The Sun.

WILLIAM M. LAFFAN.

THURSDAY, JULY 31, 1902.

Subscriptions by Mail, Postpaid.

DAILY, Per Month	$0 50
DAILY, Per Year	6 00
SUNDAY, Per Year	2 00
DAILY AND SUNDAY, Per Year	8 00
DAILY AND SUNDAY, Per Month	70

Postage to foreign countries added.

THE SUN, New York City.

PARIS—Kiosque No. 12, near Grand Hotel, and Kiosque No. 10, Boulevard des Capucines.

The Keller Injunction.

The exact text of the temporary injunction granted in West Virginia in the case of the Gauley Mountain Coal Company against G. W. PURCELL and others by Judge B. F. KELLER of the United States District Court is here exhibited for general information:

"This day the complainant in this suit by its counsel presented to the Court its bill of complaint against G. W. PURCELL, W. B. WILSON, CRIS EVANS, 'Mother JONES,' CHARLES MCNELIS, PLEAS CLAYTON and JOE OZZIMA, which is ordered to be filed, and thereupon the said plaintiff moved the Court for an injunction as prayed for in said bill. Upon consideration whereof it is adjudged, ordered and decreed that until the further order of the Court the said defendant and each of them and their associates, confederates, agents and all persons acting with them or and they are hereby inhibited, enjoined and restrained from threatening or coercing in any manner any of the miners and employees of the plaintiff, the Gauley Mountain Coal Company, because of their working for said plaintiff, and from attempting in any manner to induce by or through intimidation, threats, force, coercion, or compulsion of any kind any of said miners and employees to quit the service of said company or to quit working for said company, and from going upon said property, mines or works, or any of them, and from annoying or harassing or attempting to annoy or harass in any manner any of said miners and employees while at work or while going to or returning from work or while in, at or about their homes because of their being at work for said plaintiff; and from trespassing upon, injuring or destroying any structures, fixtures or any other property of the plaintiff in or upon its premises aforesaid or in or about its mines and plants or any of them.

"And said defendants and each of them and their associates, confederates, agents and all persons acting with them until further order of this Court are further inhibited, enjoined and restrained from assembling in camp or otherwise, or marching or causing to assemble in camp or otherwise, or marching any body or company of men on the property of said company, or at the mines of said company, or the residences of its employees, or so near the mines of said company or the residences of its employees as to alarm, intimidate or coerce said employees so as prevent them from working in said mine, and from being a part of any such body or company of men.

"But this injunction shall not take effect until the plaintiff or some one for it shall execute bond before the clerk of this court in the penalty of $5,000, with security approved by such clerk, conditioned to pay all such costs and damages as may be sustained by the defendants or any of them if it shall hereafter be determined that this injunction ought not to have been awarded. And upon such bond being given, the United States Marshal for said district is directed, in addition to the serving of this order upon the defendants, to post copies thereof in and about the mines and works of the said plaintiff and at such public places as the plaintiff may direct.

"And the motion for permanent injunctions is set down for hearing at Charleston on the 18th day of November, 1902."

It is proper and fair to contrast the actual contents of this judicial order with the following statement issued in denunciation of the court on Tuesday night by President MITCHELL of the United Mine Workers of America:

"The injunction of Judge KELLER restraining officers of the United Mine Workers of America from purchasing and distributing food to West Virginia miners is a great wrong, and if sustained by the higher courts will destroy the liberty of American citizens."

There is absolutely nothing in the injunction which justifies this description and characterization of it by Mr. MITCHELL. There is nothing restraining the distribution of food to striking miners; and consequently nothing which affords the slenderest basis for the cry that the United States court is helping to starve out the strikers.

The conclusion is not that President MITCHELL sought to excite public sympathy by misrepresenting the character of the injunction. We believe him incapable of such extreme folly. What he did was to accept prematurely a false report of the injunction's contents, and to base thereupon a hasty and exceedingly ill-advised public statement.

A Temptation Valiantly Resisted.

The Republican State Convention in Vermont cast for the nomination for Governor 324 votes for J. G. MCCULLOUGH of Bennington, 221 for P. W. CLEMENT, the "local option" advocate, and 189 for F. D. PROCTOR, on the first ballot. On the third ballot MCCULLOUGH was duly nominated, and subsequently some of the disgruntled supporters of CLEMENT put him up as an independent candidate, pledged to local option as the paramount issue of politics in Vermont. MCCULLOUGH is the regular Republican candidate in a State which has been uniformly Republican since 1856 without the break of a year.

The Democrats of Vermont, who never win, and who have never won a State election there since JAMES BUCHANAN lost it, are on record against the present prohibition law, as against all other laws and policies adopted by the Republicans, and at the Democratic convention at Burlington the plan of indorsing the nomination of CLEMENT was seriously urged upon them. With him at the head the Democratic ticket might win; the Republican organization in the State heretofore invulnerable might be shattered; a larger representation of Democrats in the Montpelier Legislature would be assured; the Republican plurality, usually larger than the Democratic vote, would certainly be diminished; of the fourteen counties, all Republican, one at least might be carried by the Democrats, who, encouraged by this unusual mark of popular confidence in Vermont, would set themselves up as harmonizers in the field of national politics perhaps. Here was, indeed, a temptation unprecedented in the records of the Democratic party in Vermont.

But the stalwart minority did not flinch. By the light of the brass buttons on LUKE POLAND'S greatcoat they saw their opportunity, and, to the abounding credit of their courage, they evaded it by nominating for Governor FELIX MCGETTRICK of St. Albans.

Now won't CLEMENT think it over and retire?

A Democratic Forecast in Wisconsin.

It is curious to see how the Pingreeism of Governor LAFOLLETTE of Wisconsin, Republican candidate for reélection, has revived a spark of Democratic sentiment as it was known before the time of GROVER CLEVELAND and the Mugwumps. The Hon. DAVID S. ROSE, the Democratic Mayor of Milwaukee, forecasts a campaign of the old style for Wisconsin this fall:

"We intend to make our campaign entirely on State issues. Chief among them will be Governor LAFOLLETTE'S proposed direct primary law and the taxation question. We are against a direct primary law, because it is opposed to the fundamental principle of our Government, majority rule. A machine, even fairly well, not to say excellently, managed, can dictate nominations absolutely with a direct primary. Suppose there were ten candidates for a Mayoral nomination in Milwaukee or for a Gubernatorial nomination in the State. It would be easily possible, nominations being determined by a plurality vote, for a candidate to be nominated to whom nearly 90 per cent. of the persons voting were absolutely opposed. We believe in majority rule.

"We are against LAFOLLETTE'S taxation schemes, because we believe in fair taxation, but not in double taxation."

Possibly Mayor ROSE voted for BRYAN. Certainly he is not a Bryanite. He is no Populist. How able he is to give vitality to the political wisdom he utters in his party's name remains to be seen. An old-fashioned Democratic revival in Wisconsin might make a whirlwind in the nation.

The Plan of a Virginia Philosopher.

A friend in Richmond calls our attention to a letter printed in the *Times* of that town recently as "throwing light on the conditions under which the negro must live and struggle toward a higher civilization."

This letter is from Mr. JERRY MONTAGUE and it is dated from "Deep Run Hunt Club." Its writer is evidently a man of much intelligence, and his argument proves, at least, that he has thought very earnestly on the subject of which he treats. But it is not a convincing argument. The facts do not sustain it. We do not see in it the "light" of which our friend speaks.

Mr. MONTAGUE'S solution of the negro problem is that "the negro must go." But he does not propose to drive him out. He would merely let him go under the "leisurely action of the forces of nature." If these are not "intercepted by violence," used by "pent-up philosophers and philanthropists and doctrinaires," in the attempt to "defy nature's law," Mr. MONTAGUE believes that they will be sufficient for the negro's destruction.

Consideration for the negro which shows itself in efforts to lift him up in the scale of civilization, by encouraging him to buy land, go into farming and attach himself to the soil, instead of following the present tendency of the race to crowd into cities, or by educating him "above his state in nature as a servant," he looks on as examples of such violent interruption. Mr. MONTAGUE would "let the negro come up to town and be ground out of existence," and "the sooner the better for both the negro and ourselves."

This seems a cruel way of solving the negro problem, but Mr. MONTAGUE is merely advising that the natural law of the survival of the fittest shall be allowed to operate without sentimental restraint. Of course, it is not the Christian law. It defies the law of CHRIST that the poor, the weak and the oppressed must be saved by Christian charity from destruction by the operation of that remorseless natural law. Mr. MONTAGUE, as a natural philosopher, would put no obstacle in the negro's path to extinction, not even if in pursuing it he is sure to go to the devil. He would stand by and watch with philosophical calm the process of the crushing out of the negro by the competition and race hatred of white labor, by "exclusion and the boycott" until "these poor, improvident people" are "decimated" by the "even less sanitary living and poorer food, siege rations, immorality and disease," which will result from their inability to get work and, consequently, money. "Let the negro come up to town," for "the negro must go."

In the United States there were, in 1900, according to the census of that year, 8,840,789 negroes, including all persons of negro descent, and of the number, about eight millions were congregated in the Southern States only. Now, if the negro "goes" where will the industrial system of those States get the labor upon which it depends, for that labor is negro almost exclusively? Mr. MONTAGUE contends that the "'new agriculture' and the modern industrial development of the South" are "held down and pulled back by the inferior capacity of the negro." But what signs are there that this now essential negro labor will be displaced by any other or better? If the negroes were relatively few, as they are here at the North, his theory that, naturally, they would be overwhelmed by competing and contemptuous white labor, might be sustained by experience, but at the South where, under present conditions, the white laborers are few and the negroes many, it would not work. The immigration of this last year has been the greatest in the history of this country, with the exception of one year only, yet few of these immigrants, not relatively but actually, have gone to the Southern States, and there is no considerable tendency thither of Northern labor.

If there should be set on foot any organized attempt to carry out Mr. MONTAGUE'S plan of assisting the negroes to go to destruction it would be resisted by the whole South so soon as its fruits began to appear in the "going" of the negro. Moreover, Southern civilization could not stand the strain of the process of negro demoralization and degradation by means of which Mr. MONTAGUE would get rid of the race, "in nature's slow, grinding way." The negro population is too great proportionately. In South Carolina and Mississippi there are more negroes than whites, in Georgia the two races are nearly equally divided numerically and in Louisiana the whites are only about 11 per cent. more than the negroes. The very instinct of self-preservation in the white civilization of the South dictates resistance to the philosophy which would offer no obstruction to the "going" of the negroes to the devil and to destruction.

Moreover, the South in its present wonderful industrial development needs all the labor it can get, black and white, and, practically, the preference there seems generally to be for negro labor.

The Hoot-Owl and the Jassacks.

For a long time we have watched with sympathy and admiration the political career of the Hon. RICHARD MONTGOMERY COOK, editor and publisher of the *West Virginia Hoot-Owl*, which tuwhits in Clay county. Mr. COOK'S editorial motto is "By right, by truth, and by our friends we stand or fall." He lives up to his motto. Sprinkled between the advertisements of remedies for whooping cough and kidney trouble which adorn his editorial page are leading articles of great pith and moment, and paragraphs that flame and fizz, full of fire and champagne. As the Hon. OLEY ORD SUTTON of Sutton wrote to Mr. COOK under date of June 11, "no man is a greater factor in politics than is the man in the editorial chair." He might have added that there is no more engaging figure in the editorial chair anywhere than the Hon. RICHARD MONTGOMERY COOK. "You deserve to be rewarded in Clay county," Mr. SUTTON went on, "for the great amount of work devoted to the interests of your county both in a material and a moulding way."

The same idea had occurred to Mr. COOK, and in the number of the *Hoot-Owl* which contained Mr. SUTTON'S letter, the editor asked for his reward and showed additional proof of his fitness therefor. He flung to the breeze and the head of his editorial columns his own intellectual, noble and convincing head, here reproduced for asthetic reasons and as a joy forever:

R. M. COOK.

Editor of the *West Virginia Hoot Owl* and Republican Candidate for House of Delegates.

In an article which contrasts charmingly with the notice of some sort of bitters at its feet and with the notice of Foley's Kidney Cure at its crown, Mr. Cook thus modestly recommends himself:

"We call the special attention of our readers to our picture in this issue. We do not do this to show ourself, but to show our party that we mean to be up to date with other counties and to make a good fight for the nomination, and when we are nominated we will take a great pride in making a hard, up to date and successful fight for our election."

And we call the special attention of our readers to that picture in this issue. There are to be divined or seen power, tempered with mildness, commanding intellect, the gerfalcon eye, the true statesman's ear, flaring out to catch the slightest whisper of the people's voice and call. It is a head that would have have been preëminent in the West Virginia House of Delegates or in any other chamber of mind. There flashes from it the look that draws audience still as night. With that head at its disposal Clay county should be at the front in the politics of the nation. Our readers will cut out that poll and store it reverently in their collections. As the plays all say, "the time will come." Unfortunately the time didn't come this year. The ways of nominating conventions as of petit juries are past finding out. We may say of the politics of Clay county what JOHN ADAMS said of the politics of New York, that they are "the Devil's own incomprehensibilities." The *Hoot-Owl* of July 3 had this melancholy announcement:

"For House of Delegates: MARK C. KYLE of Henry district."

Who the blazes is KYLE? The world knows COOK of the *Hoot-Owl*. KYLE it neither knows nor wants to know. So far was the brain of the *Hoot-Owl* from winking that as he says, with manly regret: "We could not get our name placed before the convention, although we tried at least two dozen Republicans to get them to do this little act of kindness for us, which we could not well do ourself, and not one of them would act." Such are the gnats. They love to bother the lion. But Mr. COOK keeps that incomparable head. He stands by right, by truth, by the head, and by his friends, even if they have refused to stand by him and the head:

"They cannot run us out of our party in which we were born and reared. We are for, and if we don't get one cent's worth of help from other Republicans with which to pay expenses of the paper, we are going to do everything in our power to elect the ticket, and if they are all as true Republicans as we are we will have their assistance, we need all the assistance we can get, and no one can truthfully say that we haven't got one of the very best tickets in the field ever put there by the Clay county Republicans. If we can't pay the expenses of the paper and run it, and cannot procure any help from the candidates as a last resort, we will lay down the *Hoot Owl* in honor of Republicanism and stump the county in behalf of the 'dark horse,' who was driven from his shady grove within the green fields of clover, out upon the rugged fields of browse and political hardships to battle among mules, 'Jassacks' and Democrats in defence of the G. O. P. and his own political career."

In defeat unconquered. The malignant and the envious can't lose that head. In vain do the heathen rage against it. "We couldn't be driven out of the Republican party," says the head; "we are one of the party and would be a fool to allow other people to root us out and make a 'jassack' of us. * * * Let us print a better paper." It is unnecessary to print a better paper than the *Hoot-Owl*. It is impossible that there should be anything greater than the head. It will lead yet in the ranks of war in Clay. It cannot be kept out of the House of Delegates. It was made to lead and shine and the "jassacks" bray in vain against it.

We have had high hopes of the Hon. CARTER HARRISON, Mayor of Chicago, and looked to see his brown Fedora shine among the ranks of war against plutocracy, but those hopes are mildewed. The Chief of Police of Glencoe, Ill., swears that Mayor HARRISON "is the most reckless of all the chauffeurs that drive their machines up the Sheridan road." The Chief calls the Mayor a fugitive from justice and offers a reward for his arrest. "He has run away to Michigan," says angry Glencoe, "but he'll come back some day and 'find trouble.'" A bushel of trouble. The Money Devil is not to be driven out by plutocrats in devil wagons; and Democrats who keep a Juggernaut of their own will never block the wheels of "the Juggernaut of capital." The Hon. CARTER HARRISON is a lost leader.

Not long ago it was our happiness to give the right and glad hand of fellowship to one of the Indiana SCOTTS, the Hon. BOOTH TARKINGTON (books and doughnuts), as he plunged into the sea of politics and came up with a nomination to the Hoosier Legislature pinned to his athletic chest. We took a Pisgah peep into the glorious future. From our watchtower we saw author after author making that bold dive or treading those waters with triumphant feet. We saw the Injianny Legislature composed entirely of writers, a Senate of poets, a House of novelists. Other Legislatures followed the high example. Congress became a literary body. The President and Vice-President were novelists. The Speaker was a novelist. The Ambassador at the Court of St. James's was a poet. The Cabinet consisted of authors. CHEVALIER FULLER was Secretary of State. The Hon. CHARLES MAJOR was Secretary of the Treasury; the Hon. RICHARD HARDING DAVIS, Secretary of War; the Rev. CYRUS TOWNSEND BRADY, Secretary of Navy; the Hon. HAMLIN GARLAND, Postmaster-General; the Hon. ROBERT GRANT, Attorney-General; the Hon. BLOODGOOD H. CUTTER, Secretary of Agriculture. Texas was cut up into forty-five States to make room for the vast crops of authors eager to be statesmen.

Such was the bright dream that cannot fade. Every day makes that vision truer. The Hon. WINSTON CHURCHILL, formerly of St. Louis, is to be a candidate for Representative of the town of Cornish in the New Hampshire Legislature, and he looks from Concord to Washington. Thus a government by wits, the rule of authors, is already sighted. "From Grub Street to the White House"; there is the title of the next great novel.

The "wheelmen's hotel" is a well-known institution in the United States. The appointment of such resorts was inaugurated by the League of American Wheelmen many years ago, and the cyclists have derived much benefit from it. A sign bearing the letters L. A. W. may be seen to-day on hotels, large and small, throughout this country, and wherever found it bids the cyclist welcome. It must be time for the "automobilists' hotel." They are being established in England with great comfort to tourists and profit to keepers. The rates are fixed, and there are machine yards, with water supply and hose pipe at least thirty feet long, and supplies of gasolene and oil.

There is much talk of the power of the eye, especially since hypnotism came in. The Hon. SIMON TAPPERTIT believed implicitly in the fascinating power of his eye; and probably there is something of Tappertitism in most men. SIMON TAPPERTIT, FASCINATION FLEDGEBY—much knowledge of men lurks in those names. The rich modern classic phrase, "to give de eye," that is, "to ogle," shows the lingering of old beliefs. There are folks with no fear of the Evil Eye that are profoundly convinced of the persuasive, drawing and quelling potency of their own set of eyes. Is there any man who doubts his power to awe an angry bull by looking straight into the bull's eye? In theory the human eye outstares and compels the taurine. The trouble is that the kind of bull you are likely to meet in a four-acre lot is an uneducated critter and will not follow your lead. Just as MOWGLI can look at wolf and panther until their eyes fall, so that beast of a bull ought to own the lordship of man, stop, be amazed, while you back to the fence. The uneducated bull, not knowing what is expected of him, may refuse to be fascinated or abashed and treat you to a horn.

Still, the eye has power. See the case of the lawyer and the pickpocket on the platform of an elevated railroad station in Brooklyn, Friday. The lawyer felt a pull at his hip pocket. Turning, he saw a man backing away from him. He followed him into a car, stood in front of him, felt in the hip pocket. The pocketbook was gone! Keeping his hand in that empty pocket, the lawyer aimed at the man sitting and cowering in front of him a long glance. The man's eyes dropped before that awful stare. "Did you drop your pocketbook, sir?" the thief asked humbly. "You had better hand it over," replied the lawyer, still ferocious of gaze. The fascinated pickpocket handed it over. Such is the power of the just eye. But not all bulls or all pickpockets are docile and sensitive.

An officer of a fireproofing company in this town complains that the Hon. EDWARD ATKINSON of Massachusetts and Manila got into the habit of writing letters to him about "fireproof" wood and tests of it. "I had to ask him to desist," says the surprised officer. He wouldn't be surprised if he knew Mr. ATKINSON as every lover of the true, the beautiful and the good ought to know him. It is the vocation, avocation and sole joy of that figuring philosopher to write letters. From the economic point of view that letter-writing should be fostered. It has been computed by Mr. ATKINSON that at least one-fifth of the postal revenue of the United States for the years 1898 to 1902 was contributed by himself and the Hon. GAMALIEL BRADFORD, the "second-greatest" letter-writer and stamp buyer in the world.

It is impossible to imagine that the followers of the body of the late Rabbi JOSEPH were the aggressors in the disorder that marked the passage of the funeral past the Hoe factory. It was one of the most disgraceful episodes that ever occurred in the city.

GUN TEST SUSPENDED.

Two Twelve-inch Disappearing Carriages Disabled at Fort Wright.

NEW LONDON, Conn., July 30.—More trouble was experienced to-day at Fort Wright by the Gun Carriage Board in the test of disappearing gun carriages, and all firing has been temporarily suspended. The next meeting of the board will be held in Washington on Friday. The trouble to-day was with a minor part of the gun carriage itself and not with the gun, as was the case yesterday. The board fired ten rounds from a 6-inch gun on disappearing carriage and with the exception of slow time it worked beautifully. The average interval between the shots was twenty-six seconds as compared with a record of seventeen seconds obtained with the Armstrong gun at Fort Wadsworth.

The trouble to-day occurred with the first shot fired from the big 12-inch gun on disappearing carriage. Immediately after the gun was fired a stream of oil shot from the equalizing pipe which connects the two recoil cylinders and into which oil flows from the two cylinders. This accident disabled the gun and an examination showed that the pipe had burst.

Another 12-inch was tried and a record of three shots made in three minutes and forty-eight seconds, an average of one minute and sixteen seconds for each shot. Then the same pipe burst, letting out a stream of oil and also disabling the gun. As neither gun can be fired until new pipes are placed in the carriage and as no ammunition for the 10-inch gun could be procured, the board decided to suspend the test temporarily.

The Philippine Question Better Understood.

TO THE EDITOR OF THE SUN—Sir: The admirable and conciliatory tone of your editorial on the Roman Catholic Church, in THE SUN of Tuesday, might well be reciprocated by the American Federation of Catholic Societies referred to at their meeting next Tuesday.

The manner in which they have expressed themselves hitherto is a guarantee that they will not use or indorse any "language likely to provoke Protestant resentment." Catholics collectively and individually need and desire the friendship rather than the toleration of their non-Catholic fellow citizens, of agnostics as well as of Protestants.

All have equal rights under the Constitution and the laws, and all should take the same interest in the honor and welfare of our country.

The only subject which you seem to fear may cause bitterness is the question of the Philippines. But your editorial shows very clearly that there is no longer the least grounds for such feeling.

The dignity of the United States, as well as that of the Vatican, has been admirably upheld by Governor Taft, on the one hand, and by Bishop O'Gorman on the other.

The publication of Secretary Root's last letter, couched in excellent spirit, removes the uneasiness caused by the sensational headlines of some papers. We can now have every confidence that the treaty and that the legal rights of the friars will be duly respected and that nothing will be done affecting our civil and religious liberties which might form an evil precedent.

MICHAEL CORCORAN.

BROOKLYN, July 29.

College Professionalism.

TO THE EDITOR OF THE SUN—Sir: I have read in last Sunday's SUN a communication signed "G. B. M.," regarding college professionalism, and as a graduate of one of the colleges mentioned in this communication I wish to say that I heartily approve of the writer's suggestions. The present rules against college professionals are useless. They simply provoke unseemly wrangles and, as every college man knows, they are violated every season. As the writer of this communication suggests, if the only requirement for membership in college athletic teams, in addition to athletic skill, should be scholarship, I do not believe that there would be any more so-called professionals representing colleges than there are to-day.

As a matter of fact, these young men who have played baseball for money during their vacations are not really professionals. Very few, if any, of them intend to become professional baseball players after leaving college. The solution of this difficulty which has vexed intercollegiate leagues seriously for the past ten years seems to me to be simple and effective. Drop all rules disbarring from intercollegiate contests men who have accepted money for athletic sports, and let the sole requirement be that they maintain a proper standing in their classes.

At a reunion of my class in Amherst last June I heard this subject discussed very generally, and I am sure that the solution of the matter as suggested by the writer to THE SUN will be very generally approved. I trust that it may meet with a fair discussion in intercollegiate leagues.

E. D. B.

NEW YORK, July 29.

Faults in Pennsylvania Ferryboats.

TO THE EDITOR OF THE SUN—Sir: Your correspondent's letter in to-day's SUN, on "Morningside Park," and its lack of conveniences for women and children, prompts me to call attention to the same want on the Pennsylvania Twenty-third street ferryboats. These boats are really gorgeous—double-deckers, and nice to look at, but, mirable dictu! have no toilets. The trip from Twenty-third street, New York, to Jersey City depot is a long one. Recently, as a physician, I accompanied a mother and sick child, who were returning to Bryn Mawr. I was compelled to carry that sick child to where the horses stand for toilet purposes. The porter told me there was no other toilet room on the boat. I advised this mother to publish the fact in the *Bryn Mawr News*, which would probably reach the railroad officials' notice, as they live there. Perhaps Mr. Patterson, Superintendent of Ferries, will note this publication of it.

UNIVERSITY OF PENNSYLVANIA M. D.

NEW YORK, July 29.

Lord Rosslyn Not to Be at Saratoga.

TO THE EDITOR OF THE SUN—Sir: I have seen in the newspapers a story that the Earl of Rosslyn is to be exploited at Saratoga this summer by a powerful syndicate of gamblers, and that he is to be used as an advertising figure for the gambling houses of that resort. This story is untrue and unwarranted. The Earl of Rosslyn is coming to this country under contract to me to appear with Jessie Millward, Leo Dietrichstein, and others, in Capt. R. Marshall's play, "There's Many a Slip." He will not arrive here until the Saratoga season is over, and when he does arrive all his time up to the opening of the play will be required for rehearsals. It is evident, therefore, that the Saratoga story is a fabrication, and I think it only fair in justice to everybody concerned that a statement be printed denying the same.

CHARLES FROHMAN.

NEW YORK, July 30.

Ready to Go Trolley Riding.

TO THE EDITOR OF THE SUN—Sir: "W. J. L." who in to-day's SUN asks for somebody to go trolley riding, four days' trip, sharing expenses, need ask no more. I'll go and am headed your way for particulars.

H. C.

TO THE EDITOR OF THE SUN—Sir: Advertisements in THE SUN are said to bring sure and quick responses, but if "W. J. L." who calls for a companion on a trolley trip in this morning's issue, has not already secured a riding mate he might communicate with me. If he is the "W. J. L." who writes the narrow gauge poetry that occasionally appears in THE SUN I should expect him to give some guarantee of modest deportment while away. I would be embarrassing to have to listen while he apostrophizes the conductors, motormen, electric fluid, and yellow corn in turn. I should want to do some of the talking.

A BUSY MAN WHO CAN GET OFF.

JAMAICA, July 29.

TO THE EDITOR OF THE SUN—Sir: As I think I recognize the style (or rather lack of it) in the letter signed "W. J. L." in this morning's SUN, I beg to submit the following:

I am not a millionaire,
But I can get there
With a great big
Whoop!
To take trolley rides
One must have time and money besides,
As I have neither and sin looking
For a soft thing,
Will you kindly steer
My way to
This very queer
Chap
Who goes by the name
(Is it always the same?)
Of W. J. L.?
As I think I'm a man,
I've no doubt that we can
Hit off some kind of a
Heterogeneous aggregation
Without getting off our trolley.

See? FRANK C. KINGSLAND.

7 WEST 100TH STREET, New York.

HIS RIGHTS IN THE ATLANTIC

Man Arrested for Bathing Off Sea Side Park Says He Violated No Law.

David Finkel of West First street, Coney Island, has raised the question: "Cannot a person bathe where he pleases in the Atlantic Ocean?" Mr. Finkel answers the question in the affirmative. Legal talent is considering it.

Mr. Finkel was arraigned yesterday in the Coney Island police court charged with violating a park ordinance in bathing off the new Sea Side Park at the Island. Policeman Langan who arrested Finkel, had to call a life guard to help him. Langan ordered Finkel to get away from the park lands. Finkel's answer was a laugh.

Langan waded into the surf after Finkel who gave a loud guffaw and swam down the beach. Langan called Life Guard Emil Meyer from the Arcade Bath and sent him after Finkel. There was a hot race between the two and Meyer finally caught Finkel and turned him over to Policeman Langan.

Finkel held that he had a perfect right in the ocean and declared that the Park Department had no jurisdiction over the water in which he was swimming. A representative of the Park Department argued otherwise. The case was adjourned for further hearing, Finkel being paroled.

STILL WOULD TAKE SILVER.

Shanghai Report as to Our Attitude in Indemnity Not True.

WASHINGTON, July 30.—A report from Shanghai that the United States and Great Britain had abandoned their efforts to get the Powers to agree to accept payment of China's indemnity in silver at the value of the silver tael prevailing when the indemnity protocol became effective is pronounced on authority to be untrue so far as this Government is concerned. Contrary to the report, the United States are still insisting that the proper interpretation of the protocol is that the then tael value should continue to be recognized for the entire period of payment. The tael then rated at 74.2 cents and the protocol provided that payments should be made in gold with the tael recognized as being of that value.

Owing to the depreciation of the tael, China will be obliged, if a majority of the Powers insist on their contention, to pay a greater rate for the gold with which to repay her creditors. It is estimated that payment under the rule insisted upon by a majority of the Powers will compel China to pay $70,000,000 more than the amount of total indemnity fixed in the protocol.

CONSULATE GOES BEGGING.

Only One Man Would Go to Warsaw and Russia Wouldn't Have Him.

WASHINGTON, July 30.—August Casimer Wolf, who was appointed Consul of the United States at Warsaw, Poland, has notified the State Department that he is unable to accept on account of ill health. Mr. Wolf is a Russian subject. Owing to the fact that the office pays only about $800 a year in fees, it has been impossible, except on one occasion, to get an American citizen to take it. The exception was Angus Campbell of Massachusetts, who was appointed last December, but owing to feeling against him in Warsaw over his elopement with a young woman of that place and the failure of the Russian Government to grant him an exequatur, his appointment was cancelled.

WANTS ARTESIAN WELLS.

Governor of Oaxaca Offers $5,000 and Ten Years' Monopoly, Tax Free.

WASHINGTON, July 30.—The Governor of the State of Oaxaca, Mexico, has offered a prize of $5,000 to any individual or company who will dig an artesian well, either in the city of Oaxaca or any other of three mentioned towns in the State. Consul-General Barlow writes from Mexico City that the Governor will grant a monopoly to the digger of the well for a period of ten years and exempt him and his property from taxation, allowing him to sell water to the inhabitants.

Session Laws Printing Awarded.

ALBANY, July 30.—The State Printing Board to-day awarded the contract for printing the session laws and slips for 1903, bids for which were received July 9, to the J. B. Lyon Company of this city. There were two bidders, the Lyon company and the *Argus* company, and figuring upon the basis of the amount of work under the contract last year, the bid of the Lyon company was computed at $4,080, and the *Argus* company at $4,525.

No Criminals Allowed in Army and Navy.

TO THE EDITOR OF THE SUN—Sir: The item "Young Gerard Must Enlist," in a recent issue of your interesting journal, is quite remarkable, inasmuch as it gives a fair idea of the status of the enlisted force of the army and navy entertained by the average citizen.

Young gentlemen who pass worthless checks, or otherwise conduct themselves contrary to the laws of the land, or the usages of common decency, will find that they can no more enlist in the army or the navy than they could find employment in any well-conducted business in civil life. If young Mr. Gerard enlists he will find himself confronted with some embarrassing questions as to his character, not only this, but he will have to produce very satisfactory references before the recruiting officer will entertain his application.

These rules apply to all candidates for enlistment. The army and navy are not resorts for criminals or forgers. The rank and file of the army and navy are intelligent, honest, patriotic men, proud of their flag and its traditions. It would be well for some of the well-meaning but misguided citizens to bear these facts in mind. The probabilities are that young Mr. Gerard will finish his career in civil life.

C. M. MILLER.

Army Service Detachment.

WEST POINT, July 28.

By the Author of Sassafras.

TO THE EDITOR OF THE SUN—Sir: Here is Elmore's latest, from the Indianapolis News. It is not up to his best work, like "Sassafras" and "The Moon Wreck," but still it is not bad.

C. R. W.

INDIANAPOLIS, July 29.

SWEET ONE TENNEL

Sweet Fennel
Loveliest village of the land
The beauty fades at sixths command
The sons are setting at their ease
Sweet balmy essence scents the breeze
Youthful boys play twixt the flowers
Dust in clouds sweep through the bowers
And all around both up and down
Grows the emblem of Fennel town
The stores, the shops are full of men
Who pip the streets of lovely Ken
The sylvine stone has its coat of dust
The English blade is steeped in rust
Oh, noble men redeem thy pride
Mow right and left both far and wide
Stand down the weed of flowing gold
Hung in the hands of young and old
Sweet Fennel Town. Thy stately school
Is no exception to the rule
Here greater knowledge doth abound
Than in the cities far around
The Master too has childish ways
Sits on the boxes idly plays
Jokes with the body politic
Expounds schemes and calls them sick
The youthful hang around and lie
At empty words of minds at rest
On comes the energy of shining gold
Knocks off the dust from buildings old
The wens of toil are ever there
Why prodigals are going West
They seek with ease of mind to roam
And leave behind their lovely home
Fault not the man with treasure sated
Think how he toiled and wrought and slaved
Bright and beautiful was his aim
Always toiling with nerve and brain
Growing and working day by day
Driving the wolf full open away
The charming lass or village belle
Despise of better days and dell
How once they took their evening stroll
In mother lane old in our soul
Where played the charming youthful boys
The games were lovely festive toys
The writers too with longing eye
Would loudly laugh as scenes went by
But now those days will come no more
Pomp and fashion has closed the door
The city chap will now come down
From Crawford with a beeg-ie crown
Bring on their games of modern skill
Treat all the girls and out a swell
They'll wipe away the rural sport
They are the lads that flirt and court
We now have reason to appal
The village barrs are down for all.

J. BUCHANAN ELMORE.

ALAMO, Ind., July 25.

MAN WHO FOUND NOTES FREED.

Not a Crime to Have Bank Bills Unsigned by the Cashier.

Bernard Malynn, the Hudson street hospital nurse who was arrested on Saturday after trying to deposit in the Irving National Bank four $100 notes of the Shelbyville National Bank of Shelbyville, Ill., which lacked the signature of the cashier, was discharged yesterday by Magistrate Deuel in the Tombs police court, after Policeman McVea, who made the arrest, had explained that there was no evidence against the man.

The policeman handed to the Magistrate a letter received by the Irving National Bank yesterday from J. W. Powell, cashier of the Shelbyville bank, saying that the bank had issued only six $100 notes this year, that all were fully signed, and that none had been lost. The letter concluded: "If any bills are out without signature or of long standing and by accident, they have been lost or stolen."

The signature of the President of the Shelbyville bank was forwarded with the letter and was found to correspond faithfully with that on the notes in question.

Magistrate Deuel, in discharging Malynn, directed the policeman to return the deputed banknotes to the nurse and advised Malynn to communicate with the Shelbyville bank and get the notes properly signed.

FOOL QUESTIONS ANNOYED HIM.

Amateur Auto Builder Explains Why He Didn't Heed the Policeman.

Frank Mueller, the die sinker, who built his own automobile and was arrested in it on Tuesday night for speeding in Central Park West, was arraigned yesterday in the West Side police court.

"I had my wife with me," he told Magistrate Meade. "And we were riding up Fifth avenue. At 101st street a man ran into the street and shouted for me to stop. I did and what do you suppose he said?"

"'Mister, your wheels are going around.' That made me mad and I ran the machine a little faster, but at 110th street another man ran into the street and held up his hands as a signal for me to stop. I stopped again and he said:

"'Get a horse.' That was enough for me. So I ran the machine over to the other side of the Park. We were going faster than I thought the automobile would go, when this policeman shouted for me to stop. I thought he was like the others and had some fool thing to say, so I kept on until he got me. That's all."

Magistrate Meade held Mueller in $500 bonds for trial and when he couldn't furnish bail he was locked up.

CONSUMPTIVE HOSPITAL PLANS

Adopted by State Commission—Construction to Begin This Fall.

ALBANY, July 30.—The commission in charge of the construction and maintenance of the proposed State hospital for consumptives to be located in the Adirondacks, met here to-day with State Architect Heins. Howard Townsend, president, and John Seeley Ward, Jr., of New York city and Dr. John H. Pryor, secretary, of Buffalo were present and approved Mr. Heins's plans for a two-story brick and stone building, to be constructed on the pavilion plan with an administration building in the centre. The hospital is to accommodate a hundred patients and is to be located at Raybrook, Essex county, between Lake Placid and Saranac. It is to be started under the appropriation of $100,000 made by the Legislature, it being the expectation that work can be begun this fall, so as to have the building ready for occupancy next year.

ART COMMISSION TO OVERSEE

Changes in the City Hall's Ventilation, Ceilings and Floors.

Mayor Low sent a letter yesterday to the Municipal Art Commission informing the members of that body that certain changes were contemplated in the interior of the City Hall and requesting the Commission to pass upon the plans.

"This building," the Mayor wrote, "is so fine a specimen of architecture that I am anxious that no changes should be made in it except such as have been well considered and are believed by the Municipal Art Commission to be proper."

Some weeks ago the Board of Estimate and the Aldermen appropriated $25,000 for the improvements. The money will be spent mostly on a new ventilating system and the rest in new floors and ceilings.

GIRLS' LUNCHEON FOR CANTOR.

Cooked and Served by the Pupils of a Vacation School.

The housekeeping class of vacation school 177 at Market and Monroe streets entertained Borough President Cantor at luncheon yesterday. The spread was cooked by the girls of the class under the supervision of Miss Silverstein, their teacher. The meal consisted of veal croquettes and green peas, sandwiches and salad, toasted crackers and cheese, chocolate fudge and coffee. The pupils afterward presented to Mr. Cantor a hand-painted menu card and a leather pocketbook.

Mr. Cantor made the hearts of the girls glad by telling them that the veal croquettes were vastly superior to anything Delmonico used to serve to Sam Ward, and that the crackers and chocolate fudge were even better than his mother used to make.

ROSE COGHLAN TO BE A CITIZEN.

Renounces King Edward and Will Take Up Government Land in Montana.

HELENA, Mon., July 30.—Rose Coghlan, the actress, known in private as Mrs. John S. Sullivan, has renounced allegiance to King Edward. Yesterday she appeared for her first naturalization papers here.

She has just returned from a tour of the Yellowstone National Park, and says she wishes to take up Government land and engage in the cattle business.

Trolley From Whitehall to Vermont.

ALBANY, July 30.—The Verm