The Sun.

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The Assembly Leader.

Albany despatches in the last five years have been more frequently devoted to recording the passing of the legislative leaders whom death or defeat has removed from political activity than to the mention of new men who have displayed sufficient ability to fill the vacancies. A notable exception to the rule last year was the Hon. JAMES W. WADSWORTH, then Speaker of the Assembly. An equally conspicuous exception this year is the Hon. A. E. SMITH, majority leader of the Assembly.

The task that lay before a new leader of a majority representing a party which had been out of power for nearly two decades is hard to exaggerate. When to the ordinary difficulties were added the unusual hindrances which arose from the long, futile and foolish party division over the Senatorship it might well have been expected that the majority in the lower house would be hopelessly and permanently divided. That this is not the case, that in fact the Democratic machine in that body is able to conduct the business of the House with much the same speed and force as its predecessor, is due to the native power of leadership which Assemblyman SMITH has revealed.

At a time when it is the order of the day, an order easily explicable and perhaps not largely unwarranted, to criticise the Democratic party as represented at Albany for its ineptness, lack of leadership and failure of accomplishment, it is pleasant to be able to record the fact that on both sides of the chamber and without regard to partisan alignment there is general agreement that the Democratic majority has a leader in the Assembly who has measured up to the opportunity, whose skilful leadership has deserved a greater reward than it has yet had in actual achievement.

It is no less a compliment to Mr. SMITH that his associates in observing his success recall the equally conspicuous and hardly less surprising triumph of the former Speaker of the Assembly, the Hon. JAMES W. WADSWORTH, Jr.

The New Polo Grounds.

By obtaining a long lease of the Polo Grounds the management of the New York baseball team of the National League has put itself in a position to rebuild its burned grand stands in a manner insuring safety for its patrons and profit for itself. Hitherto the possibility that the land might at any moment be taken for other purposes has been an effective bar to the erection of expensive structures. The inflammable construction at the Polo Grounds was long a source of fear to the city authorities, and the rapidity with which the flames spread when the stands were set burning shows how well founded their forebodings were.

In a number of cities where baseball is not as profitable as it is in New York, grand stands of fireproof material have been put up, and the feeling of security imparted to the spectators by the assurance of safety has tended to increase the popularity of the sport. While it might be argued that baseball is now as popular in New York as is possible, it is probably true that a modern, concrete grand stand will attract to the ground many who have hitherto avoided it. If such a shelter for spectators should be managed as to seat reservations and in other details as first class theatres are, the pleasure of a visit to the Polo Gounds would not be lessened.

Kent of Kentfield.

Among the freshmen in the House of Representatives who have already recited pieces, the Hon. WILLIAM KENT of Kentfield, a Republican representing the Second California district, catches the observant eye as a man of some promise as an entertainer. Mr. KENT displaced at the primary the Hon. DUNCAN E. MCKINLAY, who was famous for having travelled more miles as a spellbinder than any other man in the Republican party. Mr. MCKINLAY was equally at ease in the stock yards of Chicago and in the green fields of Montpelier. As a standpatter none stood so high and so firm and unquailing. His Spartan virtue made him a target for KENT of Kentfield.

In his maiden speech the Hon. WILLIAM KENT dallied with the tariff. Like all Progressives, he is unclassifiable. "I am a Republican," he told the House, "or what used to be a Republican." Only the Democrats found his banter amusing. He showed his lack of respect for time honored customs:

"I have learned, Mr. Chairman, that it is customary to decorate the oratory of this floor with fruits, with flowers, with flags, and with farmers in various states of happiness and misery."

Twitting upon facts is not relished by the House, but the unabashed KENT proceeded to quote a poem written by a constituent at the expense of the Hon. DUNCAN E. MCKINLAY:

"MAC makes it very clear just how if I pay more than I do now for socks and gloves and baby's dress, while I pay more they cost me less. And then he shows me where I lose by paying somewhat less for shoes, for though I pay less than before my shoes they really cost me more."

The new member exhaled stories:

"It is argued that by taxing one industry for the benefit of another industry, and vice versa, we create a home market that is productive of wealth. This brings to mind a story told by DAVID STARR JORDAN concerning the eagle and the blue tailed lizard. It seems that the eagle one day swooped down upon the lizard and bit off and ate the lizard's tail; whereupon the eagle acquired sufficient energy to lay an egg. The lizard climbed the tree, sucked the egg, and through the encouragement thus afforded grew a new tail. This process continued through many years, apparently, without much profit to either party save as it added to the interest of existence."

The *Congressional Record*, he declared, with vast compilation of statistics showed "a mathematical ability engaged in proving what is logically absurd." He might have been taken for a free trader when he said:

"As a freshman in this course of education I cannot understand how a country can get rich by sharing its natural resources with all who choose to come, dividing our patrimony as it were, and at the same time keeping out all possible things that can be excluded that would go to increase the size of our board."

But he professed to believe in "the protection of infant industries that stand some eventual chance of becoming self-sustaining." Rejecting a tariff for revenue only, he roused the Democratic side to applause by saying:

"I have discussed theory without any idea that we could afford or should make any sweeping changes at once. Too many people inhabit the rickety structure to permit of its immediate demolition. A revision downward schedule by schedule is the beginning of the work and a notice to make preparations to vacate."

KENT of Kentfield finished with the statement that the tariff had been too often revised upward by its friends, and the people had now commissioned its enemies to revise it downward. Baiting the standpatters as he does, this cheerful freshman would be restive under the imputation that he is an enemy of the tariff. The Democrats who laughed with him and at him will give him opportunity enough to vote for revision schedule by schedule. His maiden effort proved him to be an "amoosin' little cuss."

The "Revolution" in Corsica.

The troubles of the newest of French ministries are apparently endless. Hardly had it managed to discourage the "embattled farmers" of Champagne and put an end to their pleasant occupation of smashing full bottles and empty heads when the uprising in Morocco plunged it into the perplexities of international complications. To-day, when one fraction of the French army is garrisoning the champagne country and another setting its face toward Fez, there comes the announcement of a new trouble, of a threatened "revolution" in the Island of Corsica.

Of all the eighty-seven departments of the contemporary French Republic none has in the past century been less troublesome or more loyal than Corsica. Indeed, since PAOLI departed, taking with him the dreams of independence, and Corsica through NAPOLEON BONAPARTE annexed first France and then Europe, Corsica has rested upon her laurels, contentedly submissive under empire, restored monarchy and republic. But at last it would appear Corsican patience has come to an end, and from Cape Corso to the Straits of Bonifacio the voice of protest is heard.

Chief among the grievances of the Corsicans are those which arise from custom house regulations. Thus it is charged that Corsican exports instead of being sent directly to Marseilles are first shipped to an Italian port and thence to Marseilles, and that then, entered as Italian exports, they pay a smaller duty than products sent directly from Bastia or Ajaccio. French in nationality, French in nearly a century and a half of history, it appears that Corsica has not yet been brought within the French customs frontiers.

Not less a grievance in Corsican eyes is the failure of the French Government to give its attention and its financial aid to the public works of the island, and particularly to the draining of the swamps and lowlands along the shore, which have for so many centuries shared the evil fame of the Roman Campagna as the breeding places of fever and malaria. For the inhabitants of these shore districts the Corsican champions declare the average duration of life is but twenty-five years. What France has accomplished in the Mitidja plain of its Algerian colony the Corsicans with apparent justice demand shall be accomplished in the plain of Aleria.

The third Corsican grievance is less local. For if the railroad service of the island is unsatisfactory it hardly seems possible that the case made against the Corsican railroads can be more complete than that which fills the newspapers of continental France and drives the inhabitants of Havre and Rouen to madness. Slow trains, bad equipment, poorly paid employees, and freight and passenger rates double those on the mainland, these are included in the bill of particulars furnished by Corsica against France. And again, although Corsica is visible for a hundred miles of French shore from Toulon to Mentone, the voyage across the narrow waters earns the adjective interminable.

These and other injuries have quite exhausted Corsican patience, and now at last the period of protest seems to have come to an end. Last month there was exacted from the Corsican representatives in the French Chamber of Deputies a promise to resign if their demands were not in some measure recognized. April has passed and the Deputies have not resigned, but Corsican patriots have taken their case into their own hands. Meeting in Ajaccio, hard by the house where NAPOLEON was born, there gathered on April 24 a great convention of Corsicans; at the same time an association including in its ranks Corsicans dwelling in all corners of the globe despatched a delegation to enlist aid for the great undertaking.

Exactly what this great undertaking is to be remains slightly obscure. A "revolution" in Corsica doubtless attains considerably more impressive proportions in Ajaccio than in Paris, where 300,000 Corsicans seem a minor faction in 40,000,000 Frenchmen. But for the moment it is easy to see that the Corsicans are fighting mad, and their anger has earned and obtained the respect of all nations which have in previous centuries obtained a more or less temporary hold upon the island.

Whether Corsica will declare its independence, direct against the members of the Monis Ministry the terrors of its vendetta, or arouse French apprehension by a mild flirtation with Italy, is not yet clear. Perhaps it will do all three. At all events, it is quite apparent that after many years of amusement at English difficulties in "JOHN BULL'S Other Island" the French have an Irish trouble of their own. As for the Corsicans, convinced that they once conquered France, it is not difficult to believe that they are prepared to make a second descent upon the shores of Provence, provided they do not have to use the unspeakably slow ships subsidized by the French Government.

The Domestic Servant Problem.

The Commissioner of Licenses, HERMAN ROBINSON, under whose supervision all employment agencies in this city are conducted, devotes considerable space in his annual report to the subject of domestic servants. Although the business of the agents fell off 25 per cent. in 1910-11 as compared with 1909-10, and in spite of the great number of families living in hotels and apartment hotels, and in the face of a decrease in the demand for servants, the number of persons seeking such situations was still much below the requirements, and the result was a general increase in wages. Mr. ROBINSON says:

"The servant is still master of the wage situation. On the East Side of Manhattan, where foreign born girls are furnished exclusively, the average wage scale, including board, of course, for 1910 and 1911 is about as follows:

1910.	
Cooks	$23.00
Waitresses	21.00
General houseworkers	17.50
1911.	
Cooks	$25.50
Waitresses	22.00
General houseworkers	18.50

"In the other agencies throughout the city where English speaking servants are furnished the wage scale varies more and is higher. Cooks who last year received $25 a month are many of them working for $35 a month now. Waitresses and general houseworkers receive as high as $25 a month, as against $22 a year ago, while laundresses ask for $25 and $30 a month."

The scarcity of servants is not confined to New York, nor is it peculiar to this country. The researches made by the Commissioner have disclosed this:

"New York city suffers no more from a scarcity of available domestic servants than other places. The demand in Canada is even greater, and the wages offered in some parts of the Dominion are nearly as high as the average wages paid to domestics here. Canadian employment agents have this year invaded the South and are taking negro help into Canada. Several employment agents in New York city were engaged in this line of work a few years ago, but most of them have abandoned it.

"The Southern negress was willing enough to come to New York when her fare was paid by the agent, who was later reimbursed by the employer. The girl was to work for a stated wage until her transportation was paid. Very often she refused to work the specified time or was dissatisfied with the place, and the arrangement was broken with a loss of money either to the agent or the employer. Of course the girl gained her point by having had her fare paid to New York."

Mr. ROBINSON has found that "all who think on this subject are of a mind that if domestic service were made more attractive many more girls would desire to go into it," a conclusion that it does not strain the conscience to accept. His own opinion is that "when the servant in the house is placed more nearly on the same footing with the business girl in the office the supply of servants will be greatly increased." In proof of this is cited the fact that many families living in apartment houses are now employing young women by the day to perform certain definitely agreed services, and find the arrangement working satisfactorily. The principal supply of servants is from the foreign population:

"The employment agencies attached to the Young Women's Christian Association in Brooklyn and one or two others report that above 5 per cent. of the servants placed by them this year are white native born American girls. This would be significant if it were not that the tendency of native born American girls to accept domestic service is still slight. Even the English speaking foreign born girl does not wish domestic service except as a last resort. As far as the domestic servants agencies are concerned, therefore, the great bulk of their business is done with girls from middle and eastern Europe, who may, however, have been in this country for several years."

It is evident that the question of compensation does not govern the minds of young women in deciding against domestic service. The proof is found in the overcrowded lists of applicants for low paid office and shop work:

"It may look strange that employment agencies who provide positions for young women as typists, office assistants, telephone operators, inexperienced stenographers, &c., where the wages run from $6 to $8 a week, are literally crowded with girls every day in search of employment, while in the agencies where the domestic servants can get places at far better wages, for their hire includes board and a comfortable home, there is a painful scarcity of applicants for work. The same class of young women who apply at the stenographic agencies are willing to go into department stores at very low wages. The contrast is best shown by the scale of fees which the agencies charge for getting work. The girl in the stenographers' agency willingly pays the whole of her first week's salary for a job, while the servant is so much in demand that she need pay nothing to the agent for putting her in a situation. The latter makes the employer pay the fee for both."

Mr. ROBINSON admits that "any woman in public station or any sociologist will undertake to solve the servant problem on the basis of some trite theory," but he has no solution to put forward. He quotes the managers of employment bureaus as reporting that families in which the work of servants is reduced to a system, with as near an approach to regular hours as is possible, with special rewards for good service, are able to keep servants, "not perhaps because of the wages, but because of their tolerant attitude toward the servants' rights and independence." He adds:

"The more observant of the employment agencies give it as their opinion that employers of servants are finding it to their advantage to lift the household worker out of the dependent class and make her status more like that of employees in offices and stores, with definitely understood hours of labor. The increase in the number of day workers or servants who work by the day and return to their own homes at night is indicative of the tendency in this direction. But it is clear that the working hours of servants, as well as their periods of recreation, must be better systematized than at present if the difficulties of the problem are to be lessened."

Mr. ROBINSON asserts that because of the supervision by his bureau, employment agencies now carry only honest persons on their books. Therefore the day workers may be employed with reasonable safety. It is not difficult to see that "living out" has advantages for the servant, and it is possible that an extension of this system may mitigate the lot of some troubled housekeepers.

Kanapolis, "the centre of Ellsworth county, the centre of Kansas, the centre of the United States," in which all the world was asked to buy town lots because it would be only a matter of time until it would be the centre of all creation, has a grievance.

Of all Kansas "booms," nothing boomed harder than Kanapolis. The land company was capitalized for half a million dollars, $100,000 was paid in bonuses to advance enterprises and bring manufacturing plants, $80,000 was contributed toward railroads and as much spent by individual members of the company in residences, a three story hotel, "the finest hostelry between Kansas City and Denver," was built. The "Dunsmore House" in Populist times passed a bill removing the State capital from Topeka to Kanapolis. The advertisements said: "Kanapolis in the year 1900 will contain 50,000 souls."; "it should become a great city and excel in size and importance such cities as Rochester, N. Y., Columbus or Toledo, O., Indianapolis, Ind., Nashville, Tenn., Atlanta, Ga., and other like cities."

A recent visitor to Kanapolis writes:

"To-day the prairie winds whisk through the streets of the Kansas town, and swirling clouds of dust from sand (not asphalt) paved streets impede the visitor's locomotion; the overland trains of the Union Pacific flash through the town with indecent speed, and their whistles seem to shriek in mockery; on a side street the first business building erected in Kanapolis shakes in the wind, while cows munch contentedly at the mangers; out beyond the last straggling house a rattling windmill marks a corner of what the mirage said were to be the "state house" grounds; a huge hotel, built while the mirage was fresh, stands with empty rooms; and beyond the town to the south and east, those Kansas hills, grotesquely carved and mysterious as the Sphinx, leer down upon the tragedy of a town."

In 1890 the Government census showed a population of 272, and in 1900 the number had fallen to 240. Those who yet remain have laid their grievance before STUBBS and other Kansans, friends of the people against the mighty interests, asking that trains be forced to stop so that Kanapolis may yet be something more than a "whistling station."

CITY BUILDING CONTRACTS.

Objections to a Measure Intended to Divide Them.

TO THE EDITOR OF THE SUN—*Sir:* Senate bill introductory number 557, introduced by Senator T. D. Sullivan, which has passed its second reading, having been reported favorably by the Committee on Finance and referred to the committee of the whole, provides that in the construction or alteration of all public buildings for the State or for any county or city where the entire cost of the work shall exceed $1,000 separate contracts shall be awarded for plumbing, heating and electrical work, upon separate and independent bidding, and it also provides that specifications must be so drawn as to permit independent bidding upon the excavating, plastering and carpenter work included in all such contracts, although it does not require that independent contracts shall be let to cover these three items of work.

Should this bill succeed of passage, each separate employer would let out and conduct his work in disregard of the rights and requirements of all other trades, which could only result in long periods of enforced idleness on the part of the employees of the weaker contractor.

As at present regulated, work of this nature is all let to one general contractor, who lays out and has the work performed, first, most expeditiously, and second, to the greatest advantage of the workmen employed in the work, so that they may have as nearly constant employment as conditions and trade agreements will allow.

The purpose of the act is not evident. No necessity for it exists. That the cost of executing work and the time consumed in executing it would be greater under this proposed bill than at present is apparent to any one familiar with building conditions. A general contractor can regulate the performance of work by various artisans at the same time so that there shall be no conflict between them, but if each trade is to have its own separate contract and act independently of all others, conflict and interference between the various trades must necessarily result.

WILLIAM P. KIMBER.

NEW YORK, May 6.

Lumber, Lath and Shingles.

Though our lumber production in 1909 was only about 9,500,000,000 feet more than in 1899, yet the increase in value was $290,000,000, the average values a thousand at the mill being $15.38 and $11.13. In addition to the 48,000 reporting sawmills in 1909 some 3,000 idle mills were canvassed, giving a total of 51,000 mills, or 18,000 more than ever before in the United States.

The production of shingles in 1909 was 14,907,371,000, valued at $30,262,462, and of lath 3,703,105,000, worth $9,963,459.

Our total output of these products in 1909 was worth $1[illegible]705,760.

Lath was worth $1.86 a thousand in 1899 and $2.69 a thousand in 1909 at the mills; shingles were worth $1.56 a thousand in 1899 and $2.03 a thousand in 1909.

The principal lumber producing States in 1909 were Washington, 3,862,916,000 feet; Louisiana, 3,551,918,000; Mississippi, 2,572,669,000; North Carolina, 2,177,715,000; Arkansas, 2,111,500,000; Virginia, 2,101,716,000; Texas, 2,099,130,000; Wisconsin, 2,025,[illegible]000; Oregon, 1,898,995,000; Michigan, 1,889,724,000; Alabama, 1,569,001,000, and Minnesota, 1,561,[illegible]508,000.

The total quantity of lumber sawed in the United States was 26.9 per cent. greater in 1909 than in 1899. In all the States bordering on the great lakes a marked decrease occurred, chiefly in Michigan, Wisconsin and Minnesota, due to the diminishing white pine supply. Illinois and Iowa shared in this decline, the rafting down the Mississippi of white pine logs for cutting in those two States decreasing. The Pacific coast and northwest group of States, comprising California, Oregon, Washington, Idaho and Montana, together had a lumber cut of 7,859,800,000 feet in 1909, against 3,221,653,000 feet in 1899, an increase of 141 per cent. in the ten years.

During the last twenty years no State has shown so high a yearly production of lumber as was attained by Michigan from 1880 to 1890 and a few years thereafter, when the average output of the State was in excess of 4,000,000,000 feet. In all those years white pine held the leading position in the country's lumber production that yellow pine occupies to-day. Since 1880 Michigan has produced 100,000,000,000 feet of lumber, the bulk of it being white pine, followed by Wisconsin with an output of 80,000,000,000 feet in thirty years.

The total lumber production of the United States in the last thirty years has been more than 900,000,000,000 feet. The per capita annual production is now approximately 500 board feet and was probably a little greater in 1907.

SCHEDULE K.

WASHINGTON, May 6.—A few days ago one of the leading Democrats in Washington said that there were 228 different opinions regarding the revision of Schedule K. That is the number of Democrats in the House of Representatives. He added an expression of belief in an ultimate harmonizing of the views and the passage of a bill effecting a material reduction in the rates on wool and woollens. It may be inferred from this that Schedule K will be threshed over with some attention to the interests affected and not be thrown into the House and hustled through it like that excellent specimen of political claptrap known as the farmers' bill.

The tendency of Schedule K seems to be in the direction of the substitution of ad valorem for the present specific rates on raw wool and a rate on woollens that will represent the duty on wool plus a modest measure of protection, paraded as tariff for revenue. That policy is a reversion to earlier conditions. In the tariff of 1816 wool was subject to a 15 per cent. duty as an "unenumerated article." The rate in the tariff of 1824 was progressive, 20 per cent. ad valorem for the first year, 25 per cent. for the second year and 30 per cent. thereafter. The tariff of 1828 provided a composite duty and the Walker tariff of 1846 restored it to an ad valorem basis, where it was continued by the tariff of 1857. As a theory the ad valorem basis is generally regarded as the more desirable of the two systems, but there appear to be serious difficulties in its actual operation.

Wool is a commodity of many kinds, qualities, grades and conditions. The opportunity for undervaluation is endless unless the Government employs, as it is little likely to do, high salaried experts with a thorough technical knowledge of the business. Nearly one-half of the raw wool imported comes under the general classification of clothing wool, as distinct from combing wool and carpet wool. In 1909 the imports of clothing wool under class 1 amounted to 98,399,649 pounds valued at $20,387,760, or 20 7-10 cents a pound. The duty collected amounted to $10,823,961, or the equivalent of an ad valorem rate of 53.09 per cent. If this were to be changed to a flat ad valorem basis of 25 per cent. and the rate put into effect without the knowledge of the public the purchaser of a suit of clothing, a hat or a blanket would not know that any change had been made. The effect of such a change on commodity prices would be trivial.

A SPONGE MARKET.

Bids for "Strings" Are Written on Slips of Paper and Handed to Auctioneer.

From the Chicago Tribune.

Sponges grow to perfection at the bottom of the blue waters of the Gulf of Mexico and are found in greater abundance within a radius of twenty-five miles of Tarpon Springs than elsewhere in the waters of the United States, and are of a superior quality. They are excelled only by those caught in the Mediterranean Sea.

Sponges are taken by divers who go down in waters twenty to fifty feet in depth. These divers often meet with exciting adventures and are constantly exposed to danger from sharks and other denizens of the deep. Their pay is based on the value of the sponges taken, and runs from $50 to $200 a week.

When sponges are first taken they are filled with animal life. They are washed as clean as possible, are assorted, and placed on "strings" four feet ten inches in length. They are then ready for sale. There are four grades, in the following order: Wool, yellow, wire and grass.

The sponge market is a lot about an acre in extent in the centre of which is a large building, or shed. The sponges are placed in piles of 100 to 150 "strings" all around this building. The sale is conducted in a peculiar way. The buyers examine the sponges and when the auctioneer opens the market and calls for bids they write their offers on slips of paper and hand them in. The auctioneer examines the highest bid, which may be refused by the owner, but the same sponges are not offered for sale twice the same day. They may be put up once more, and if not sold then must be taken away and incorporated in a new lot. The sales take place on Tuesdays and Fridays, and the amount realized averages about $12,000 a week.

GERMAN SYNDICATES.

How They Differ From the Great Corporations of This Country.

From Daily Consular and Trade Reports.

A German syndicate does not as a rule control any works as such, like the American "trusts," but simply the products of the works. Thus a German business manufacturing a dozen different articles will be a member of a dozen different syndicates and not a unit of a single corporation.

There are syndicates governing every important material and article of iron manufacture, from ore, coal and coke to plates, bars, wire, machinery, and even nails. There are also district syndicates where local conditions are of a special character. These syndicates work in great harmony, considering the conflict of interests.

The usual method of procedure is for a number of the expert officials of the syndicate to visit the works included and to record the geographical situation, mechanical equipment, productive capacity and special aptitude of each of the associated concerns. Orders received are allotted and prices fixed by the syndicate. Each establishment gets its due share of the trade available, regard being paid of course to the location and capacity of the works. For example, a Russian or Austrian order would, other things being equal, be allotted to a Silesian firm, while an English one would go to a Westphalian shop. The country is mapped out into trading zones, and everything possible is done to avoid waste, overlapping, delay, and high cost of transit.

These syndicates are really manufacturers' trade unions and cooperative associations combined, and their officials and agents attend to a wide variety of commercial, legal and other matters in the interests of their constituents. Raw materials are bought and finished products are sold on the most highly organized and economical lines.

In 1897 some of the German syndicates adopted the export bounty policy. Since that time iron and steel manufacturers have been subsidized in respect of goods produced for export. The unions controlling fuel, iron, raw steel, &c., have supplied materials at cheaper rates when such materials have been required for manufacturing for export than when needed for goods for the home market. From time to time the bounty rates, or differences between home and export prices, have been increased or decreased in response to the fall or rise in the home demand, the primary object being to effect full employment for the mills even when home trade has been slack, and the second to secure a permanent trade in foreign markets.

Largely through the operation of these bounties German iron and steel goods have gained a foothold in markets previously regarded as British preserves. Germany seems on the way to dislodge England from the premier position as a steel exporting country, largely, it appears, if not entirely, as an outcome of superior organization.

"The Frankfort University."

From Daily Consular and Trade Reports.

The proposed creation of a university at Frankfort is receiving a great deal of discussion. The city authorities have proposed to combine a number of scientific academies and institutions of learning already existing into a university. These institutions dispose of large endowment funds, and funds necessary to complete the university organization would, according to the proposal of the city council, be secured by voluntary contribution, in order to avoid increasing tax burden. The proposal has been submitted to the Prussian Government. Considerable opposition to the "Frankfort University" has arisen, particularly in smaller university towns, such as Marburg and Giessen, which claim that students would be drawn away from the smaller colleges in this part of Germany by the creation of an important, well endowed seat of learning at Frankfort.

CIVIL IMPRISONMENT.

In a case just decided by the Court of Appeals the court holds that "a statute passed to enlarge liberty should be construed in a liberal spirit, so as to advance the humane purpose of the Legislature," and that while if clear the command of the law must be obeyed as it is written, "when it is not clear the doubt should be resolved as to restore the prisoner to freedom if possible."

The court makes this ruling in habeas corpus proceedings brought by one Hyman Levine against the Sheriff of New York county to determine whether his wife, who is suing him for separation, may continue to have him committed to Ludlow street jail because he does not pay the temporary alimony awarded under a court order. He had served three months under a commitment for contempt for failure to pay an accrued sum of less than $500, and after he was released he was adjudged in contempt again for failure to pay a sum over $500 and was sent back for six months. Under this procedure Levine could have been sent back for another term after he had served the six months, but he instituted proceedings to find out if he could be kept in jail for the great part of his natural life if he failed to pay.

The Appellate Division heard Levine's case in the first instance, and dismissed his writ without an opinion, but the Court of Appeals reversed and decided that only one commitment for contempt may be made under the same court order. The case hinged on the construction of Section 3 of the Code of Civil Procedure, which says:

No person shall be imprisoned within the prison walls of any jail for a longer period than three months under an execution or any other mandate against the person to enforce the recovery of a sum of money less than $500 in amount or under a commitment upon a fine for contempt of court in the non-payment of alimony or counsel fees in a divorce case where the amount so to be paid is less than $500; and where the amount in either of said cases is $500 or over such imprisonment shall not continue for a longer period than six months. * * * Notwithstanding such a discharge in either of the above cases, the judgment creditor in the execution or the person at whose instance said mandate was issued has the same remedy against the property of the person which he had before such execution or mandate was issued; but the prisoner shall not be again imprisoned upon a like process issued in the same action or arrested in any action upon any judgment under which the same may have been granted.

Judge Vann, writing the unanimous opinion of the Court of Appeals, said:

Imprisonment for debt dies hard. Barbarous, cruel and senseless, it puts its victim in jail in order to make him do something which in most instances the imprisonment itself prevents him from doing. It is the lawful use of torture, and differs only in the degree of the suffering caused from the thumbscrew, the rack and the boot. The spirit which for generations pervaded and upheld it is illustrated by the following official utterance by an eminent English Judge: "If a man be taken in execution and lie in prison for debt, neither the plaintiff at whose suit he is arrested nor the Sheriff who took him, is bound to find him meat, drink or clothes, but he must live on his own or on the charity of others; and if no man will relieve him, let him die in the name of God, says the law, and so say I." (Manby vs. Scott, 1 Mod., 124, 132.)

Many efforts have been made to put an end to the evil as well as to soften the hideous features known to former times. The noted Stillwell act, passed in 1831, brought about one of the great reforms in the history of legislation by abolishing, with some exceptions, imprisonment for debt based on contract when the defendant was innocent of fraud. Other acts of less importance followed, and in 1886 a marked advance was made by limiting the period of imprisonment and restricting the circumstances under which a debtor could be imprisoned. That act is now Section 3 of the Code of Civil Procedure.

Judge Vann says that while the statute now involved has been before the courts on several occasions, there is no controlling decision upon the point in question. It has been held that Section 3 does not include orders of arrest in its limitation of the time of imprisonment "upon any execution or other mandate against the person." In Reese vs. Reese (46 App. Div., 156) it was held that imprisonment under a commitment for contempt of court for failure to pay alimony *pendente lite* does not preclude further imprisonment for failing to pay alimony awarded by final judgment. Judge Vann says that while the court does not adopt the principle of that case in allowing two terms of imprisonment for non-payment of alimony under any circumstances, it is sufficient to say that the Reese case sanctions one term for failure to pay temporary alimony and another for non-payment of permanent alimony, "but it does not permit two or more terms for non-payment of successive instalments of either kind of alimony, which might result in imprisonment for life."

The Court of Appeals in Winton vs. Winton affirmed a lower court decision on the opinion and held that under a final judgment directing the payment of alimony in instalments the defendant can be imprisoned but once, and that he cannot again be imprisoned for failure to pay the instalments falling due later. Judge Vann says the principle of that case applies to this, for in the absence of specific language it would be unreasonable to believe that the Legislature intended a more severe remedy to compel the performance of a temporary duty than to provide for the performance of a permanent duty. Analogy points strongly to the application of the same rule in both cases. Judge Daniels, delivering the Supreme Court opinion which was adopted in that case, said:

What was intended by the enactment of this section was to secure still further relief than that before sanctioned to the party who had previously been imprisoned and lawfully discharged. And that was described and directed in clear language, prohibiting the person from again being imprisoned upon a like process, not for the non-payment of the same sum of money, but issued in the same action. * * * If the enactment is not to secure this end, then it has accomplished no substantial benefit to the defendant required to pay alimony in an action for divorce, for he may still be perpetually imprisoned if this section shall be held to permit his imprisonment after he has once been legally discharged under it. If that discharge is not to secure his protection against like proceedings afterward instituted under the judgment, then, after he has served his first three or six months in prison and been discharged, he may be immediately arrested and committed again to prison for the non-payment of alimony accruing under the judgment while his imprisonment was endured. And this may go on from time to time through the period of his natural life. The intention of the law was not to permit this continued oppression and incarceration, but it was to restrict the right of imprisonment when the period mentioned in this section should be fully endured by the party to that imprisonment only, excluding after that the power to arrest or imprison the person in default of future payments.

Judge Vann says in conclusion that matrimonial actions are neither actions at law nor suits in equity, but statutory actions modelled largely upon equity proceedings. Both power and practice depend on the statute, except that where the statute is silent the practice usually follows the rule in equity. The court writes:

The matter of substance, so far as the recovery of alimony is concerned, is the amount rather than the method, and we think that the word "alimony" as used in Section 3, with no qualifying adjective, means alimony of either kind, whether granted by interlocutory order or by final judgment. We think also that the positive command of the statute that "the prisoner shall not be again imprisoned upon a like process issued in the same action" refers to both temporary and permanent alimony.

Pen Mar.

From the Philadelphia North American.

Some fellow down Lancaster way has come out with an explanation as to how Pen Mar got its name. "It is of Cornish extraction," says the Lancaster man, and he quotes an ancient rhyme to prove it. The fact is that Pen Mar is so called because it is on the Mason Dixon line, with Pennsylvania on one side and Maryland on the other, the first three letters of each State name being used to form the word.

Church Barrel Organ.

From the Westminster Gazette.

Speaking at a Llangollen meeting, the Bishop of St. Asaph recalled that he held his first church appointment at Llangollen. The music to accompany the choir was then supplied by a barrel organ. As a boy he churned it out by regularly turning the handle.

THE COURT HOUSE.

Trust the Judges to Build a Home for Justice.

TO THE EDITOR OF THE SUN—*Sir:* Such comments as I have seen upon the Stilwell bill, now under consideration in the Assembly, and which is presumed to favor the erection of a new court house in City Hall Park, fail to give due weight to the physical aspects of the problem.

In the first place, no one at all familiar with the condition of the present court house can deny that a new structure is most urgently needed. The building is such that it is impossible to conduct the ordinary business of the courts with decorum or dignity, and the equipment is so inadequate and antiquated that it is not impossible that cases of illness may be attributed thereto. For years the Justices have called attention to the building and its defects, but for one reason or another nothing has been done.

The Justices who hold court in the building know best about it; and they foresee what the situation will be before any relief can be afforded by a new building, no matter how soon one is started.

But I am a good way from advocating the erection of a new court house in City Hall Park, and against such a proposition there are also physical considerations. In the present court house twenty-three parts of the Supreme Court are provided for, and in the adjoining brownstone building nine parts of the City Court are accommodated.

The new court house must therefore provide at least thirty-two court rooms, and if allowance is made for the natural growth of court business, not less than forty court rooms should be planned. These court rooms, to be of adequate size and dignity, must have a height extending through practically two stories. Therefore the question of floor space alone for the court rooms, clerks' offices, library, Judges' chambers, toilet rooms, &c., is a very important one.

No serious consideration can be given to the proposition to erect a skyscraper court house. To enter upon such a project would make us the laughing stock of the civilized world. A monumental building of reasonable height is the proper suggestion, but it is doubtful if there is room in the north end of City Hall Park for such a structure. It would certainly cover nearly all that portion of the park which lies north of the City Hall, from Broadway to Centre street. Furthermore, in order to erect a court house there it would be necessary to build one-half the structure at a time. This would involve tearing down at first only the western part of the present court house, and would interrupt the work of only those parts of the Supreme Court now sitting in the west end, some nine in number.

It is doubtful if places could be found in the city for the temporary accommodation of these parts of the court. Some five years ago a search of the city below Fourteenth street failed to find a single building where a suitable or adequate court room could be arranged. Therefore the selection of City Hall Park for a site for a new court house would mean the practical abolition of nine parts of the Supreme Court for at least three years.

The argument advanced against the Stilwell bill, that its enactment would violate the principle of home rule, seems hardly serious to those who know how long various Boards of Estimates have neglected to grapple with this question.

I am also of the opinion that the Justices, many of whom have given much time and thought to the question, are quite competent to select the architects and engineers they need, to criticise the plans prepared, and generally to look after the erection and equipment of the building. Many of the present Justices have spent years in the present court house, and they know better than any one else its shortcomings.

I believe, therefore, that the present conditions are intolerable, that they will grow worse instead of better; and that the Stilwell bill, or some modification thereof, should be enacted into law by the present Legislature. I also feel that the Justices if given a free hand in the matter of site will select some location other than City Hall Park.

JAMES W. REED.

NEW YORK, May 6.

DOGS.

Perhaps No New Legislation Is Needed for Their Extermination.

TO THE EDITOR OF THE SUN—*Sir:* "W. S. J." says that "in the State of Connecticut, which could be turned into a vast sheep pasture, there are 5,000 sheep and 50,000 dogs. I need not go on and particularize, evidence exists on every hand that dogs are a nuisance and a menace to life and property. Their usefulness has passed, and the time for their extinction has arrived. Humane societies in every State should take the matter up and see to it that laws or acts for the destruction of dogs should be passed and enforced."

If dogs are a menace to life, health or property, as I think they are, there is no necessity for any more laws in order to get rid of dogs. Anything that is a danger to life or health is a public nuisance, which it is the duty of the authorities to suppress. Indeed, in order that a thing may become a public nuisance it is not even necessary that it endangers life or health. A thing is a nuisance, the courts hold, if it "is likely to be annoying or offensive to those who in the exercise of legal right come within its sphere."

All dogs bark, and most of them bark frequently or long at a time. The bark of even a small dog can be heard for a mile at least, while the large ones can be heard for a mile and a half or more.

The noise made by barking dogs is annoying to most people and positive torture to many. Very many people, too, perhaps the most, if asleep will be awakened if a dog barks within their hearing.

As every dog barks and all or practically all dogs are kept where other persons besides their owners can hear them bark, I think that all dogs or practically all are a public nuisance by reason of the noise they make, while most if not all dogs are a public nuisance for other reasons.

The law makes it the duty of the police to arrest and prosecute all persons responsible for a public nuisance (People vs. Herlihy, 66 App. Div., 534; Muldoon vs. Hayden, 58 St. Rep., 535), and the law also makes it the duty of boards of health to suppress and remove all nuisances and conditions detrimental to life or health (Public Health Law, Section 25).

The need of the times is not more laws, but a better enforcement of the laws which we have.

TWENTIETH CENTURY.

NEW YORK, May 6.

A Kentucky Strong Man.

From the Liberty News.

George Stapp, who lives on Cheif's Ridge, is the brag stout man of this part of the State. His sixtieth birthday was last week and he has never had his knuckles pulled into the dirt or met his equal.

Thirty years ago he outlifted the 722 pound fat lady that was in the circus that came to Liberty. He has carried a horse ten steps to win a wager, and he can easily carry his 100 pound wife 200 yards on his extended hand. He is a rawboned gentleman, weighs about 190, and looks like an ordinary man physically, but those who know him well say his strength is a wonder.

Despised Thistle a Forage.

From the Kansas City Journal.

It was by accident the western Kansas farmers found that Russian thistles make a good forage crop for cattle. The farmers for years had battled against the Russian thistle pest and the State Legislature appropriated money to combat it.

One day after a heavy windstorm a farmer found all his cattle eating Russian thistles that had banked up against a barbed wire fence. The news spread rapidly over the western part of the State, and as a result Russian thistles are now harvested with almost as much care as alfalfa.

Pennsylvanian's Checker Board.

From the Philadelphia Record.

Harry Flickinger of Palmyra, Lebanon county, has just completed a unique parchesi and checker board combined for Samuel Brocht. It is made of separate blocks of wood and consists of 4,184 pieces. The checker board consists of 787 pieces and the parchesi board 3,863 pieces, including the top of the table. Five different kinds of wood were used, consisting of yellow pine, maple, walnut, cherry and ash.

Eleven weeks of spare time were put in to complete this curious piece of work.