty. No more need be said.

It was Mr. LONG's misfortune to become the special target of the singular and malicious passion of Schleyism. The rage excited, first by the recital and then by the proof of facts as to SCHLEY as a commander, turned upon LONG in a ghastly sort of effort to hold him responsible. It was all the more to Mr. LONG's credit, therefore, that he never wavered under the attack, but stood by the truth, from assertion to demonstration.

The failure to discipline SCHLEY for proven fraud in connection with Lieutenant-Commander HODGSON was the Administration's failure, not particularly Mr. LONG's. It is accounted for by stress of politics. It was not the first case of its kind in American history.

Mr. LONG while in the Cabinet brought honor to the State of Massachusetts and distinction to himself, and may he long enjoy the result.

Prince HENRY's tact, fine intelligence, appreciation of the American spirit of good fellowship and desire to please and be pleased have won for him general respect and liking. If ever he wearies of his profession of Prince and wants to come over here again and grow up with the country, he will be heartily welcome. And so good-by to a good fellow!

The most severe military reverse encountered by either side in the South African war since the surrender of Gen. CRONJE was inflicted by the Boers upon their enemy yesterday. Gen. METHUEN, who lost his reputation without losing his place long back in the struggle, was captured, together with four guns and some hundreds of men. Forty were killed and eighty were wounded.

The crime of two centuries gets bloodier, in spite of the daily catalogue of KITCHENER's killings and captures.

The soldier who rushes fortifications in the face of almost certain death deserves his glory, none the less because inspired by the cheers of his comrades, and smell of powder, the rattle of musketry and the knowledge that medals and honors await him if he survives. But there is a form of heroism higher yet. It is that form which was exemplified by PETER MURPHY of New Rochelle, in the wreck which followed the collision in the Park avenue tunnel some weeks ago. Pinned down by the weight of timbers which crushed his leg and kept him at the mercy of the flames which were almost certain to start in the débris, he waved aid aside as soon as he learned that to lessen the pressure which was torturing him would endanger the lives of others pinned under the piled-up cars.

Uncomplaining, he gave advice to the workers who were laboring to save others. When at last the time came when he might be released, he was as shrewd as any lawyer in cross-questioning the rescuers to ascertain whether there was any one else to be attended to. He forced an Irish joke or two in the twinges of his agony. And in the hospital where the leg was amputated that might perhaps have been saved had he permitted himself to be rescued at his first opportunity, he was so brave, so patient and so cheerful in his suffering that the nurses wept when he left.

PETER MURPHY was well loved in the city of his home before his great test came. It is easy for all the world to understand why, now, New Rochelle did well to do very signal honor to PETER MURPHY, Hero of Peace, when he returned to his home on Sunday, one leg gone, his left arm and side paralyzed, but with his manly heart beating as strong as ever.

European yachtsmen will doubtless be glad to see the Columbia, and their American brothers will be glad in consequence. But sending her across the Atlantic as proposed requires the coöperation of Sir THOMAS LIPTON with Shamrock III., if there is going to be any real "sailing" about it. No other boat but the Shamrock III. can fairly make a match with her. There will be little in sailing her against the yawls over there, and still less against the imperial and royal schooner, Meteor III.

The name of the yachtsman lucky enough to be selected for the honor of being skipper-in-chief on Columbia remains to be disclosed.

THE OGDEN LAND COMPANY.

History of the Organization That Claims Rights in the Land of the Six Nations.

Notices have been sent from Washington that there would be a hearing on the Vreeland bill to-morrow morning. In addition to providing for the allotment in severalty of the Indian lands in this State it furthermore gives to the Ogden Land Company $200,000 in consideration of certain preemption rights claimed by it.

THE SUN has received a letter from Mr. William Harison of this city in relation to the Vreeland bill and its provisions regarding the claims of the Ogden Land Company and the preëmption rights of the Seneca Indians in this State. Mr. Harison says that he is related to a number of persons who constitute the Ogden company.

Reciting the fact that Mr. Vreeland represents a district which embraces the Allegany reservation and is a resident of Salamanca in that reservation, Mr. Harison says:

It is fair to assume that his reasons for introducing the bill are to be found in the facts that the land embraced in the reservations is not now taxable for either State or county purposes, and that there is a very considerable white population on the reservations whose titles are simply leaseholds granted by the Indians under the authority of Congress, and are admittedly not such as any savings bank or trustee can lend money on.

Whether Mr. Vreeland's bill correctly adjusts the respective equities of the Indians, the State and county, and the holders of the leasehold titles, it is none of the writer's business to discuss. * * *

The Ogden Land Company is not unduly pressing for a sale of its title; and I have personal knowledge that a number of those interested consider $200,000 a very inadequate price for it, although they have expressed a determination not to stand in the way of a settlement at that price if it be carried through at this session of Congress.

Mr. Harison says: "I am glad to testify that THE SUN's facts are habitually so, but beg in this case to differ from your doctrine of probabilities."

He refers to an editorial article of THE SUN's, and says: "Not to refuse to sell property which has belonged to you and your predecessors for more than a century is not 'probably a land-grabbing scheme'."

Mr. Harison's letter is of such length that space cannot be given to publish it in full.

Moreover, THE SUN considers that all of Mr. Harison's points are answered in the following letter from Mr. Charles T. Andrews:

My letter published in THE SUN of Feb. 16 has brought me many inquiries about the propositions of the Vreeland bill, the Ogden claim, &c., together with expressions of sympathy with the views I expressed in regard to the rights of the Indian. The tenor of these letters, however, indicates a lack of definite information on the subject, as well as a deep interest in it.

I am satisfied, too, that in Congress, even, there has not been the close investigation of the facts that their importance demands and that the plausible statements of the land company's agents have mislead many of the sincere friends of the Indians. Possibly your readers may be interested in a brief history of the case.

The questions presented are two: First, has the Ogden Land Company a claim in law or equity which would act as a "cloud on the title" of the individual Indian's land were he to receive a patent from the United States in fee simple on the allotment of the lands in severalty?

Second, if such a cloud is imminent, does it arise from any transaction which makes it morally or legally incumbent upon the Indians to remove it?

First, as to the Ogden claim. When a stronger nation, by discovery, purchase or conquest comes into possession of a weaker, the title to all the lands vests in the stronger Government, excepting only such rights as it may recognize in the aboriginal inhabitants. The citizens of the new power can acquire title only through the Government.

There are probably two reasons for this practice: One, that the Government may have the revenues of the sales of land, and the other that it may be better able to maintain a secure title for its citizens.

In the case of the United States, the discovering nations granted, usually for a consideration, this right of "eminent domain" to certain individuals or companies, by what were termed charters, covering certain territory.

In the case of what is now New York State, the Massachusetts companies received from the English Government a charter to lands wide enough to embrace all of New York north of the Pennsylvania line and extending from the Atlantic to the Pacific. The Dutch however, also had a "right of discovery" within these boundaries extending up the Hudson and the Delaware to the headwaters of the latter and of the Mohawk.

This right was recognized by treaty between Britain and Holland, and, later, the Dutch province was ceded to England and granted by charter to the Duke of York. A little while before the Revolutionary War the charter of New York was amended so as to extend the boundaries from its eastern side in a parallelogram between the north line of Pennsylvania and the present north line of New York at Franklin county, westward to Lakes Huron and St. Clair taking in not only the present State of New York, but the Province of Ontario, in Canada, and placing Lake Ontario entirely within New York. This, of course, conflicted with the charter of Massachusetts.

Now, as to the rights conceded by the stronger English Government to the weaker aborigines. We are concerned only with those in western New York. Here was the comparatively powerful Indian confederacy of the Iroquois or "Six Nations." Holland first, and England afterward, found this confederacy a convenient buffet against the ambitions of France in the New World, and thus treated it as an independent sovereignty, acknowledging its rights to soil and occupancy, and making the most solemn pledges always to respect these rights.

The United States need not have continued these rights and this recognition, for most of the Six Nations remained loyal to England through the Revolutionary War; and by the expeditions of Sullivan in the West and Col. Herkimer in the East, the United States had got possession by conquest.

Humanity and wiser statesmanship, however, combined to induce a different policy, and as early as 1784, a treaty was made at Fort Stanwix, certain boundaries were established defining the territory of the Six Nations, and guaranteeing them peaceful possessions of the same, in return for cession of other lands by the Six Nations to the United States—a *quid pro quo* between independent, contracting parties.

This Fort Stanwix treaty is regarded by jurists as the basis of the constitutional rights of the Senecas, being a recognition and confirmation of their aboriginal rights. Its principles have been reaffirmed again and again by the courts. So far there is no Ogden Land Company claim. But the infant United States had several perplexing problems on hand, one, not the least, was to provide for the title to the vast lands which it was known, or assumed, the Indians would be willing to part with.

The conflicting charters of the Colonies, now changed to States, and the selfish desire of each to enrich itself, for a time seemed to endanger the stability of the young republic.

New York had lost more than half its domain to Great Britain by the treaty of peace, and Massachusetts insisted on all of the remainder west of the old Dutch boundaries near Fort Standix. Connecticut also claimed a slice on the south side of the State. Other States had other claims in the west.

Finally a compromise was agreed upon in 1786, to which the General Government and each of the States were parties. This compromise gave Massachusetts the "right to buy" of the Indians, should they choose to sell, all the lands of New York and of Seneca Lake, while New York had the same rights east of the lakes, excepting for ten towns in the southern part, which went to Connecticut; and New York retained its sovereignty as a State over the whole of the territory.

The western lands went chiefly to the General Government, though Connecticut got a "reserve" in Ohio. The account of this transaction may be found in vol. 4, Journals of Congress, 1787.

The Indians were not a party to it. How could they be bound by it?

This "right to buy," in law Latin "preemption," was carefully guarded so as to prevent fraud upon the Indians. Massachusetts might sell it, but she was compelled to have a commissioner present, and the United States must always be represented at any purchase made of the Indians.

Massachusetts sold the right to two men named Phelps and Garham. They bought some lands of the Indians and then sold the remaining right to Robert Morris. He bought some lands and sold them to different persons, and finally sold the remaining right to the Holland Land Company.

They bought some lands and then sold the remaining right to Daniel A. Ogden in 1810.

In 1821 Ogden transferred his right to a "trust," Robert Troup, Thomas L. Ogden and Benjamin W. Rogers, trustees. In 1829, these trustees conveyed the same to Thomas L. Ogden, Joseph Troup and Joseph Fellows, trustees.

The first two of these died and Joseph Fellows substituted for them George R. Babcock and Charles E. Appleby. Mr. Appleby is the sole survivor.

This is called the Ogden Land Company. Its interests are said to be owned by over 100 persons—but it has no capital stock and no incorporation. It probably could not "sue or be sued," nor could it exercise its "right to buy." In fact, all it has claimed for fifty years is a "right to sell."

But with its transactions begun the troubles of the Indians. Its first purchase, in 1826, was of 87,526 acres for $48,216—but of this money only $43,250 reached the Indians; the other $5,000 had been used in bribing the chiefs to betray their constituents.

Not only this, but as was disclosed in Congress, the Ogden Land Company, combining with other New York speculators, originated and carried on the scheme by which the United States Government was persuaded to expend a large sum of money in purchasing the Green Bay tract in Wisconsin for the purpose of removing all the New York Indians to the Far West.

The Oneidas and St. Regis only suffered from this, as the Senecas absolutely refused to go. These transactions extended from 1817 to 1832.

Having failed to obtain the remaining lands of the Six Nations by the Wisconsin scheme, the Ogden "trust" started on a new line, to wit: To remove these Indians to Kansas.

For this purpose was made the treaty of 1838. This treaty was stubbornly fought by the great mass of the Indians; but the speculators, led by the Ogden company, bribed the commission of Massachusetts, the representatives of the United States and the Indian chiefs, until a majority of their signatures was secured, and the treaty was ready to be proclaimed.

President Van Buren, however, refused to proclaim it, and in his message to the Senate of Jan. 13, 1840, declared its negotiation a "most iniquitous proceeding."

There were powerful interests at work, however, and in the United States Senate, when a number of the friends of the Indians were absent, March 25, 1840, the treaty was ratified by 19 to 19, and the Vice-President in the affirmative.

Congressmen or others may find an interesting history of this most disgraceful transaction in the Congressional Record for January to April, 1840, and particularly in the speech of Senator Sevier, and the documents accompanying, of March 17, 1840.

A suggestive fact was brought out. The evidence showed that every chief who had knowingly signed the treaty to remove his people to the West held a private contract with the Ogden company to give him a deed to grant land in New York State. Some were so drunk when they signed that they did not need further bribe.

Now, at last, the Ogden Land Company had a claim on all the lands. But the conscience of the natives had been aroused. The Indians, tearful and sullen, refused to leave. The action of President Jackson with the Seminoles of Florida could not be repeated with the Senecas of New York. They could not be forcibly transported, although the Ogden Land Company was clamoring for its "rights."

Investigations in New York, in Massachusetts and in Congress largely stimulated by the Society of Friends, laid bare the whole plot, and threatened to repeal the treaty—which had not been constitutionally ratified either in the Senate or by the Six Nations. The titles of "innocent purchasers" from the Ogden company seemed to be imperilled. So a compromise was effected.

April 9, 1842, a new supplementary treaty was ratified, by which the Ogden company were compelled to reconvey to the Seneca Indians the two reservations of Allegany and Cattaraugus with all "their old rights," while the Buffalo and Tonawanda reservations were given to Ogden, and, in return for these two, the Six Nations were granted the Kansas lands, which the United States thus disposed of for the benefit of the Ogden Land Company.

The title to the Kansas lands, however, remained with the United States, and after their sale it took forty years to get a court judgment that the proceeds should be paid to the Indians.

They have not yet been paid, and the present Vreeland bill proposes to take $200,000 of the money and turn it over to the Ogden Land Company to satisfy their "claim."

What "claim?" Mr. Vreeland told members of the Indian Commission that it was believed that a decision of the Court of Appeals made in 1891, and found in N. Y. Reports, 126, about page 125, established the claim of the Ogden Land Company.

An able lawyer of New York city has examined that decision and in a brief shows conclusively that it does no such thing. That decision affected land on the Buffalo reservation, whose title had been attacked.

It declared that the Ogden title to that land was good, but at the same time on pages 130, 133, 134 and 140 uses language to show that the "remaining lands"—namely the Allegany and Cattaraugus reservations—belong solely and exclusively to the Indians and are separated from the Ogden lands by well-marked boundaries.

One other fact should be noticed. The Tonawanda band of Senecas, desiring to live separately from the others, remained on their reservation—and after much controversy finally took their share of the Kansas money and paid it to the Ogden Land Company for a deed to their own lands.

In all conscience, if $200,000 is to be deducted from the Senecas' fund, it better be given to the Tonawandas than to the Ogden Trust.

This Ogden Trust has always maintained its agents at Washington either on salary or on "spec." When the Dawes bill for granting allotment in severalty was under consideration, it raised a hue and cry about their "claim" and Dawes left the New York Indians out of his bill.

In 1891 it got a bill started to pay $300,000 for the claim, and when the Indian Commission offered to agree to the payment of $100,000 it "bluffed" a refusal.

Mr. Appleby innocently explained to one of the commission, that the company's attorneys had a contract to handle the matter for a certain time and he could not negotiate until that "option" on an "option" had expired. I understand it has expired, and now Mr. Appleby is willing to sell for $200,000.

Sell what? The right to buy if the Indians want to sell. But the Indians protest that they do not want to sell, nor are they willing to sell, and every one knows that of all their vast dominions they have no more left than they need.

Suppose, now, that these few lands are divided, allotted in severalty, to the individual Indians, and that twenty-five or thirty years from now an individual Indian wishes to sell or exchange his land for other property, is there a court in Christendom that would allow the claim that a preemption right to the wild lands, which the Indian might not want, would prevent him from giving a good title to lands granted to him by the United States Government for his individual use? I doubt it.

But even were it true that there is such a cloud on his title, who put it there, and who ought to remove it? Not the Indian, surely. The cloud came from the compromise of 1786, made by white men for the benefit of white men. The Indian was in no sense a party to it.

But the Vreeland bill also provides for extinguishing the leases to the whites. It may be claimed that this is a sale within the meaning of Ogden's rights. Assume that it is. Let the Ogden Land Company exercise its option as to those leases. The Indians are willing to sell. The Government of the United States fixes the price. Let the Commissioner of Massachusetts, the representatives of the United States, the Indian chiefs and the Ogden trustees meet. The land is for sale, one hundred dollars for this village lot, fifty for that, &c. Some $25,000 worth in all.

The Ogden trustee has the first chance to buy. If he buys, all right. The Indian gets the money, and the lessee is protected by his lease.

But, perhaps he doesn't want to buy, doesn't like the price, hasn't got the money, or any other means. He does not exercise his option. What happens then? What would happen were one citizen of the United States to fail to exercise his option on the property of another? The option would expire.

Now, we have good authority for stating that that is precisely what would happen in this case.

After the disclosures of the scandalous frauds of the treaty of 1838, New York took a hand. As it would become her duty to maintain the title of the purchasers of the lands within her sovereignty, her Legislature enacted a law prescribing the manner and conditions under which these sales of Indian lands to the preemption holder should take place, just as she prescribes that a married man cannot give a perfect title without the signature of his wife.

This law was enacted in 1845, and may be seen in the statutes. While it was under consideration Mr. Fellows of the Ogden Land Company fought it most strenuously, claiming that it interfered with his "rights." The Legislature took counsel of John C. Spenser, an eminent lawyer, and at one time a member of the President's Cabinet.

He gave an exhaustive opinion, discussing the whole question and summing up as follows: "This first right to purchase gives precisely the same right to purchase of the Indians as any citizen has to purchase of another. No less and no more."

He recommended the enactment of the law, and it was enacted and stands to-day. The Ogden company must now deal with New York so far as to comply with the provisions of that act, and this, according to Mr. Spenser, brings that company under the ordinary law of contract. If it does not exercise its option the option expires.

Might it not be a grand thing for the Government, in the language of the street, to "call the bluff" of the land company, and in the matter of the leased lands, demand that they "put up or shut up," make the purchase or forfeit the option. In the latter case the "cloud" will have vanished.

It seems to me that the questions proposed at the outset may now be answered: Has the Ogden Land Company any claims in equity or law that can act as a "cloud" on the title of the individual Indian; were the lands allotted in sovereignty?

None whatever in equity and a very doubtful one in law. If such cloud exists, upon whom does the moral or legal responsibility to remove it rest? Not upon the Indian, certainly. He has never been a party to, nor in any way benefited by, the transactions which generated the cloud.

If such a cloud does exist, it is the moral and legal duty of the United States, Massachusetts and New York, jointly and severally, to clear it up. The transaction is simple. Let the United States, for instance, if Congress thinks there is a shadow of claim, make a test of the leaseholds. The Indians, I doubt not, will coöperate. Give a reasonable opportunity to the Ogden Land Company to buy—a year's notice would suffice. If it does not buy, declare the option closed. If the company has a grievance the courts are open to it. The Indians have been compelled to resort to them. Let the land company do the same. Respectfully,

CHARLES T. ANDREWS.

SENECA FALLS, March 7.

WELCOME TO CORPORATIONS?

How Does It Serve the State to Drive Them Elsewhere?

TO THE EDITOR OF THE SUN—*Sir:* Among many excellent editorials in your valued newspaper, I have seen none for many weeks so full of conservative intelligence as that on "State Taxation of Corporations" that appeared to-day.

But why not go a point further? If the policy of harassing foreign companies under local laws is open to objection, why is it not worth while to ask ourselves this question: Can nothing be done to extend a cordial welcome to all corporations to open an office and do business under the laws of this State?

New York is the place to which, in the natural order of things, all capitalists are attracted, all corporations desire to come. With a liberal policy inaugurated at Albany, many old companies and innumerable new ones would take up a residence in our city. Every one familiar with the present situation knows that under the existing system capital is constantly driven away from New York. If THE SUN and other important organs of public opinion will keep on calling attention to this important issue, we may hope for amendments to the laws of this State which will bring to us thousands of companies and individuals who are now kept away by restrictive and coercive enactments. Than greater liberality at Albany in this respect, nothing would hasten faster New York's becoming the commercial metropolis of the world. THURLOW WEED BARNES.

NEW YORK, March 10.

Japan's English-Speaking Population.

TO THE EDITOR OF THE SUN—*Sir:* So many misrepresentations of this country have recently found their way into the American press that I wish to make a few corrections, especially in reply to a correspondent of a journal published in New York from Kobe.

He states that English is spoken universally in Japan, and as this is entirely untrue, I beg leave to furnish you with some statistics on the point.

The population of Japan, according to the most recent census, is 45,000,000. Of this number 10,000 speak English, 1,000 French, and perhaps 2,000 German—other foreign languages cutting no figure at all. They are nearly all to be found in Yokohama, Kobé and Nagasaki and at the capital, Tokio.

The English spoken is generally poor—in many cases only a few common words being acquired to meet the wants of foreigners. Of course some, especially those educated abroad, can speak fluently; but they do not probably number 1,000.

Taking 18,000 from 45,000,000 leaves 44,987,000 who do not understand or speak anything but Japanese. The correspondent evidently got the impression that English was "universally spoken," because he kept in the treaty ports (whose population in all only just exceeds half a million), or stayed on the line of European travel, where, of course, in such resorts as foreigners always patronize, English is naturally spoken and understood.

I simply wish to state that his gross misrepresentation should be contradicted. For example, in New York city alone, I think about 400,000 speak German, and 100,000 French, out of a population of 3,500,000; yet no one can consider that the German or French language is universally spoken in the Metropolis. Yet the ratio of German population is about one in nine, while that of the French stands at one in thirty-five. The ratio in Japan is one English-speaking person in 4,500. There is no doubt that there is more Italian spoken in the borough of Manhattan alone than there is English in the whole realm of the Mikado. C. L. F. DUHAIN,

Manager *Japan Daily Advertiser*.

YOKOHAMA, Feb. 14.

For a Shaft That Can Stand 24,000 Horse Power.

TO THE EDITOR OF THE SUN—*Sir:* I see by the reports in THE SUN that the Cunard company are about to build two new steamships intended to surpass in size and speed any of their present fleet; that the new ships will be faster is a foregone conclusion, as they will combine the two most important requisites for great speed, viz: length and great engine power.

There is one problem to be solved in their construction which I think is of great importance to engineers everywhere, and that is the diameter of a shaft strong enough to convey 24,000 horse power, something which has never been accomplished yet, and also the diameter and pitch of the propellers, as twenty-two feet is about the largest diameter that can be used in the present system of hull construction for the very obvious reason that there is no space for larger ones, as the draught of the ship is limited to the amount of water and harbor bars and dock sills, and thirty-one feet draught is about the limit under present conditions. To give excessive pitch or angular advance is at best a doubtful expedient and the powerful engines behind them would be very likely to smash the blades off when racing, as race they will, no matter how large the ship may be, and to increase the pitch is to flatten the blades and therefore increase the danger of broken propeller blades when steaming in a heavy seaway.

In this connection I may be permitted to say that in 1889 I wrote a few letters to the *Engineer* of London. In one of them I said that within a very few years ships would be built 700 feet and over in length, and that as the submerged area of the hulls increased, that the area of the propellers would have to be increased in the same relative proportion, but not on the plan since tried on the United States cruisers Columbia and Minneapolis. This whole proposition was received with a howl of derision by some of the engineering profession. JAMES HAMILTON.

BROOKLYN, March 8.

Police Shelter of Vagrants.

TO THE EDITOR OF THE SUN—*Sir:* The lodging rooms in the police stations for shelterless persons stranded on our streets, for many years open to them, are closed, it is alleged at Police Headquarters, because overcrowded. If so, the number admitted could be limited. The excuse for not opening them is "business of greater importance," and also "no money assigned for the purpose," when no money is needed, but only the order by the Commissioner to open the doors and so obey the law, which says: Section 323, of Charter, "It shall be the duty of the said Police Board and it is hereby empowered to provide for the lodging of vagrants and indigent persons." Such duty is not imposed on any other department. "The Commissioner of Charity shall make provision for the temporary care of such persons."—Section 662.

I have the honor to be the Secretary of the Bread and Shelter Society for the purpose of succoring these unfortunates. Members: Mrs. Mary Louise Thomas, ex-President Sorosis; the Rev. Dr. Yokum, rector St. Andrew's, Episcopal; Nathanile I. Wyeth, Esq., counsellor at-law; Prof. Edward A. Spring and others. BRADHURST SCHIEFFELIN.

NEW DORP, S. I., March 8.

Table Talk.

TO THE EDITOR OF THE SUN—*Sir:* In this day of self-culture and close observation there are men and women who upon other subjects are well informed, but who do not hesitate in the presence of guests at the table to pour forth a perfect fusillade of personalities in the form of questions which at any time would seem in poor taste, and enter into a detailed account of various ailments in their most revolting phases; as, for example, rehearsing the horrors of a case of smallpox; discussing abscesses and surgical operations in detail with evident delight, and disclosing the personal afflictions of families, who would shrink with horror from such disclosures.

To these same offenders of the law of good-breeding belongs the peculiar inability to see themselves as those around them are vainly trying to make them see, by their evasive answers, silence, and even frowns. Ignoring these, the tactless person persists in this mistaken conversational effort, to the discomfort and probable disgust of the others who are present. E. M. B.

SCRANTON, Pa., March 8.

FIRE AND MARINE INSURANCE.

Statistics for 1900 and 1901 of Companies Doing Business in This State.

ALBANY, March 10.—Superintendent Francis Hendrick of the State Department of Insurance, in his annual report, sent to the Legislature to-night, on fire insurance gives the following statistics of fire and marine companies doing business in this State:

	1900	1901
Assets	$329,988,120	$341,004,813
Premiums	154,916,507	172,838,263
Losses paid	96,698,528	101,001,227
Expenses	57,943,506	63,035,191
Dividends	6,674,594	6,691,751
Net surplus	119,629,958	118,095,024
Capital	56,652,875	54,902,875

The average premium charged for each $100 of insurance was increased from .87 to .97, and to this fact the improved condition of the business for the year is doubtless due.

The fire losses incurred during the year in this State were $15,037,405.49, as against $16,377,644.66 in 1900. This enormous waste of the property of our citizens and the heavy tax imposed upon them for fire protection, says the Superintendent, is matter for serious consideration on the part of the Legislature and our local municipal government, for the purpose of ascertaining whether local building laws may not be greatly improved and more strictly enforced.

The Superintendent recommends legislation giving the department supervision of insurance associations known as "Lloyds."

The aggregate assets of the domestic and foreign fire and marine corporations doing business in this State on Dec. 31 last were $321,728,328; the liabilities, excepting capital, $162,907,626, an increase of $14,706,889. The receipts for 1901 were $176,070,726; net excess of receipts over disbursements, $11,675,058. One hundred and fifteen companies received $13,466,097; more than they disbursed, and thirty-seven companies disbursed $1,791,039.01 more than they received.

At the close of the year 166 companies were covering $23,623,745,006 of risks in force. During the year these companies with the exception of the New York mutuals (5), for $240,718,152 in gross premiums, undertook to carry $24,918,237,142 of risks, an average premium of .97 for every $100 insured.

Of the receipts, $172,838,263 was received in premiums, $101,001,227 was paid for losses, $63,035,191 for expenses and $6,691,751 for dividends.

An exhibit of the business done last year in New York by the joint stock fire companies of this and other States and countries, and by the mutuals of this and other States, shows that the fire premiums received were $27,720,326; fire losses paid, $14,413,384; fire losses incurred, $15,037,405. The estimated amount of expense for the transaction of this business was $9,240,108, which, if added to the incurred losses, makes a total of $24,277,514, showing, as compared with the premium receipts, an apparent net excess of fire premiums received over fire losses incurred and estimated expenses of $3,442,812.

The amount of fire risks written in 1901 was $4,083,280,152, an increase of $492,270,820. The amount of marine and inland risks written in 1901 was $537,655,903, an increase of $7,748,604.

At the close of the year 1901 the fire, fire-marine and marine insurance companies doing business in this State were possessed of $341,004,813 of admitted assets, not including assets held abroad nor premium notes of mutual companies, an increase of $11,016,693 as compared with 1900. The liabilities of these companies, excepting scrip and capital, were $168,006,915, an increase of $15,193,629 over the return of the preceding year. The receipts were $185,517,432 and the disbursements were $170,728,170, an increase as compared with 1900 of $18,146,369 in receipts and of $9,411,542 in disbursements. The whole number of companies reporting in 1901 was 166, being sixteen less than in 1900.

MASON'S PLAN OF CAMPAIGN.

Sends to His Constituents Printed Cards of Admission to Senate Galleries.

WASHINGTON, March 10.—Senator Mason of Illinois, who is engaged in a campaign for reëlection, is out in Illinois shaking hands with the honest sons of toil, kissing their babies and indorsing whatever more or less meritorious legislative propositions they are interested in. As he cannot personally see every man, woman or child who may influence a vote in the Legislature which is to elect a Senator, Mr. Mason has adopted the plan of sending to every person in the State of Illinois whom he can reach by the mails and cannot reach otherwise, a printed card of admission to the galleries of the Senate chamber at Washington, good until March 3, 1903, with a promise that the date will be extended if Mr. Mason is reëlected. He is perfectly safe in doing this, as he knows the invitations cannot be accepted, but he knows also that those who receive them will understand that their United States Senator, William E. Mason, personally invites them to come to Washington, sit in the gallery and hear great men of the nation make speeches.

In sending out these invitations Mr. Mason goes just one step further than the Hon. Adlai E. Stevenson, former Vice-President of the United States, did, and from whom, quite likely, Mr. Mason received the idea. While Uncle Adlai was Vice-President he would sit in the beautiful green room for an hour or so every day before the Senate met and his greetings to every out-of-town caller were the same:

"Ah, how d'e do. When did you come to town? How long are you going to stay? Em-hum; well, let me give you a card to the Senate gallery. You're welcome. Good day."

NEW BUILDING AT VASSAR.

Davison Hall, Erected by John D. Rockefeller, Opened Yesterday.

POUGHKEEPSIE, March 10.—Davison Hall, at Vassar College, erected by John D. Rockefeller at a cost of $100,000 in memory of his mother, was opened at noon to-day. The building was invaded by happy freshmen, who were assigned rooms in the order of application for membership in the college. Workmen were busy in the corridors and the odor of varnish was everywhere.

Most of the rooms are "single," and at present the doorplates are trunk tags numbered and tacked up. The parlor is not finished. Here the woodwork is dark stained to imitate rosewood, and the walls are to be deep crimson, painted in water color. The dining room was greeted with exclamations of admiration. Its walls are pale yellow and its woodwork snowy white. The class of '05 is to be so well represented in Davison that for the remainder of the year it might well be called Freshman Hall.

No Southern Cross From Florida.

TO THE EDITOR OF THE SUN—*Sir:* I note what your correspondent, "C. W. F.," says in your edition to-day about the Southern Cross. Chief Engineer Shaw performed a feat impossible to astronomy when he showed "C. W. F." the cross in the latitude of the lower coast of Florida. Astronomers agree that the crux is visible astronomically, under the most favorable circumstances, on the Southern coast of Cuba. This means that it is just above the horizon in that latitude. H. N. C.

NEW YORK, March 10.

Their Starting Points.

Miss Beaconstreet—Our family dates from when the Pilgrim Fathers came over.

Miss Wallstreet—Yes? Ours dates from when the Blank Brothers went under.

In the account of the marriage of Mr. Louis Windmüller's daughter, published on Sunday, there was an error in a matter so important as the name of the bridegroom. Mr. Julius Heynen was the lucky man.