



TUESDAY EVENING, JAN. 15, 1901

In the good old times when the Carrolls, Hunters, Swanns, Scotts, Lloyds, Frazers, Sommers, Balls, Halle, Roschens, and others lived in Alexandria county, or County as it was then called, the people thereof were Southern in their habits, customs and feelings and were fond of Virginia and of their country town. Their carriages, buggies and riding horses were seen daily on its streets, where they did their trading, and their sturdy yeomanry, on the court green or at Fifehouse, and on market days would often contest with their town competitors for the honors of the ring. But all that has changed now. They have gone, and their places have been supplied by strangers, mostly from the North, who sell all their products in Washington and buy there all they have to use. They never come here now; they wouldn't rest until they had their court house and jail moved from here, and now, though the national government already holds a large part of their territory, free of taxes, most of them desire that all of it above Four Mile Run be annexed to the District of Columbia. They have never been conspicuous for their sentiment, but the little they may have had has been entirely dissipated by the modern blight of "commercial spirit."

As the U. S. Supreme Court decided yesterday, as stated in the Gazette of that date, that a criminal fleeing from Cuba must be delivered on a proper requisition, as Cuba is a foreign country, the question that naturally arises in the mind of every reasonable American is, what conceivable right President McKinley has to keep a large army in that island? If he has no such right, certainly the already tax-ridden people of this country should not have imposed upon them the great additional expense of maintaining that army there. The longer imperialism lasts, the more apparent become its evils.

TRULY HAVE THE Chinese fallen upon evil times. In addition to the capture, looting and burning of the capital of their country by foreigners, alien both in race and religion and the slaughtering and outraging of thousands of their people, dispatches from Shanghai this morning say that in one province alone, Shen Si, no less than five million of them are on the point of starvation. The strangest thing about this is the fact that all of it is the direct and legitimate results, as alleged, of an attempt to "Christianize the heathen, and to civilize and humanize them."

As the Hawaiians have recently elected to the U. S. Congress a delegate who is not a republican, but was elected by the royalists, the American republican beach comers, who seized their islands, are now talking about restricting the privilege of suffrage there to the intelligent and property holding people of the islands. But when the people of the Southern States attempt to impose such a restriction upon the illiterate and pauper negroes, the Northern republicans say they are setting the Constitution at open defiance and should be punished therefor.

THE PENSION money called for by the Secretary of the Interior for next year amounts to four million dollars more than he asked for this year. But, all the same, there has hardly been one of his predecessors during the last score of years who has not said every year that the pension money had reached its limit and would be diminished yearly. But the pension bills secure millions of votes for the republican ticket.

As Cuba has been decided to be a foreign country, what business the United States have to be interfering with a convention of the people of that island are now holding for the purpose of framing a government for themselves, is what no fellow can find out—at least no disinterested and reasonable fellow.

FROM WASHINGTON.

(Correspondence of the Alexandria Gazette.)

Washington, January 15. Joseph Grayson, the chief of the document room of the House, visited St. John's Cemetery in Richmond, the other day. He made a pilgrimage to the grave of George Wythe, one of the signers of the Declaration of Independence of the United States. He shocked his patriotism to observe that nothing beyond a piece of lead pipe marked the resting place of the famous Virginian. He held a conference with Congressman Lamb, of Virginia, and as a result of this conference the bill was introduced to appropriate \$1,000 to mark the spot. The bill has been referred to the committee on library.

W. Wickham Smith, counsel for appellant in the Hawaiian case now before the Supreme Court, was shocked by Solicitor General Richards for the government today. The contention of the government is that Article 1, Section 8, of the constitution contains no meaning which can be construed into a denial to Congress of the power to annex territory subject to remedial legislation affecting the customs laws, while the opposition holds that the article mentioned was framed especially to govern and control every state and territory of the Union without regard to contiguity to the main land, Alaska

or Hawaii being as fully bound by it as New York or any other state. In the course of his argument the Solicitor General said that at the time of the annexation there were no officers or agents of the United States in Hawaii and therefore no power for the execution of the laws of the United States had been applied. This being the case, he said the customs laws of the United States immediately go into effect, the commerce of the world could have entered the United States via Hawaii on equal terms with domestic products taking advantage of the free trade between the ports. To a question from Justice Harlan as to whether the government held that Congress possessed the power to repeal the law organizing the territorial government of Hawaii, and to repudiate the delegate now in Congress, the Solicitor General replied that he believed such power to exist under the constitution, and that Congress possessed the power to part with any of the territories, the only indisoluble portions of the union, being the sovereign states.

A meeting of the Senate finance committee was held this morning to consider the bill reducing the war taxes. It was announced that the policy of the committee would be to make a general reduction all along the line without singling out particular interests for favors. The extent of the reduction will not be decided upon until a close estimate can be made of the appropriations to be authorized by this Congress. The rivers and harbors bill may carry anywhere from 60 to 80 millions when it finally passes both houses; the Isthmian canal bill and the ship subsidy bill are still possibilities, with appropriations for the current year of about ten million dollars each; and the faith of Congress has been pledged to appropriate five million dollars in aid of the St. Louis World's Fair. Until a more definite idea can be obtained of how many of these large appropriations will be authorized, the finance committee will not definitely determine the amount of reduction in revenues to be recommended by them. The tobacco tax has won their fight for recognition and the tax on tobacco, which now is 12 cents, will be reduced to either nine or ten cents per pound. The tax on beer will be left as fixed by the House at \$1.60 per barrel. The express telegraph taxes will be removed and the tax on bank checks will be retained. It is understood that the total reduction in revenues to be recommended by the Senate committee will be about fifty million dollars, which will be ten millions more than provided in the House bill. After removing the tax on telegrams and express packages, and retaining that on bank checks, a horizontal reduction of about 20 or 25 per cent. will be made in taxes on other interests. Members of the House committee on merchant marine and fisheries expect within a day or two an announcement from Senator Hanna giving up his fight for the ship subsidy bill at this session. The opposition to the army bill in the Senate is directly traceable to those who oppose the ship subsidy bill and in order to expedite legislation, Senator Hanna is said to be ready to give up the struggle.

Secretary Long said this morning that as yet no preparations had been made by the Navy Department for the reception at Guam of the military prisoners from the Philippines. He presumed, however, that they would be given considerable liberty and not held in prison or stockade. The question of subsistence may prove a serious one as Commander Schroeder reported shortly after the visitation of the tornado, which overwhelmed the Yosemite, that he had been forced to issue supplies to the prisoners and to provide them with drinking water. According to the report issued by General MacArthur and authorized by Secretary of War Root the prisoners are to remain in exile so long as fighting continues in the Philippines.

This afternoon the President took an hour's drive about the city and both in the morning and evening attended to a little routine business. Dr. Rixey is not willing to let him receive business or social callers yet, and will probably remove the ban before the week is over. The doctor, it is reported, will be promoted to the place of surgeon-general. Senator Pettigrew today in answer to a query regarding the published report that he had been asked by Senator Hanna to vote for the ship subsidy bill said: "Mr. Hanna came to my room a few days ago and chatted pleasantly for a few moments. He did not ask me to vote for the ship subsidy bill nor did he suggest his desire that I should cease opposing it. I should certainly be refused because I think it a vicious piece of legislation."

"It was Teller's day yesterday. This is my day and tomorrow and the next day there will be others to continue the debate," remarked Senator Pettigrew in discussing the filibustering tactics adopted towards the army reorganization bill. "The bill will come to a vote some time, but just when, I cannot say. Maybe it will come Friday and maybe not until next week. I really think the ship subsidy bill ought to be sent back to committee." The republican leaders are well acquainted with the plans of the filibusters and Senator Hawley said this morning that he proposed to immediately move to lay on the table all amendments that may be offered and cut off in the bill. The effect of this policy is difficult to predict. It is expected, however, to increase rather than diminish the filibustering already apparent among Senators.

Work on the annual appropriation bill was practically completed this afternoon, and it will be reported tomorrow or next day. It carries approximately \$77,000,000 and is substantially as agreed upon by the sub-committee. There will be no appropriation for Holland boats.

The following changes in the fourth class postoffices of Virginia were made today: Cox Lee county, W. M. Bailey appointed postmaster, vice H. P. Dixon, resigned; Norville, Mecklenburg county, E. G. Crews appointed postmaster, vice J. R. Mallette, resigned; Slate River Mills, Buckingham county, E. D. Loving appointed postmaster, vice E. J. Cobb, resigned.

Representative Jones of Virginia will be granted a hearing by the House on commerce committee on his bill to pension disabled employees in the life saving service.

Representative Maddox, of Georgia, will be one of the speakers at the banquet to be given by Lee Camp of Confederates, at Alexandria, next Saturday night. Mr. Maddox enlisted in the Confederate army at the age of fifteen and served throughout the entire war as a private. At its close he studied law, and was one of the most efficient Southern members of the House. Miss French, who was married to Mr. Vanderbilt yesterday, is the grand

daughter of Mr. B. B. French, a prominent lawyer, and at one time sergeant-at-arms of the U. S. Senate. He was well known by the old time Alexandrians, but was not a millionaire. Though there is strong objection to the confirmation of the nomination of Associate Justice Harlan's son to be attorney general of Porto Rico, not because he is not fit for the place, but because it was in bad taste for the President to appoint him when a case in which the administration is deeply interested is before his father, the impression at the Senate Judiciary committee's room is that he will be confirmed, as the majority of the committee is republican, and as the administration is republican.

Representative Quarles, of Virginia, was at the War Department this morning to try to have the road from Staunton to the federal cemetery near there improved, and believes that his object will be accomplished.

A delegation of the G. A. R., a large number of residents of this city, Mr. E. B. Home of Alexandria county, and others, bearing a petition signed by Gen. Miles, Admiral Dewey, Gen. Corbin and other prominent army and navy officers, governors of States, among others, and a large number of members in the room of the House intrate commerce committee this morning in the interest of the bill for a bridge across the Potomac at Arlington, but, as anticipated in this correspondence, they were denied a hearing and so to put what they had to say in writing. They were also told that they had better not press for action on the bill, as if a report should be made, it will be adverse to the interests of the G. A. R. The bill will give the promoters of the bill a hearing tomorrow afternoon and may agree to recommend an amendment to the sundry civil bill appropriating a small sum for further surveys of the bridge referred to.

Representative Swanson of Virginia, who has been sick with the grip, was in his seat in the House today. He says he has received many letters from different parts of the State, all to the effect that his letter which his opponents are circulating has done him great good, as the people like the men who are grateful for support and frank enough to say they are and will be. These criticisms have so seduced him that he has written a letter from his State and all the Representatives except four are pronounced in favor of him for governor, which is a pretty good indication that the people of the State are leaning towards Nathan Sponner. The House today was held \$300 in the Police Court this morning for an alleged assault on Martha E. Maddox, a young white woman, who had called at his office for employment. Sprague is a real estate dealer, well-to-do and quite prominent.

The House committee on postoffices and post roads today at a final meeting on the postal appropriation bill decided to strike out the appropriation of \$500,000 for the post office mail service, thus knocking out not only the scheme proposed, but the services already in existence in Brooklyn, New York, Philadelphia and Boston. The bill will carry \$122,748,435, of which three and a half millions are for the delivery of the mail. The southern mail subsidy appropriation of \$195,000 is continued.

Congressman Wachter of Maryland achieved the distinction for his State of being the first to present to the President of the Senate's electoral votes. The entire Maryland delegation, including the re-elected Senator Wellington, accompanied by the messenger from Annapolis, made the presentation to the President.

When Senator Morgan moved today to have a vote on the Isthmian canal bill on February 11 Senator Daniel objected. The latter afterwards said: "I desire to have opportunity for a full and free debate on the bill before a date is fixed for voting upon it. I also believe that we ought to await England's decision on the amended Hay-Pauncefote treaty before considering the canal bill." The objection commenced the consideration of the army appropriation bill. It calls for the same amount as the bill of last year and is estimated to cost one and a half million dollars. Of cost with one of a hundred thousand, it would be twice as much.

NEWS OF THE DAY.

Foreign powers accuse the United States of delaying the Chinese negotiations.

The town of Beves, near G'bara, Cuba, has been burned, including the warehouse of the Banes Fruit Company, an American concern.

The French government was sustained in the Chamber of Deputies by a vote of 310 to 110 on an interpellation regarding the Pope's alleged interference in French affairs.

The physicians of Trenton, N. J., are puzzling their heads over the remarkable case of Joseph Gaskie, who has gained his weight twenty-four pounds in two days by lying in bed and eating cinnamon buns.

Mr. Charles W. Harvey, for 37 years freight agent of the Baltimore and Ohio Railroad at Elliott City, Md., is to be married tomorrow to Miss Cooney, daughter of Mr. M. Cooney, a tailor, of Baltimore. The bride to be is under 23 years of age.

Before retiring Sunday night Miss Della Griffiths at Shamokin, Pa., looked under the bed. There she saw a burglar, who, finding that he had been discovered, said he would not hurt her. With a scream she ran from the house. When she returned later with a policeman he had fled.

Advices from many places in Roumania tell of packs of wolves killing and devouring travelers. Two wedding couples were being slain in the Marmaros district were attacked and all four persons were killed. The driver of the sledge escaped up a tree, but was nearly frozen to death.

Mr. and Mrs. Alfred G. Vanderbilt went to Boston for the first of their honeymoon on a record-breaking special, arriving at the Back Bay station yesterday afternoon at 4:15 o'clock. They were driven to the Hotel Somerset. None of their friends knew that they were there.

At Helena, Mon., last night, W. A. Clark, who nominated in the democratic caucus for United States Senator to succeed Senator Thomas H. Carter. There were thirty-seven members present. It will require forty-eight votes to elect today, but Clark professes to believe he will receive at least fifty-three on the first ballot.

The Senate yesterday made absolutely no progress with the army reorganization bill. Mr. Teller delivered a sensational denunciation of General Charles P. Egan, formerly Commissary-General of Subsistence. Mr. Teller also made a stinging attack upon the President for having retired Gen. Egan, asserting that "the retirement in the circumstances was a decoration and not a punishment, and many of the American people believe it was a decoration and a reward for his attack upon the general commanding the army." The House postponed the District of Columbia business, which was the regular order for the day, until next Monday, and proceeded with the river and harbor bill. General debate closed, and the bill was read under the five minute rule for amendment. Many amendments were offered, but without exception all of them failed.

The People's Bank of Livingston, Tenn., a small town in the Cumberland plateau, was robbed of \$5,000 last night by burglars. They left no clue.

VIRGINIA NEWS.

A pension has been granted to Charles W. Lindenman, of Colonial Beach, for \$8.

John W. Brubaker, proprietor of the Taylor Hotel, in Winchester, died yesterday, after a brief illness of fatty degeneration of the heart, he was born near Frederick, Md., 69 years ago.

Captain William L. Daughrey, Jr., commanding Company A, of the Richmond Light Infantry Blues, was yesterday elected major of the battalion, succeeding Major Sol Cutcher, resigned.

William Peed, a young son of George Peed, of Westmoreland county, was burned to death a few days since, his clothing taking fire while the family were out. When they returned he was found burned to a crisp and the house on fire.

The damage suit of Mrs. Sadie R. Heineman for \$2,500 was tried in the Corporation Court of Fredericksburg yesterday, and a verdict rendered by the jury in favor of the plaintiff for \$900. The charge was that N. H. McCreedy had run her on the street there last September.

The State Farmers' Institute will be held in Calpeper on the 23rd of this month and a profitable time is anticipated for the agricultural interests. The State commissioner of agriculture will attend and deliver an address to the institute which will meet in the Opera House.

The Virginia electoral college met at the State Capitol yesterday, and cast the 12 votes of Virginia for William J. Bryan for president, in accordance with the result of the November election. Lewis H. Machen of the Eighth district was chosen messenger to convey the votes to the Senate.

The peanut market shows a phenomenal advance. The price of the prime grade of eastern Virginia, which has been very low of late, has within a few days past shown a rise of a cent a pound for all grades. This advance means an instant profit to the peanut raising section of half a million dollars.

Joseph White, the negro who made such a vicious assault upon two ladies in Richmond on Sunday evening and came near losing his life in attempting to escape, was before the police court yesterday and sent on to the grand jury for assault. The jury will have the determination whether this negro shall live or die.

A part of the big dam which has been built across the James river at Richmond, to increase the force of the water in the canal of the Virginia Electrical Construction Company, gave way Saturday evening and did much damage to the work being done along the river. Several men narrowly escaped with their lives.

A case of smallpox in Randolph-Macon Academy, in Bedford City, created a panic there on Sunday. President Smith endeavored to hold the students by getting them to go to Lynchburg until all danger of contagion was passed, but nearly all of the young men left for their homes. The town of Bedford is quarantined against the academy.

A Cincinnati paper wired Governor Tyler yesterday, asking if he will allow Jeffrey and Rubin to fight a limited number of rounds in this State, should they be denied the privilege in the State of Ohio. The Governor answered emphatically "no." He says he will not allow anything so brutal to take place, so far as he is concerned, while he is governor of Virginia.

Sidney Daingerfield, a native of Winchester, died in Berryville on Saturday and was buried yesterday. He was one of the wealthiest colored men in the State. Before the civil war he was a slave. For many years he conducted a saloon in Berryville and amassed a fortune. He was one of the largest real estate owners in Berryville, among his property being the Berryville Opera House.

FIFTY-SIXTH CONGRESS.

Washington, January 15.

SENATE. In the Senate this morning after several hundred pension bills had been passed or referred Mr. Morgan asked unanimous consent to take a vote February 11, at 5 p. m., on the Nicaraguan Canal bill and amendments. Mr. Daniel, of Virginia, objected. Mr. Morgan then offered a resolution providing that the protocol between the United States and Costa Rica be ratified by the Hay-Pauncefote treaty be not made a condition precedent to legislation on the Nicaraguan Canal and that the Clayton-Bulwer treaty is hereby declared abrogated. The resolution was referred to the committee on foreign relations.

Mr. Teller's resolution to have printed as a public document the recent plea for independence of 2,000 Filipinos was called up.

Mr. Stewart objected to its adoption and thought the matter should be gotten out of the way at once. He said the petition was verbose, arrogant and untruthful.

Mr. Berry pleaded at length for Filipino independence.

HOUSE.

The first half hour of the session of the House was taken up in the discussion of a joint resolution providing for the inaugural programme at the Capitol on the fourth of March. The resolution was recommitted to the appropriation committee with instructions to report a resolution which recognized the House in the ceremonies.

The river and harbor bill was then taken up for completion.

Progress on the bill was made very slowly. As the different items on the bill were reached amendments were offered but promptly voted down. One hour and a half was spent on a page and half of the bill.

FOREIGN NEWS.

Budapest, Jan. 15.—Prince Ivan Vassaroff, a descendant of the Routhenian dynasty, committed suicide today by exploding a dynamite cartridge in his mouth.

Nice, Jan. 15.—The investigations of the police following the arrest of Prince Nakachine for plotting to kill the Car when the latter should arrive on the Riviera, prove that the apprehension of the Prince has frustrated a widespread plot against the Car's life. Correspondence implicating many persons has been found at Nakachine's lodgings.

Georgetown, Jan. 15.—Whist 70/67.

ALEXANDRIA GAZETTE.—This reliable democratic newspaper entered upon its 102nd year on the 1st instant, and is still living as a yearling. May it live to see the 21st century.—(Piedmont Virginian.)

Quality and not quantity make DeWitt's Little Early Risers such valuable little liver pills.

TO-DAY'S TELEGRAPHIC NEWS.

The Roschietter Case.

Paterson, N. J., Jan. 15.—The court room where McAllister, Death and Campbell are being tried for the murder of Joseph Roschietter, was packed to suffocation this morning. It was the current opinion that the prosecution would finish its case late today, and that by the end of the week the jury would return a verdict. After court was opened Dr. Townsend was called to the stand. He said that on a certain night McAllister and Death came to his house in a cab and called him out. He said he found Campbell outside. "In the cab," continued the witness, "I found a girl. I told the men that I could do nothing for her as she was dead." Dr. Townsend said he had felt the girl's head but found no contusions. Thomas McInerney, a policeman, testified that he found a bottle near the place where the cab driver had said the body was thrown. Dr. Vrooms, the coroner, said that when he had found the body near the river the girl's head had no blood. Witness said all the girl's clothing was intact, but part of her underwear was missing. He said there were some discolorations on the girl's chest and neck. Dr. Vrooms testified that a complete autopsy had been performed and that it showed no apparent cause for death.

Dr. McBride, of Paterson, coroner's physician, told of his autopsy and said the girl died of chloral hydrate poisoning.

Prof. Withaus, the chemical expert, said the bottle found near Jennie's body contained 21 grains of chloral hydrate. Witness further said that Dr. McBride had given him two jars containing the stomach, one kidney and some viscera. Withaus said that he had made a chemical analysis and found the presence in the stomach of chloral hydrate.

Witness said the girl had taken a much larger dose of chloral than was found in the stomach, as it was the chloral absorbed that killed her. Witness made the startling statement that he believed that ten times the amount of chloral found in the girl's stomach had been administered. Withaus said that to a certain extent the symptoms of chloral and absythe poisoning were the same but that he had never heard of a case of death by absythe. He did not believe a person could swallow enough champagne and cock-tails to produce death.

The cross examination rapidly became intensely technical. Withaus and Judge Hoffman, who conducted the cross-examination, banded nine syllables in the words and the jury looked dazed. Everybody welcomed recess when it came.

Parrot Saved the House.

Newark, N. J., Jan. 15.—A parrot's timely warning saved the house of Mrs. Myron Hart, of Irvington, from destruction by a fire Sunday night. Mrs. Hart went upstairs leaving "Poll" in the kitchen. Half an hour later she heard a shrill cry of "Fire, fire!" At first she thought it was a joke, as a small boy, who lived nearby, was playing. She went down stairs, however, and was lucky she did, for the kitchen floor in front of the stove was ablaze. On his accustomed perch "Poll," shrieking "Fire" at the top of his voice, Mrs. Hart extinguished the blaze with a few pails of water. The parrot arrived on the scene a few minutes later the house would have been doomed.

Eloping Sisters Marry Cousins.

Hillsdale, N. J., Jan. 15.—Two sisters, Lillian, 15 years, and Josie Harding, 21 years old, of Hillsdale, eloped Sunday to Brooklyn and married two cousins. Josie married George Tompkins, of Hillsdale, 24 years old, son of George Tompkins, who has a large hotel and boarding house at Hillsdale. Lillian married Edward Seaman, 22 years old, son of George Seaman, a wealthy farmer of Rivervale, N. J. The quartette met in Brooklyn Sunday morning and were married by Rev. Edward Henderson, of the Presbyterian Church, of Bedford avenue. They returned home late last night and broke the news to their parents.

Chicago's New Ordinance.

Chicago, Jan. 15.—The city council last night adopted an ordinance forbidding expectorating on sidewalks and in public conveyances. The prevalence of grip and pneumonia which are spread through the habit of spitting was given as a reason for the passage of the ordinance. One alderman insisted that if the measure offended the women they should wear short skirts. Later he introduced an ordinance demanding that walking skirts be declared the proper garment for women's attire in the downtown districts but it was howled down.

Crowded Marital Experiences.

Pittston, Pa., Jan. 15.—A case of quick courtship, marriage, separation and reunion, which breaks all previous records, has come to light in this city. Friday last Marcin Sciron, of this city, met Miss E. Collins and fell in love with her. The next morning they were married in the presence of a large crowd of friends. A few hours after the ceremony there was a quarrel and a hasty separation. The affair was smoothed over, however, in a few hours, and Saturday night the young couple were reunited and are now happy.

Photographs in Colors.

Chicago, Ill., Jan. 15.—Romeo J. Steffens, the photographer, has returned to Chicago with a photograph camera of remarkable construction, the invention of E. F. Ives, of Philadelphia, who, he claims, will solve the great problem of color photography in which hitherto reports the Ward line steamer Vigilance adrift in a terrible condition near the banks of Los Coladores, 95 miles west of Havana. Tugs have been sent to her assistance. The Vigilance was on her way from Tampico and Vera Cruz to New York via Havana.

The Markets.

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Quality and not quantity make DeWitt's Little Early Risers such valuable little liver pills.

THE SINKING FUND.

To the Editor of the Alexandria Gazette:

The Sinking Fund as its name implies is created to sink or gradually pay off a debt. In the statement read in court on Tuesday, January 8th, by Mr. B. B. Smith, reference is made to the investments of money obtained from the rents of stalls, benches, etc., in market house, he says: "This is unlawful and should not be tolerated by the people of this city for a moment." and "The council has thus indirectly taxed the people to pay this debt without their knowledge or consent." With no intention to enter into a discussion, and recognizing the value of the people having their attention directed through their representatives in council to unlawful or even questionable transactions, upon the part of the committee or officers, a plain statement can be made.

It is important to bear in mind that charges are made, at least by implication in the language quoted.

First, that the law officers of the city have prepared, the city council has passed, and for thirty years have passively allowed, the various marshals, assessors, auditors, presidents of the council, and its committees on finance, to continue an unlawful practice.

Second, that the citizens and taxpayers are considered so densely ignorant as to be taxed without their knowledge or consent.

A comment on the first indictment UNLAWFUL. By an act of the city council passed February 26, 1856, creating a permanent sinking fund it is provided in section 1, "That there shall be annually added to the estimate for revenue to be raised for other purposes, the sum of \$5,000.00 which shall not be appropriated to any object other than herein provided for."

Section 5 of the same act says, "The auditor shall draw his warrants upon the treasurer in favor of said commissioners for the fund provided for in first section, and also for all interest accruing upon stock purchased and credited to the fund, as well as upon any other stocks under their control," etc.

Under this act \$5,000.00 was each year appropriated from the tax levy and the commissioners also drew the interest upon their bonds and stocks.

In the seventies bonds were twice issued. In 1872 what was known as the consolidation act passed. This was not a readjustment of the debt, the object being to embrace all bonds under one head. Just prior to this arrangements were made to erect the new market building and an act was passed June 27, 1871. The act is too long to quote in full, the second section is as follows: "That the commissioners of the sinking fund shall have control of the rents of the stalls, stands, and benches in the market square, and of such rooms in the market building, not occupied by officers of the city government, and which shall be set apart by resolution of the city council."

Section 3. That the revenues derived from rents of stalls, stands, etc., shall be collected by the auditor, and the market and deposited with the commissioners of the sinking fund, etc.

Section 4. That the commissioners of the sinking fund are hereby authorized and required to keep the building on the market square insured against loss by fire, etc., and shall from time to time invest the revenue derived from sale of stock upon a permanent sinking fund, and shall from time to time invest the revenue derived from the rents of stalls, stands, benches, rooms, etc., in the market square, and buildings thereon in the stocks or bonds of this corporation, or in such other stocks or bonds as they may deem most advisable (and shall in like manner invest the interest arising from such investments.)"

It is to be presumed that in so important a matter that the legal adviser of the city council prepared this act. If such be the case it was the work of a man who to-day in this city ranks as high as anyone in his profession. The corporation attorney was Francis L. Smith, Jr.

In 1878-79 it was found necessary to attempt a compromise of our bonded indebtedness. The effort succeeded. Charles E. Stuart, Jr., was corporation attorney, and an act was passed October 30, 1879, "Amending an act to create a permanent sinking fund, and providing for the collection of the same, and in many instances identical with the act of 1871, restricting the commissioners however, to the purchase of corporation bonds and stocks."

George A. Murbach was a member of council, and on July 14, 1891, voted with others, for an ordinance authorizing the commissioners of the sinking fund to erect in the market square a building for the proper accommodation of the country people and pay for the same out of the sinking fund. Certainly no one can justly charge that either of these eminent lawyers would advise or encourage an unlawful act.

If it is urged that the collection of market rents and devoting them to a sinking fund is not following strictly the act of the General Assembly "shall annually, and until such bonds are paid, levy and collect a tax," is unlawful, it is not however dishonest—satisfactory to creditors—and possibly would be approved by the courts. If unlawful to convert market rents into sinking fund, it was unlawful for the council to erect in the market square, by ordinance, pay clerk of market salary, insure building, etc. Prior to the erection of the market shed the commissioners of the sinking fund asked Corporation Attorney S. G. Brentas to give their powers to erect a market shed. In an answer dated July 1, 1891, he says that they "must invest the revenue derived from the renting of the stalls, etc., as provided by the ordinance, and cannot in my (his) judgment, without an ordinance of the city council, be applied to any other purpose." This law officer, by inference at least, suggests that council can authorize the sinking fund to use its money in a way not directed by an act of the General Assembly.

So much for the unlawful—a comment on second indictment. TAXATION WITHOUT CONSENT. Can it be that those who have served the city with and without comment for the last two decades, now "looking backward" are to be reminded that during that time, after endeavoring to give the greatest publicity to all of their public acts—nevertheless have acted the part of deceivers or drugglers, and the great sensation of the new century is for the people to be reminded of it. Can it be that our Mayors, Kemper, Smith, Beckham, Smoot, Downham, Strauss, and Thompson, a majority having served in council and on the finance committee—that Marbury, Moore, Herbert, Leadbeater, Lindsey, Burke, Hayner, Douglas, Eichenberg, Sweeney, Fisher, French, Snowden, Usher, Harrison, Harlow, Brockett, et al., each played their part in "taxing the people without their knowledge or consent." These men successful in business life, not intelligent enough to know whether they were doing right or wrong, and perhaps not using the money for the people judiciously. Mayor Smith in a message to council

July 1880, among other practical things said, "The Sinking Fund Commission which expired by limitation since my last annual message, has been recreated with the same officers named, and with the same powers. The affairs of the sinking fund are in a most desirable condition, and we will in the future as in the past be able to materially assist the general fund." Mayor Downham in a message to council, April 9, 1889, in making certain recommendations said, referring incidentally to sewers, "that a subscription that can be secured from the property owners and tenants, adjacent to the lines where sewers may be run, will very materially lessen the cost to the city of a proper sewer, and if the revenues are used to create a sinking fund the amounts so received if used as judiciously as are the funds set aside for the redemption of our present bonded indebtedness, would soon become sufficient to reimburse the city for the cost of such sewers."

These men were all familiar with the matters of which they wrote and talked and naturally jealous of their reputation, had no intimation that the sinking fund affairs were not only lawfully, but correctly and economically administered. It is not necessary to mention by name those comprising the finance committee and sinking fund commissioners at this time—successful business men, it goes without saying the custom of their predecessors is sufficient for them.

This article is already extended, but a few words more. At a meeting of the commissioners of the sinking fund held September 14, 1894, \$111,800.00 in interest-bearing certificates were destroyed—\$15,000.00 bearing 6 per cent and \$96,800.00 bearing 3 1/2, the annual interest amounting to \$4,335.20. Had the commissioners retained these certificates six and one-half years longer they would have been paid to them out of the general fund \$28,158.00 to be raised in the annual tax levy.

This is what the late Mayor Courtland H. Smith meant, and he spoke the words of prophecy when he said, "and we will in the future as in the past be able to materially assist the general fund" and now we are told that "The parties who have had the management of our financial affairs for the past twenty years have pursued a policy that has not been beneficial to the interest of the city." The question of the debt need not be touched on here as it is before the finance committee and sinking fund commissioners.

E. F. PICKER, City Auditor.