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The Sun.

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The Chief Magistrate of the Empire State.

"Governor ODELL has been the Executive of the whole people, if there has ever been one in this State," cried the *Newburgh News*, the Governor-Chairman's personal organ, on Monday.

Since Governor-Chairman ODELL nominated Mr. HIGGINS for Governor on Sept. 14, he has devoted his entire time at the Fifth Avenue Hotel and the Republican Club in New York city to the effort to lect Mr. HIGGINS.

Moreover, since the Legislature adjourned in April, at which time Governor ODELL became Chairman of the Republican State Committee, he has devoted 99 per cent. of his time to the promotion of his plans for the perpetuation of Odellism and Furnacevillism.

Election Day in Canada.

Canada holds her national election to-day. Our neighbors have carried on a busy though not a particularly exciting campaign. Sir WILFRID LAURIER has led the work for the Liberals, and the Hon. R. L. BORDEN has set a pace for the opposition. The result is not to be predicted with safety. The odds are slightly in favor of a return of the Liberals, though with a reduced majority.

The issue of the new transcontinental railway has received the most attention in the speeches and discussions, although the issue of the national fiscal policy is really a matter of more importance, and there is reason to believe that it will have more influence on the voting than the railroad question. Both parties are really committed to the construction of the new line. The point of difference appears in the terms of the contract made by the Liberals with the Grand Trunk Pacific Railway.

This country is more interested in the Canadian fiscal policy. Perhaps the continuation of the Liberal Government would be more advantageous to us, although it is doubtful if the Conservatives, in the event of success, would have a majority in Parliament sufficient to embolden them to attempt any very radical increase in the Canadian tariff.

It is safe to predict that Canadian prosperity and development will continue under either party. Should the Liberals be defeated, they will retire with a record of which they may be proud. Should the Conservatives lose, they may regret that they did not give greater prominence to the fiscal issue, and leave the fairly popular railway question as a subordinate matter. But in either case Canada will go ahead and grow. She has struck a tide that will make her a bigger and a better country every year for many years to come.

The Arbitration Treaty With France.

If the purport of the arbitration treaty signed on Tuesday by Secretary HAY and M. JUSSERAND, the French Ambassador, is correctly described as substantially identical with the treaty lately concluded between England and France, we know of no reason why it should not be ratified by the Senate during the coming session of Congress. Whether it will be is another question.

The text of the Anglo-French agreement has been published. An examination of it shows that while it expresses a commendable desire to substitute arbitration for war it practically reserves complete freedom of action to the signatories. The promise to submit to the Hague tribunal differences of a judicial nature or relating to the interpretation of existing treaties is expressly qualified by the condition that neither the vital interests nor the independence nor the honor of either of the contracting parties shall be involved. As each signatory will, of course, be the sole judge as to whether its vital interests, independence or honor are involved, the choice between war and arbitration will, in a country like France or the United States, be virtually determined by public opinion, as it has been hitherto in the absence of a treaty.

It is obvious, nevertheless, that the mere existence of a treaty would tend to allay friction, because it would authorize Governments to avert popular excitement and exasperation by agreeing quickly upon the terms of the question to be submitted to the Hague tribunal. All that needs to be done in a given case is for the two Foreign Offices concerned to sign a statement defining the subject of dispute, the extent of the powers to be conceded to arbitrators, and the details to be observed in the composition and procedure of the arbitrating tribunal. It is true that if the decision rendered by the Hague court should arouse indignation on the part of the American people the Administration which had hastily availed itself of the arbitration treaty to refer a matter in controversy to that tribunal would be held to a strict accountability and might have cause to regret that it had not confined itself to the processes of diplomacy. As we formerly pointed out when the Olney-Pauncefote project was under discussion in the Senate, an arbitration treaty is superfluous when our Federal Administration is in the hands of men like Mr. HAY, who can be relied upon to seek a peaceful solution of an international dispute and to suggest recourse to arbitration whenever an exigency occurs. It is conceivable, however, that a Secretary of State might be of a less judicial temperament, and in that event the existence of an arbitration treaty would act as a check upon him.

We are told that Mr. HAY proposes also to sign treaties of arbitration with Switzerland, Italy, Austria, the Netherlands, and probably Spain, and that if all these agreements are ratified by the Senate, and inquiry shall show that body to be disposed to sanction a similar compact with England, the Olney-Pauncefote project will be revived. There is no doubt that a tactical mistake was made in introducing the abortive convention just named at a time when the Senate was still agitated by the ground swell of Mr. CLEVELAND'S Venezuela message. At the present time it is undeniable that the feeling with which Great Britain is regarded in this country is more sympathetic than it has ever previously been.

Under the circumstances it is possible that Mr. HAY will be more successful than was Mr. OLNEY, though some Senators are likely to adhere to their former position that a general arbitration treaty gives too much power to the Executive, and that the Senate should maintain intact its constitutional right to accept or reject each specific agreement to arbitrate that may be made by our State Department.

Mark the Whole Ticket.

The voters who on Tuesday choose to split their tickets by making a cross (X) mark in the voting spaces in front of the names of the candidates of their choice should bear in mind that they must make a mark in front of the name of every candidate for whom they wish to vote. No vote will be recorded for any candidate for whom the voter neglects to make the cross (X) mark. The names of the candidates of each party are printed in a column on the official ballots under the party emblem and name in this order in New York county:

Electors of President and Vice-President (39).
Governor.
Lieutenant-Governor.
Secretary of State.
Comptroller.
Treasurer.
Attorney-General.
State Engineer and Surveyor.
Chief Judge of the Court of Appeals.
Associate Judge of the Court of Appeals.
Justice of the Supreme Court.
Justice of the City Court.
Representative in Congress.
Member of the State Senate.
Member of the Assembly.

Candidates for fifty-three offices will be voted for in this county, and to vote the full ticket a voter must make fifty-three cross (X) marks. The names of the candidates for Representative in Congress will be the third from the bottom of the ticket, and no voter should fail to make a cross (X) mark in the voting space in front of the name of the man whom he wishes to support if he has not made a cross (X) mark in a party voting circle.

Fifty-three cross (X) marks seem like a good many. The fact is that any voter should be able to mark his ballot inside of sixty seconds, and every voter should vote for a candidate for each office to be filled.

The Three Pivotal States.

The States of New York, New Jersey and Connecticut have together 58 Electoral votes. In many respects, both socially and politically, their population is homogeneous, though rural New York, or the State outside of the city of New York, is proportionally the most Republican in its political tendencies.

About the city, however, or within a radius of twenty-five miles, there is gathered a great population which is strongly affected by urban influences, both social and political. In New York and this suburban area are now something like five million people. These form practically one community, of which the municipality of New York is the centre. In this area the manufacturing industries and population are the greatest in the Union. Practically, therefore, the mass of the people making up this vast community have similar economic interests, and, as experience is demonstrating, the citizens are more and more disposed to vote under the dictation of those interests, according to their view of them at a particular Presidential election.

Here in New York, however, there is a large population, which may be estimated roughly at 100,000, whose interests are, or by them are imagined to be, bound up closely with the Tammany political organization. At every election, Federal, State or municipal, they may be counted assuredly on the Democratic side. Beyond these are the great body of men of business, large and small, professional men, mechanics and others, whose interests are of a wider range and whose concern is in the great national economic and political policies. To this latter class may be assigned, probably, the majority of the million inhabitants of the suburban area as we have defined it.

The electorate of the three States of New York, New Jersey and Connecticut are distinguished in the Union for their great zeal in discharging their duty of voting at a Presidential election. As they increase in number, the aggregate of votes cast by them increases steadily. Here is a table of the combined poll of the Republican and Democratic parties in these States at the last three Presidential elections:

	1892.	1896.	1900.
Connecticut	189,420	167,025	176,564
New Jersey	227,110	255,042	386,515
New York	1,364,218	1,371,207	1,500,378
Total	1,780,748	1,893,274	2,063,457

The registration for the election next Tuesday indicates that the average ratio of increase will be maintained this year, even if it is not somewhat exceeded. The registration suggests that the aggregate Republican and Democratic poll of 2,063,457 in these States in 1900 will be increased next Tuesday by at least 200,000 votes and that one-sixth of the total Republican and Democratic votes of the Union will be cast in them. It is not going too far to assume that the party winning the majority of these votes will elect the next President.

In 1900, of the aggregate poll of the two parties in those three States, the Republican was 1,146,266 and the Democratic 917,191, or a Republican majority of 229,075, more than 11 per cent. At that election a very great part of the Democrats who had voted against BRYAN in 1896 returned to their party, but undoubtedly many numerically voted a second time for McKINLEY, and probably some refused to vote at all. The problem of the election next week is whether all of these two classes of Democrats will vote for PARKER and are numerous enough to reverse the great Republican majority of 1900. Such a result is not probable; and it is that improbability which has caused the sanguine expectation of the election of Mr. ROOSEVELT which has prevailed among financiers and business men of both parties and governed their business calculations.

The poll in the community of toward five millions of which New York is the centre is the most doubtful element.

The R. F. D. and Congress.

There are now a great number of carriers employed in the rural free delivery branch of the Post Office Department, and each of them is animated by a high desire to have his pay raised. At the last session of Congress thirty or more bills designed to increase the carriers' salaries were introduced. The Hon. CHARLES WARREN FAIRBANKS of Indiana was the proud father of one of them. The carriers regard him as a friend, and their organ, the *R. F. D. News* of Chicago, declares that they will support the Republican national ticket to a man.

All of the bills raising the pay of the carriers were pigeonholed by the House Committee on Post Offices and Post Roads except one. This bill increased the carriers' pay, but at the same time prohibited them from accepting commissions for obtaining subscriptions for newspapers and periodicals. Instead of pacifying the carriers it had a directly opposite effect. They assert that under its operation their incomes have been reduced instead of increased, and therefore they are opposed to the election of a Republican House of Representatives this fall.

The carriers believe that a Republican House would continue to ignore their demands, but that a Democratic House, if its members could be convinced that they owed their election to the carriers' efforts, would grant them. The Democratic party is pledged to economy, but this pledge does not have much weight with the carriers.

The chairman of the House Committee on Post Offices and Post Roads is the Hon. JESSE OVERSTREET of the Seventh Indiana District. He succeeded in the chairmanship EUGENE F. LOUD of San Francisco, who for a long time held that office. Mr. LOUD was defeated in the elections of 1902 by WILLIAM JOSEPH WYNN, who ran on a Union Labor ticket. The employees of the Post Office Department boasted that they had brought about Mr. LOUD'S defeat because he was not liberal enough in sanctioning salary raises. Mr. OVERSTREET is to be subjected to the same sort of treatment that Mr. LOUD received if the rural postmen can bring it about. Mr. OVERSTREET'S plurality in 1902 was 4,258 in a vote of about 48,000.

The R. F. D. is a promising youngster. When it has reached its full growth what will it not be able to do with these United States?

Vote Early.

The evidence increases daily that the Odell machine intends to use every means within its power to delay and obstruct the casting of ballots in the city of New York on election day. By consuming time in challenging voters and compelling them to swear in their votes the agents of Odellism hope to block the waiting electors, and at the closing of the polls leave many outside the polling places deprived of their votes.

There is one simple way in which the efforts of Odellism to keep out of the ballot boxes the votes of the citizens opposed to it can be nullified. Let every man who intends to cast his ballot against Graft and the Grocery go early to the polls, and stay there until his vote is safely in the ballot box. Once it is cast, the voter's full duty is done, and Odellism's power to annoy him is at an end.

On Nov. 8 every man who intends to vote the Citizens' ticket should be early at the polls.

Vote early!

Inasmuch as the *Times* believes that there is room for the supposition that Mr. HIGGINS may have honestly thought that the weight of evidence justified the payment, it will not further countenance or use against him the charge that his vote was improperly cast.—*From yesterday's Times.*

The Hon. JACOB H. SCHIFF and his associate, Mr. LOUIS STERN, could have done it as well themselves.

It was DAVID BENNETT HILL who advised citizens to "knock down" officers of the law at the polls. Mr. HILL'S retirement from politics is promised with the expiration of the year.

It was RICHARD CROKER who advised citizens to loot the ballot boxes and make returns of the voting favorable to their own ambitions. Mr. CROKER retired from politics in 1902.

It was BENJAMIN B. ODELL who advised citizens "to assemble" at the polls "to beat" "this lawless element" (i. e., Democrats and anti-Odell Republicans). The date of Mr. ODELL'S retirement from politics is a matter to be decided on Tuesday of next week at the polls.

The organs are lauding SETH LOW for his praise of ODELL and HIGGINS. The ex-reformer didn't elevate "Odellism" by his encomiums of it; he simply lowered himself to the Odell grade of politicians. Exit another formerly loud professor of "civic decency!"—*Buffalo Courier.*

True, true indeed. But a grateful and admiring people will never forget his marvellous and awe-compelling achievement. He made Mayor VAN WYCK'S administration look respectable.

ODELL has insinuated that Judge PARKER is and has been a beneficiary of a Trust or Trusts. His bank account, ODELL says, will furnish evidence of the fact. At the first blush it would seem as if the Beef Trust would be the one that the Judge would most naturally gravitate to. His bucolic proclivities all point that way, and ODELL, connected as he is with the Judge by family ties, ought to know. It is quite possible that it is a harmless family secret and that it implies nothing discreditable to the Judge. It may be quite heinous, but we fancy not. In that case Judge PARKER would have heard from ODELL about it long ago; but not publicly, unless, indeed, he proved stubborn. It is evidence, and evidence not to be disregarded, in favor of the Judge's cleanliness of character that ODELL makes this charge at this time.

FIGHTING IN HILL COUNTRY.

Troops From European Russia Not Trained to It As Siberian Army Is.

TO THE EDITOR OF THE SUN—*Sir:* There is a disadvantage under which the troops from European Russia now forming the bulk of the army in Manchuria labor which I have not seen alluded to in any writing on the war. It is the entire absence among the commanders and officers, as well as the men, of training in mountain or hill warfare.

Accustomed all their lives to manœuvring and exercising in a plain country, the European Russians lack the experience required to make successful war in a hilly and broken region. It is for this reason probably that less satisfactory results have attended their employment than were at first expected.

Hitherto the greater part of the fighting has fallen to the comparatively small Siberian army, which has distinguished itself against great odds; and it has been remarked that where they were absent from the field, the European division failed to hold their ground. This cannot be said to be due to want of bravery, but to want of experience and to the novel situation.

There was nothing that used to cause more dissatisfaction in the Army of the Caucasus than the appointment to commands in it of men whose whole training and experience had been on the plains of Poland or the Russian steppes. Even in ordinary manœuvres they floundered about among the hills and valleys in such a way that, opposed to an enemy with knowledge of the ground and accustomed to hill work, they were almost invariably worsted.

In the new organization of the Russian army in Manchuria it is to be noted that the Siberian corps will form one of the three armies that are to constitute Gen. Kuropatkin's command. Whether it is wise to bunch all the troops with local experience in one army instead of distributing them so as to give backbone to the new corps will only be known by results. So far some of the best fighting has been done by the levies from the Caucasus and the Transbaikal and East Siberian troops, men habituated to life among mountains. F.

NEW YORK, Nov. 2.

A LONG FELT WANT.

A Chance Inquiry Educes the Military Autobiography of Col. Posey Wilson.

TO THE EDITOR OF THE SUN—*Sir:* Your reader in THE SUN of Sept. 29 does me much honor in asking for information as to my military title and other matters.

When the unanimously Democratic Legislature of Wyoming Territory first met, in 1869, after the organization of that proud Commonwealth, Governor John Alan Campbell recommended the enacting of a militia law—I being one of the members.

In expectation that the thing would be done, his Excellency appointed as Adjutant-General Edward F. Bishop, now a prominent citizen of Denver, who had served with distinction with Illinois troops in 1861-65, attaining the brevet rank of Colonel while barely of age.

But no militia law was passed then, nor for many years after, to please the Governor. Calling on the Governor, who was my warm personal friend, just after his pet measure had failed of passage, he filled up a commission in my name as "Colonel, First Wyoming Cavalry Regiment," and handed it to me, saying: "You may be Colonel, rank, file, field, line, and all therein that is." Thus, like Gargantua, I became a whole army.

There was so much danger from Indians in those days that I kept a fleet horse, a good gun and two pistols, which I carried when I went any distance from town. So the Governor came after a while to address me not as "Colonel," but as the First Wyoming—thus: "What is the condition of the First Wyoming?" "I saw the First Wyoming dancing," &c.

In Crook's war with the Sioux, the First Wyoming Cavalry—i. e., myself and horse—attached ourselves to L Troop, Fifth United States Cavalry, which was one of a column of six troops of that regiment which moved northward from Cheyenne under command of Capt. Hamilton, who was killed at San Juan while Colonel of the Ninth Cavalry. The other six companies moved, under the command of Gen. Merritt, from Sidney, Neb., to join us further on. Col. W. F. Cody was Merritt's guide, and killed the only Indian of the campaign of 1877.

In 1863 in company with six men and two other boys—the youngest fifteen—I went through the Sioux, Cheyenne, Ute and Shoshone country, and was in several Pickwickian or Falstaffian battles. The worst one was at what is now Pine Bluff, Wyo. After "bluffing" each other awhile—40 to our 9—

"They ran and we ran
An' we ran an' they ran
Awa' man."

Gen. Connor had had his great battle on Bear River a little before, so the Shoshones were not very bad. But the Piutes were at their worst.

Your reader ought also to be informed that in the campaigns which I made against "moonshiners" and "blockaders," in the mountains of Kentucky, Tennessee, West Virginia, North and South Carolina, I fought *non sine gloria.*

In the great battle of the "Poor Fork" (of the Cumberland River), fought Dec. 21, 1895, I came so near shaping my action to that of Roland at Roncesvalles, that I brevetted myself a Kentucky Colonel, in addition to my former rank.

It was Dec. 21. Just at dawn, after our ride from Whitesburg, Letcher county, in Stygian darkness, over the Cumberlands, the Winchesters of the mountaineers opened with that far-resounding and sharp "crack" which soon gets onto one's nerves. "Kid" Greer, guide, came riding back, saying: "Boys, they are shooting at *us.*" All his words sounded as if composed of capitals. We diamounted and fought them at long range for several hours. The sun, being at the solstice, not only stood still in the ephemeris, but also on the hills about us.

By noon we drew off as the firing ceased, and recrossed the mountains to Whitesburg. Three weeks later we went around by Big Stone Gap, Va., with twenty men, took them by surprise, and made their valley a perfumed altar flame. We lighted the welkin with distilleries, nice big ones, and tubs and trees. The posse men, having their blood up, wanted to burn dwellings, but of course were forbid.

My sympathies were with the moonshiners, for after all it was only a matter of delinquent taxes. The idea is wrong of sending armed men to burn and kill, all about a pitiful tax.

On one occasion my instructions were: "When in Blank county, if you see any armed man, do not wait to see if he intends to shoot; you shoot first."

Once more fate gave into my hand the sword which rusted on the wall.

When Jumbo's and Kelly's armies came through Washington, en route to join Coxey's army, in common with all able bodied citizens I turned out to help maintain order. With a fellow citizen under my command I paraded from Pasco, on the Columbia, where there were two troops of the Fourth Cavalry, to Lake Station on the Northern Pacific, where there was a water tank and two Chinamen.

"We routed 'em, we scouted 'em,
Nor lost a single man."

But my greatest war, against the free silver lunatics, when I was Superintendent of the United States Mint in this town, deserves a chapter all by itself. So does my war on greenbackers. True, I passed fifteen years at banking, coincidently with breeding thoroughbred horses, twelve good years; but it is my part in "the big wars that make ambition virtue" which must fix my place in history. My crowded hour must be remembered with Falstaff's—that long hour by Shrewsbury clock, when he fought Hotspur.

My part in the capture of Johnson, king of the moonshiners, near Burkesville, Ky., will be talked of when Gargantua at the ford of Vede is forgotten.

I, too, like Dan Horace, have finished a monument, and "continually anew shall increase in posterity's praise," and thank your inquiring reader for the opening he gives me. POSEY S. WILSON.

DENVER, Col., Oct. 28.

More Resentful Republicans for Herrick.

TO THE EDITOR OF THE SUN—*Sir:* I, a Republican of twenty years standing, and eight of my neighbors and friends, all residents of the Eighth Senate district of Kings county, have decided to cast our votes for Herrick for Governor as a rebuke to Odell's attempted dictation of the nomination of a Senator.

There were two candidates before the convention—one the present Senator and the other Mr. Charles Cooper. On the night of the convention Odell sent orders to every delegate holding a State office to return Marshall. This was resented by all and Mr. Cooper was honestly and fairly nominated, despite the fact that Marshall's friends attempted to pad the roll in the Sixteenth Assembly district. This fraud was exposed on the floor of the convention by Alderman Wentz.

Some of Senator Marshall's friends have written requests to residents of this district asking them to vote against the man whose title to the nomination was honorably won and unstained by fraud.

A REPUBLICAN.

BROOKLYN, Oct. 31.

FURNACEVILLE!

What Mr. Cunneen's Republican Predecessor, Attorney-General Davies, Did to Defeat the Job—Important Statement by Stoddard M. Stevens of Rome.

From the Rome Sentinel of Oct. 31.

WESTERNVILLE, Oct. 31.—In a speech here on Friday evening Attorney Stoddard M. Stevens of Rome touched upon the Furnaceville rock matter and said that he had it from the lips of former Attorney-General John C. Davies himself that, when he (Mr. Davies) was Attorney-General and a member of the Canal Board in 1902, the question of paying the Furnaceville Iron Company for rock excavation was brought before the Canal Board and upon his advice the claim was not allowed. Mr. Stevens said that Mr. Davies had stated emphatically that he did not approve the claim and so advised against its payment.

The Hon. John C. Davies of Camden was Attorney-General of this State from Jan. 1, 1899, to Jan. 1, 1903. By virtue of his office he was also a member of the Canal Board. When the claim of the Furnaceville Iron Company for pay for rock excavation was before the Canal Board it was late in 1902, just before Attorney-General Davies's term expired. Mr. Cunneen, who succeeded Mr. Davies as Attorney-General, says that hearing began on Dec. 16, 1902. At that time, according to Mr. Cunneen, it appeared that work under the contract continued from September, 1897, until May, 1898; that only a steam shovel and picks and shovels were used; that the alleged rock was removed in the same manner, by the same tools, by the same process and from the same place as that which was conceded to be earth; that in 1898 the contract was changed to provide for "dry excavation of rock at $1 per cubic yard." When the hearing of 1902 closed, and the claim for extensive rock excavation was not approved, a memorandum was made by the Canal Board acting in executive session and behind closed doors, that, inasmuch as it appeared from the evidence that this rock had been excavated "by machinery and in the same manner as dry earth excavation," the material so excavated "which was classified as rock excavation, amounted to an increased payment to the contractors," and that as "the board has found and determined that this classification was improper, that this sum should be deducted from the amount found due the contractors in this proceeding." The transcript of the stenographer's minutes of the proceedings before the Canal Board shows that the merits of the reclassification were fully discussed and that evidence upon the subject had been given before the board.

This was the Canal Board meeting at which Attorney-General Davies was present, and when the claim for rock excavation was disallowed upon the advice of Mr. Davies, the legal counsel of the administration. It was in January, 1903, less than a month later, when Cunneen had succeeded Davies and Higgins also had become a member of the board, that the claim was brought up again. The Furnaceville Iron Company moved to have the case reopened. Comptroller Miller (since made a Justice of the Supreme Court by Governor-Chairman Odell), who had been a member of the old board and participated in the action taken in executive session, moved that the application be granted, and every Republican member of the board, except Attorney-General Cunneen, voted for it. Mr. Cunneen took the same position that Mr. Davies had taken—against allowing the $18,618 for rock. Others reversed their position, and the vote of Mr. Higgins, who now is running for Governor on the Republican ticket, was necessary to carry the payment.

Mr. Stevens to-day said, in reference to his Westernville speech: "Yes, I told the people of Westernville how former Attorney-General Davies in my presence described the action of the Canal Board of which he was a member. It happened this way: It was in the Surrogate's office in Rome a few days ago. Some of us attorneys who had business there happened to meet, and we talked together. There were present the Hon. John C. Evans, Member of Assembly from the Third Oneida County district; G. Linneman Prescott, his law partner; John S. Schwarz, clerk of the Surrogate's Court, and myself. Our conversation naturally drifted to politics, and local nominations were discussed. I remember the circumstances very well. Then we got to talking about the Furnaceville rock contract. Mr. Davies said that matter was up when he was a member of the Canal Board and he knew just what occurred. Said he: 'I told them that they were fools if they allowed that payment for rock excavation and advised them not to do it, and it was upon my advice that they did not do it.' The substance of what he said in addition was that the allowance never ought to have been made. Several other topics were discussed while we five were there in the Surrogate's office transacting our business, and I recollect what was said upon them, but they were not important. Mr. Davies, however, made it very clear that he had opposed paying for rock on this claim and that the Canal Board of which he was a member did not see fit to allow it, as was done by the next Canal Board about a month later."

An Estimate of Mr. Higgins.

From the Buffalo Times.

Henry Donelly, a lawyer of Olean, the home of Frank W. Higgins, Republican candidate for Governor, said of him last week:

I hear considerable talk in some circles about ideal citizen, honest man, charitable, &c. but I wish to say that we have in the city of Olean a large number of men of which the same might be said; but at the same time no one would ever think of them as qualified for the Governorship of the State.

You let a man inherit a million or more of dollars from some relative and it won't be long before you will find a certain class of citizens who are falling over each other in their efforts to do homage to this great man. Mr. Higgins may be a careful, painstaking man in his business affairs, the same as many others; but from an intellectual standpoint it must be conceded by all who are acquainted with him, and who are not fortune worshippers, that he only ranks with the ordinary business man of affairs and does not take a place with the brainy men of the State, even in his own party. Consequently, if he is elected Governor, of necessity he will be obliged to call upon some one to assist him in solving the important matters he will encounter, and in doing so is it not reasonable to conclude that he will call upon the man and his friends who handed him his nomination and made it possible for him to attain his position and not ignore them?

Again, if there is anything in the scandalous condition of public affairs that has been built up in the State during the administrations of Black, Roosevelt and Odell, and which is denounced as Odellism, certainly Mr. Higgins must have his responsibility in it. He cannot, at this time, divorce himself from it, because during all the time this outrageous business has been going on he has been in the Senate and Lieutenant-Governor and a member of the various boards connected with it, and no word has escaped his lips in opposition to the procedure. In fact, every act of the Legislature that has been enacted in the interest of Odellism this man has placed his stamp of approval upon by voting for it. Yes, Higgins is just as deep in the mud as Odell is in the mire, and there is no rock in sight for either of them to cling to.

In the Very Lowest Subway.

His Satanic Majesty groaned.

"What a fool I am," he cried, "to pave my underground with good intentions when I might have these artistic ads!"

Inspired by this idea, he tried to open negotiations with the Devil.

THE TESTING OF HIGGINS.

TO THE EDITOR OF THE SUN—*Sir:* In May, 1900, the Court of Appeals in the case of the People ex rel. Grannis vs. Roberts (reported 163 N. Y., 70) passed upon the question as to the official jurisdiction to audit claims against the $9,000,000 fund appropriated for enlarging and improving the State canals, deciding in that case that such power to audit was vested in the Comptroller. This power was held in that case to involve a judicial function and the court decided that a writ of mandamus would not issue to compel its exercise in any particular way.

The facts of the case were that the Comptroller, the Hon. James A. Roberts, had refused to audit at the full amounts claimed the two claims of Grannis & O'Connor, contractors for certain work on the western division of the Erie Canal, basing his refusal upon the neglect of the State Engineer and the fraudulent specification in the estimates of rock excavation. The rock excavation comprised 40,000 yards, resulting in two claims by the contractors for $45,794 and $38,727 for such work in part. Comptroller Roberts reduced the claims by about $30,000.

The Furnaceville steal had to face this precedent, and it could hardly expect to slip its claim through the Comptroller's office in the face of opposition and under the vigilant eyes of the old associates of Comptroller Roberts, who knew of the case and ruling above, and who then held and still hold position there.

This led to the introduction of a special act creating a new authority thus to get around what would plainly result in a sure defeat for the contracting company. This became a law by the signature of Governor Odell on March 27, 1902. It is known as Chapter 251 of the Laws of 1902, and is entitled:

An Act authorizing the Canal Board to terminate, settle and adjust between the parties to all contracts made by the State of New York for the improvement of the Erie Canal, Champlain Canal and Oswego Canal, and permitting return to the contractors of the moneys deposited by them and payment of all moneys legally or *equitably* due them under their contracts with the State of New York.

The title of the act sufficiently indicates that the settlement of such claims involved the determination of the equitable rights of the State and the claimants. The terms of the act imposed a duty and conferred upon the Canal Board "the right to disregard all technicalities * * * act upon the equities involved in the case * * * and only in the same manner as the Supreme Court of the State of New York in the exercise of its equitable jurisdiction."

The rule which would guide the Supreme Court is the familiar one that those who invoke equity must themselves do equity. This was the measure of the jurisdiction and duty of the Canal Board—to decree equity for the claimant, to demand equity for the State when it proceeded "to settle and adjust" the contract. There was no hard and fast rule of law prescribed in favor of or against either the State or the contractor. The Canal Board of 1902, after a trial of the Furnaceville company's claim, decided that the administration of equity required that there should be deducted the sum of $34,046.83 from the claim, being for excavation improperly classified as rock excavation, and which was not rock, but was "excavated by machinery and in the same manner as dry earth."

The Canal Board of 1903, with a new membership, Lieutenant-Governor Higgins being a new member, assumed jurisdiction to reopen the case. The hearings which followed were devoted to the consideration of the testimony of many witnesses called by Attorney-General Cunneen, sustaining the finding of the previous Canal Board. The suggestion occurs here that if the sessions of the board, administering equity, were passed in hearing testimony that the excavating claimed to be rock was in reality dirt, then that question must have been up before Lieutenant-Governor Higgins and his associate members of the Canal Board for their review and decision, guided by principles of equity and not by technicalities.

That board, under the terms of the special act which sent this case to it for decision, was settling and adjusting an unfinished contract. This brought before it for review all that had been done and paid under the contract. Its duties were no less than those of the board of 1902. The evasion that is attempted that because an amount equal to this fraudulent bill for rock excavation had been paid on the account the honesty of that matter was not being passed upon by Mr. Higgins, is refuted by this record. The testimony of witness after witness would not have been spread upon the record before Lieutenant-Governor Higgins and his associates upon an issue which was not before them for determination.

We have then before us from his official action the record from which to judge of what may be expected from a Governor Higgins, and what are his notions of *equity without technicality* as between the State and the political marauders who are always seeking for "the Graft."

ANDREW HAMILTON.

ALBANY, Nov. 2.

Open the Books.

From the Independent.

His failure [Governor Odell's] to understand why it was improper for him to hold the partisan office without resigning the other one to which he was elected inevitably excites suspicion as to the motives that suggested and controlled his official course with respect to all the important acts of his administration at Albany. It gives weight to the charges of his political opponents concerning his personal and selfish interest in those acts. A Governor, it may be said, who consents to perform the duties of a campaign chairman in New York—duties that require him to be absent from his official place almost continually for months, duties that involve the soliciting of money and favor from rich and powerful corporations subject to State legislation and taxation, the conciliation of companies that may be affected by executive action and the expenditure of a large fund for partisan purposes throughout the State—a Governor who does this, men will say, will not be restrained by any sense of propriety from doing other and very objectionable things in the exercise of his executive power and of his influence upon legislation. And so there arises naturally a demand for a change of control at the capital that will permit the books to be examined.

Have You Subbed the Sub?

Whene'er you take your walks abroad,
To business or the club,
Some one is sure to greet you with:
"Say! Have you subbed the Sub?"

Unless your answer is O. K.
Your portion is a snub;
You are not It, but merely he—
You haven't subbed the Sub.

You don't amount to anything;
Your friends will call you "Bub";
You're less than one without a vote
If you haven't subbed the Sub.

Eschew the lobster palaces
And eat the cheapest grub;
You can't pass for an epicure
Until you've subbed the Sub.

You smoke a clear Havana
And ne'er relight the stub?
Go back to Imperfectos
Or straightway sub the Sub.

The wealth of Ind, wisdom untold,
The culture of the Hub
Were all in vain for you just now
If you haven't subbed the Sub.

TIDAL WAVE AT HAINING.

Watching the Great Bore as It Passed on the Chinese Coast.

From the Shanghai Times.

We anchored that night at Haining. Tuesday morning early was somewhat overcast, but by breakfast time the sun was shining and the sky was blue for miles. Then we made preparations for seeing the midday bore. There was a demand for field glasses, watches were compared and a memo book and pencil were all in readiness. From the boat to the bore, or where the bore was shortly to put in an appearance, was a walk of a quarter of an hour.

The water immediately in front of us presented a most peculiar appearance. It was running the opposite way to which the bore was to approach, at racing speed, and every now and again in different places there seemed to be a meeting of the waters, not a harmonious one either, for every now and again waves would appear which resembled the track of a switchback. These created a roaring sound and would then die away and others would appear in other places. The water seemed to be convulsed with eddies and currents.

After a short interval a shout went up, "I can see it," and at once all eyes were turned in the direction of the bore, which presented just a white streak against the distant hills. It was first seen at 11:45 A. M. Then further out to sea another white streak was visible which gradually increased in size till a few minutes later these two bores met. We watched intently the huge mass of water—a cataract, tossing and foaming as it raced toward us. The scene seemed uncanny.

In front of us the water was calm, on shore all was peaceful. What demon of the deep had lashed the sea into such a seething, boiling vortex that, with breakneck speed, eight feet of water extending for miles, headed by roaring, foaming waves, was rushing headlong as if to take vengeance on something that had escaped its clutches? The great mass of water passed us at 12:15 and those of our party, after talking the matter over, came to the conclusion that the extreme height of the bore was about eight feet. It passed us in the shape of a crescent.

I have written that the day bore seemed uncanny, but it was nothing to that of the night. The surroundings shortly after midnight as our party of seven strained their eyes and ears to see and hear the bore were ghostlike. It was not till 12:25 that we first saw the enormous wall of foam capped water tearing onward as if life and death were in the balance. Just as it appeared the moon shone in all its grandeur. I defy any brush to paint or pen to describe those few minutes as the water approaches, passes and continues on its mad career. It passed us at 12:35 and was much higher than at midday. The living, seething whirlpool which followed it we estimated showed a rise of fifteen feet, and awe inspiring as was the foaming crested wave which led the van, the sight of the great body of water which followed could not but make a lasting impression on one.

Maori Chieftainess Who Wed an Irishman.

From the Sketch.

The chieftainess of the Maoris, Mrs. Donnelly—or, to give her her native name, Airini Karauria—has now returned to New Zealand after her visit to Great Britain.

The lady is the daughter of Karauria, the chief who lost his life in 1887 fighting for the English after the massacre of Poverty Bay, and the niece of Renata, formerly a great fighting chief of the Maoris.

She was brought up by Renata, who gave her the best English education at Wellington, and she was considered by her kinsfolk to be an almost sacred personage, her birth having been prophesied by a Maori seer.

Her uncle and the Maori community were therefore greatly incensed when she married the able young Irishman, George Prior Donnelly, now one of the richest sheep owners in New Zealand. On his deathbed, however, Renata forgave his niece and left her all his vast possessions.

Mrs. Donnelly is the foremost native woman in New Zealand, and when the Prince and Princess of Wales made their memorable tour she presented their Royal Highnesses with the gifts they received from the natives. She also acted as cicerone throughout the Maoris' territory.

The Disfigurement of the Subway.

TO THE EDITOR OF THE SUN—*Sir:* At the parting of the stairways in the subway station at Fourteenth street, in a most conspicuous location and directly in the centre of the principal decorative work, is an advertising monstrosity which completely spoils the effect of the artistic surroundings and disgusts every lover of the beautiful in decorative art.

If these superb interior effects of the subway, as shown at the stations, are to be made secondary to private greed, exemplified in the cheap, gilt-framed advertising signs which disfigure platforms on either side, why not at least put the tawdry lithographs up on the walls out of the way of passengers? A picture moulding could easily be affixed to the fancy tile work, or if the advertising signs are to be permanent fixtures, why not knock out a few hundred feet of tiling from the walls of each station, and make each gilt frame an inset?

The gaudy advertisements would then be even more conspicuous from the car windows, and prominence is what the advertisers pay for. Besides, the soothing decorative effect of such an art gallery would completely offset the headachey feeling produced by the whirling, flying white posts, and each station would become an oasis of rest for the tired eyes of the great, long suffering public.

Down with the tile decorations, and up with the advertising signs! What are a few old tiles, or what the offended art taste of the public, compared with the receipts from subway station ads?

The outside of the cars themselves will be covered with steamboat posters and theatrical three sheets next. We have a subway to be proud of, and all the world is coming to see it. Every self-respecting New Yorker is ashamed of this shameful advertising exhibit, which merely adds a few dollars to somebody's private pocket at the expense of the public. GEORGE W. HILLS.

NEW YORK, Nov. 1.

Yesterday the agents of subterranean publicity were driving nails and boring holes in the elaborately moulded architectural faience above the plain tiling in the subway stations. They were mutilating the city's property in order to hang their advertising signs.

The subway advertisements must go!

The Voter Who Moved.

TO THE EDITOR OF THE SUN—*Sir:* I registered from 715 Third avenue, but last week was obliged to move to 713 Third avenue, next door and in the same election district.

Can I vote or not? I have lived for over thirty years in the neighborhood. P. GALLAGHER.

NEW YORK, Oct. 2.

On election day inform the election officers of your change in residence and they will put you under oath, correct the register and allow you to vote.

If the officers are ignorant of your rights and disinclined to do this,