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FAIR PLAY.

Democratic to the Hub!

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GOVERNOR'S MESSAGE.

Annual Message of His Excellency, Governor Woodson of Missouri.

Senators and Representatives:

STATE FINANCES.

Six hundred and one bonds of the State of Missouri, each for the sum of $1,000, and bearing interest at the rate of six per cent. per annum, matured in 1873, and eight hundred and eleven similar bonds matured in 1874. These bonds, aggregating the sum of $1,412,000, have been paid during the present administration. To enable the Fund Commissioners to discharge the above mentioned bonds, it was necessary for me to have issued under the provisions of the act entitled "An act to provide for the issuing of funding bonds," etc., approved March 30, 1874, four hundred $1,000 bonds. Deducting the amount of these bonds from the amount of the State indebtedness paid, and it will be seen that the State debt has been actually lessened during the years 1873 and 1874 $1,012,000, and the annual interest upon the State debt decreased $60,720.

The State debt, including the certificate of indebtedness for $900,000 issued to the State Board of Education, by virtue of the act approved March 29, 1872, was, on the first day of January, 1873, $18,747,000. Deduct the amount paid during 1873 and 1874 and it leaves the State debt, on the first day of January, 1875, $17,735,000. This indebtedness, except $1,589,000, bears six per cent. interest—the residue of it seven per cent.—making the annual interest upon the entire debt $1,074,590.

During the year 1875, $1,428,000 of our State bonds mature, and in 1876, $3,907,000, making the amount of the principal of our outstanding obligations to be met during Governor Hardin's administration, $5,335,000. In 1877, $701,000 of the principal of the State debt will fall due and must be paid. After the last-mentioned installment is liquidated, there will be no difficulty realized in paying, at maturity, principal and interest of the State debt, out of the ordinary resources of the interest fund, if that fund is properly managed—no considerable amount of the principal maturing after 1876 until 1884.

In addition, however, to the above mentioned liabilities, provision must be made for the payment of twenty bonds of $1,000 each, together with the interest due thereon, held by the Government of the United States. The bonds I am referring to were issued May 24, 1851, under an act of the General Assembly, approved March 3, 1851, entitled "An act to authorize a temporary loan." For a full and satisfactory statement of all the facts connected with the history of these bonds, I refer you to pages 5 and 6 of the Fund Commissioners' Report for the year 1874, and to the letter of Hon. B. H. Bristow, Secretary of the Treasury of the United States, addressed to the Hon. H. T. Blow, and herewith transmitted to you.

From the foregoing statements, you will see that between the present time and the first day of January, 1878, $6,046,000 of the principal of the State debt has to be paid, besides the interest, amounting to largely over one million of dollars per annum.

It is not safe to conclude that the interest fund, as provided by law, will, during the next three years, much more than pay the annual interest upon the State debt. It devolves, consequently, upon you to provide for the payment of the principal falling due as above stated.

One of two methods must be adopted by you to enable the Fund Commissioners to discharge the heavy obligations mentioned: You may impose a tax upon the people, sufficiently large for the purposes; or, you may authorize the issue and sale of a sufficient number of State bonds to do it. The first plan would, in my judgment, prove unsatisfactory, and almost ruinous to the people.

After no little reflection upon the subject, I most respectfully propose and urge the adoption of the policy hereinafter indicated.

The Constitution and laws of this State have not only provided, but have consecrated in perpetuity, a large fund to common schools and educational purposes. This fund, so far as provided by the Constitution, is secured by it from all legislative diversion to any other object or purpose. This school fund, under the Constitution, can only be invested in the bonds of the United States or the State of Missouri; and let the investment be made in either the one or the other, it is secured by the Constitution against all legislative encroachment. It was originally bad policy, in my judgment, to invest the school funds of the State in the bonds of the United States. At all events, it certainly was not wise in the framers of the Constitution to prohibit the investment of the fund in the bonds of the State. It tended to the disparagement of our credit as a State in the money markets of the world, and forced the State and the holders of its obligations to submit to most ruinous sacrifices. And it seems that the people of the State entertained the same opinion upon the subject, and most unmistakably manifested it in adopting, by an overwhelming majority, an amendment to the Constitution authorizing the investment of the school fund in the bonds of the State. The interest of our common schools will be greatly promoted by a change of the investment from United States bonds into a bond of the State of Missouri; and, at the same time, such a change will add greatly to the credit of the State, and advance to the market value our bonds wherever found.

As a part of the permanent school fund, the Treasurer of the State holds registered bonds of the United States amounting to $1,619,500; also United States coupon 5-20 bonds amounting to the sum of $52,100—the whole aggregating the sum of $1,671,600. These bonds bear interest at the rate of six per centum per annum, making the annual interest in gold, $100,296. The premium on this amount of gold, at 10 per cent., would be $10,029.60; making an annual income, in currency, of $110,325.60. The above mentioned United States bonds are worth in New York a premium of 17 cents on the dollar, in currency. Consequently, if converted into currency, the amount realized would be $1,955,772. This sum would purchase Missouri six per cent. bonds, at 95 cents to the dollar, to the amount of $2,058,707; the annual interest upon which would be $123,522 42. This demonstrates the truth of the proposition, that the school fund would be greatly benefited by its conversion from United States bonds into Missouri State bonds; the difference in favor of the last mentioned investment being $13,196.82 per annum. The same arguments apply to the conversion o the University fund into State bonds, and the same reasons exist why it should be done, that have been or may be given in reference to the common school fund.

The bond of the State of Missouri, I suggest, ought to be executed in pursuance of a law passed by you, to the State Board of Education, as trustee of the public school fund, for an amount equal to the purchasing power of the cash for which the bonds of the United States now belonging to said school fund could be sold, making the current value of United States and Missouri State bonds in New York the basis of action. As an illustration: If United States bonds, of the class under consideration, are eighteen cents above par, and Missouri State bonds are five per cent. below par at the time of the transaction, the bond to be executed, as above suggested, should be twenty-three per cent. greater in amount than the face of the United States bonds for which it is to be exchanged. In the same way, and upon the same terms, the bond of the State should be given for the benefit of the Seminary or University fund.

These bonds of the State, if given, should not obligate the State to the payment of the principal at any fixed period—as it was not intended, I apprehend, by the framers of the Constitution that any part of it should be used in carrying on our public school system. It was rather the policy in the beginning—and subsequent legislation has not varied from it—to place the principal beyond the control of the General Assembly, and all others connected with its management. Provision should be made, however, for the certain and prompt payment of the interest thereon semi-annually out of the interest fund, thereby placing these bonds on the same footing with the other bonds of the State. When the bonds are executed and delivered to the custodians of them, as provided by law, simultaneously with their delivery, all the bonds of the United States now belonging to the public school and seminary funds should pass into the hands of the Commissioners of the Sinking and Interest funds, to be managed, controlled and used as provided by law.

Now, provided the policy suggested is adopted, what good results may be expected to flow from it, is a pertinent inquiry:

First—It will increase the interest-bearing permanent school fund, so as to make it yield annually, at the lowest possible figures, $13,196.82 more than it does at the present time.

Second—It will increase the annual interest upon the seminary or university fund, vested in United States bonds, from $7,174.20, what it is at the present time, to $8,012.27.

Third—It will put a stop to the continual agitation of the question in the Legislature, and out of it, as to whether our school funds should be vested in the bonds of our own State, and where they will be controlled by Missourians, or in the bonds of some other government, where such control is impossible.

Fourth—It will prevent the formation of rings for the purpose of making money out of the transaction, provided the plan, as now devised by law, for the sale of the bonds of the United States belonging to the school fund and the purchase of State bonds in the place of them, should be acted upon, as the plan herein proposed is carried out at home by our own officers, without the sale of a single State bond, and upon terms fixed by law.

Fifth—It will place the means within the hands of our Fund Commissioners to discharge the obligations of the State, and that without selling State bonds at a ruinous sacrifice.

Sixth—It will elevate our credit at home and abroad, and show to the world that in good faith we intend to discharge every just obligation when due.

The total value in legal-tender notes of the United States bonds belonging to the school and university funds, that would come into the Fund Commissioners' hands by the adoption of the policy proposed, is $2,192,369. Of the State bonds authorized by the act approved March 30, 1874, $600,000 remain unissued. Add this sum to the $2,192,369, and it makes $2,792,369. Deduct the last named amount from the $6,026,000 of bonds maturing between the present time and the first of January, 1878, and it will be seen that $3,233,631 remain unprovided for, even if you should replenish the sinking and interest funds according to the foregoing suggestions.

As it will be universally known, however, that the authorization and issue of new bonds sufficient to cover the amount to be paid adds nothing to our State debt, as the new bonds are simply to take place of the old, I am satisfied that any new bonds which you may authorize to meet the demand pointed out will be sold at par, as these new bonds will not be forced upon the market, owing to the fact that the Fund Commissioners can fall back upon the United States bonds above referred to, should they be placed under their control.

The honor of the State being placed in your hands, and the necessity of action presented, I know that you will not hesitate to authorize the issue of as many bonds as may be deemed necessary to redeem every maturing obligation of the State during the next three years. As a matter of course, none of the bonds which you may authorize will be issued except as the Governor finds that it is absolutely necessary to meet maturing liabilities. And should the railroad companies of the State comply with the provisions of the constitutional ordinance of April 8, 1865, upon the subject, and pay the percentage of their gross earnings as required by it, more than a sufficiency to pay every debt of the State during the next three years, to which your attention has been called, would be realized from the payments thus made.

The first section of the constitutional ordinance of 1865 declares "There shall be levied and collected from the Pacific Railroad, the North Missouri Railroad Company, and the St. Louis and Iron Mountain Railroad Company an annual tax of ten per centum of all their gross receipts for the transportation of freight and passengers, from the first day of October, 1865, to the first day of October, 1868, and fifteen per centum thereafter; which tax shall be assessed and collected in the county of Saint Louis, in the same manner as other State taxes are assessed and collected, and shall be appropriated by the General Assembly to the payment of the principal and interest now due, or hereafter to become due, upon the bonds of the State, and the bonds guaranteed by the State, issued to the aforesaid companies." The 4th section of the same ordinance makes it the duty of the General Assembly to provide by law for the sale of the roads, whenever default is made by the companies in the payment of the tax imposed by it.

It will be perceived, by an examination of the above recited ordinance, that the sole and exclusive power of collecting the tax provided by it is devolved upon the local authorities of St. Louis County. The authorities there, as I have been informed, refused to assess the tax since the judicial decisions hereinafter mentioned were rendered. This refusal, I suppose, resulted from the grave doubts still existing in the best legal minds of the State as to the right to coerce payment thereof, and enforce a compliance on the part of the railroad companies with the provisions of the ordinance, since the sale and transfer of the roads, under the act approved March 31, 1868; it being claimed that such sale and transfer, by virtue thereof, operated as a release, by the State, of the tax imposed by the ordinance under consideration. The sale of the roads under the act of 1868 took place before suit was brought to test the lawfulness of the tax under the ordinance, and the collection of which was sought to be prevented by the suits referred to, and which resulted in the declaration of the validity of the tax, both by the Supreme Court of this State and by that of the United States. Strange to say, however, the question of the effect of the sale of the roads, under the act of 1868, was neither argued or decided in either of the cases, or by either of the courts mentioned. No new fact, it is believed, bearing upon the question, has transpired since the agreed cases were submitted to the courts, for the purpose of determining whether the railroad companies were bound to pay the tax aforesaid or not.

The cases to which I refer, decided by the Supreme Court of this State, are reported at length in the Forty-ninth Fifty-first Missouri Reports; and I herewith transmit to you certified copies of the decisions rendered by the Supreme Court of the United States upon appeal from the decisions of the State court above mentioned.

Perhaps no graver or more important question will come before you during your session than the one now presented, or one requiring cooler or more dispassionate deliberation. The existence of the railroad companies referred to depends upon the settlement of the question upon the one hand, and taxation of the people to the extent of $11,929,000—the amount of bonds issued and guaranteed by the State for the benefit of the three roads mentioned in the ordinance of 1865—as well as for the interest on said bonds already paid, or that to be paid hereafter, on the other. Whether any legislative action is demanded in reference to the matters suggested, I leave you to determine. Not one dollar, I am informed, has ever found its way into the Treasury—the Interest or sinking fund under the ordinance of 1865.

It is proper for me to state, in this connection, that whilst the cases referred to were pending in the Supreme Court of the United States, the General Assembly, believing that the State was deeply interested in the result, passed a concurrent resolution, which was approved the 1st of April, 1872, authorizing and requesting the Governor to employ counsel to attend to the cases, and secure the prompt collection of the taxes imposed by the constitutional ordinance of 1865. Governor B. Gratz Brown, under and by authority of said resolution, did employ the Hon. A. H. Buckner and the Hon. Montgomery Blair to represent the State, and they did so upon the trial of them in the United States Supreme Court.

The amount to be paid for the services rendered, as above stated, must be fixed by you, and the necessary appropriation to pay it, when fixed, can only be realized at your hands.

WAR CLAIMS.

On the 19th of March, 1874, an act providing for the adjustment of the war debt of the State was approved. Under the provisions of this act, Col. Clay Taylor and Hon. A. W. Meyers were appointed Commissioners. The Commissioners promptly entered upon the discharge of the duties imposed upon them, and, in conjunction with the Adjutant-General, labored most faithfully in the discharge of their duties during the whole time allowed by the act under which they were appointed. There were presented for consideration to the Board of Commissioners 11,381 claims, amounting, in the aggregate, to $4,844,362.29. 7,554 of these claims were allowed during the time in which the Board had the right to sit, and certificates had been issued therefor, aggregating the sum of $2,383,132.67. At the expiration of the time fixed by law for the adjustment of the claims pending before them, there were a great many claims unacted upon—it proving a physical impossibility for the Commissioners to examine and pass upon all the claims filed within the time prescribed by the act. The Commissioners believing that the claims unacted upon were equally meritorious with those which had received attention, and that the failure to pass upon them would operate as a great hardship upon claimants, and cause no inconsiderable dissatisfaction on the part of postponed claimants, and fully concurring with the Commissioner in opinion upon the subject, I advised them to continue their sessions until they could dispose of all the claims presented, and thereby save the expense of the creation and action of a new commission, or, what was worse, the denial of equal rights to all claimants. The Commissioners, after the consideration, determined to and did hold a third session, after the time fixed by law in which they could legally act. At this irregular session all claims that were pending were disposed of, and claims, amounting to $861,051.84, allowed. No certificates for the claims last mentioned have been issued, nor can certificates be issued to the claimants unless you ratify the acts of the Commissioners performed at the extra session held by them. I believe that this ought to be done, and the Commissioners compensated for the time in which they were engaged in passing upon the claims allowed at the session last referred to. Should you ratify the acts of the Commissioners, as suggested, and the claims allowed at the last session are added to those allowed during their regular sessions, the amount of the war debt adjusted under the act above mentioned, will be $3,209,939.69. The aggregate amount of the claims presented to the Commission is $4,844,362.29. Deduct amount allowed, $3,209,939.69, and it will be seen that the rejected claims amount to the sum of $1,634,422.60. The Commissioners labored with great fidelity during their protracted sessions, and I am satisfied they did all they possibly could do to guard against the allowance of fraudulent claims and at the same time afford strict justice to claimants. In my opinion the whole amount of the claims allowed ought to be paid by the Government of the United States, as the amount is justly due to citizens of Missouri. But I do not coincide with those who claim that Missouri is under any obligation, either legal or moral, to pay one dollar of the amount.

The services rendered and the articles furnished, constituting the foundation of the claims under consideration, were rendered and furnished for the use and benefit of the Federal, not the State Government. And whilst I believe it is the duty of the State to see that justice is done all its citizens, I do not believe that it is under any legal or moral obligation to pay to its citizens claims—however just and meritorious—held by them against any other government, when the latter fails to discharge its obligations. To be sure, every facility should be offered them necessary to enable them to present their demands in proper shape for payment. Beyond this the State should not go. Beyond this the State cannot go without doing great injustice to the great body of the people of the State. This view was entertained by the last General Assembly, as is manifest upon the face of the act itself providing for the adjustment of the claims in reference to which I am speaking. The act provides that the certificate given as evidence of the claim, when found to be just and allowed, should not be paid by the State of Missouri until the means to pay it with has been furnished by the Government of the United States; and I speak advisedly when I say that the bill could not have passed and become a law without the foregoing provision in it. All that the claimants for whose benefit the act was passed desired, at the time of its passage, was that the State should provide for the auditing and proper presentation of their claims for payment to the General Government. No one contended, suggested or intimated during the pendency of the bill, that the State was assuming the payment of the claims included in it. On the contrary, it was carried through the General Assembly, and became a law, upon the express ground that no responsibility by it would be devolved upon the State. Knowing the foregoing statements to be true, I was surprised to hear the argument made during the canvass last fall that the payment of the large amount to be allowed by the War Claim Commission had been imposed upon the people of the State by the Twenty-seventh General Assembly, or would be by a subsequent one. I pronounced this statement false during the canvass, so far as past legislation is concerned. I know that I was perfectly right in doing so, and I should profoundly regret to find, and I believe the people generally would, that I was not equally correct in regard to your action in the premises.

THE PENITENTIARY.

The Penitentiary of this State has attracted a good deal of attention for several years past. Since June, 1873, it has been leased and self-sustaining. During the lease the management and discipline of the prison have been subjects of severe criticism on the part of the enemies of the leasing system, while those who are friendly to it have endeavored to make it a success. The treatment of convicts and the discipline of the institution have been about the same during the year as before the leasing system was adopted. There have been two threatened revolts on the part of a number of the convicts during the past year, but these revolts were speedily suppressed, and as perfect order and discipline restored as ever before. Whether outside influences produced the results referred to I do not know; but I give it as my opinion that they would never have occurred had there been a universal acquiescence on the part of the people and the press of the State in the propriety of the leasing system. Men who are deprived of their liberty and confined within the narrow limits of the walls of a prison are exceedingly sensitive to all impressions attempted to be made upon the outside world in their behalf, and they are always ready to avail themselves of every opportunity presented to escape from confinement, to ameliorate their condition, and reassert their forfeited rights. Hence, I argue that the sympathy which outsiders endeavored to excite in behalf of the prisoners, and which in one way or another always found its way into the prison, could but exert a bad influence over them.

To successfully manage such an institution as the Missouri Penitentiary and preserve perfect discipline in it, two things are absolutely and unconditionally necessary: first, the possession of a controlling power over the inmates by the officers and employees, and the recognition of this power unquestioningly by the convicts; second, intelligence, humanity and firmness on the part of the controlling power, coupled with the inspiration of undoubting faith in the minds of the prisoners that they will be fairly and justly dealt by, and deprived of no right, small or great, to which they are entitled to under the law. Convicted felons have lost most of the rights conferred upon them by nature as well as by law. But the loss of these rights only tends to make them more highly prize those that are left. To such an extent is this true, that I do not suppose there is a single convict in the Missouri Penitentiary to-day, white or black, however ignorant in reference to all other matters, who does not understand precisely every right conferred upon him, as a prisoner, under the law. These all know how they are to be clothed and fed, how much tobacco each one is entitled to, and at what time, and what kind of clothing, and how much money each convict should receive at the time he is discharged from prison. I am satisfied that the lessees have not to the letter, in all things, conformed to the law in their dealings with the prisoners. To be sure, when they have failed in any particular to do so, and have been required by the Inspectors to live up to the law and carry it out, they have substantially done so; but, I repeat, not to the letter. Hence, I suggest that you take such steps as will compel them to do so, even to the minutest degree.

Under the law and the contract between the State and the lessees, the latter are to feed and furnish the prisoners with whatever they are entitled to under the law. As a matter of course I do not believe that, under the contract just referred to, the State would have the right to furnish food, clothing, etc., for the prisoners, and compel the lessees to pay the cost of the articles supplied; but I do believe that the State can, by virtue of an act passed by you, appoint an agent whose duty it shall be to ascertain exactly the kind and quantity of food, clothing, etc., the prisoners are entitled to receive, and to make requisitions upon the lessees for all such supplies, and to see that all such requisitions are complied with promptly and with fidelity. This agent should be paid by the State, and neither be under obligations to the lessees for his appointment nor dependent upon them for his pay. A good, practical, honest, business man should be appointed to the place, and one who possesses firmness to do right under any and all circumstances. The appointment of such an agent could do no harm to any one, or any interest, as he could require the lessees to do nothing except to live up to and fulfill their contract. If he exacted any thing from them not authorized and required under the law and their lease, then the lessees would have the right to appeal from his action to the Inspectors, and have the matter settled properly. The Inspectors of the prison, as you are aware, are all public officers. They have laborious and almost constant official duties to perform. Hence, it is not possible that they can give that time and attention to the matters above suggested absolutely necessary to insure an efficient management of the prison.

There is another matter to which I wish to call your attention whilst speaking of the Penitentiary. By all means, a good, healthy and suitable hospital should be provided for sick convicts. In my last message I urged this matter upon the attention of your predecessors, and I refer you most respectfully to what I then said, and renew the recommendations then made upon the subject. The State is certainly derelict in duty, and will continue to be so until this suggestion is acted upon and carried out. The legal and moral responsibility of providing for the proper treatment of the convicts, in sickness and in health, rests upon the State, and this responsibility cannot be evaded or shifted elsewhere. The spirit of the age in which we live demands that the inmates of our penal institutions shall be treated humanely, fed bountifully, clothed properly, worked moderately, and, when sick, provided with suitable quarters, and nursed and cared for as though they were human beings. Fortunately, no extensive, malignant epidemics have prevailed in the Penitentiary since I have been familiar with its operations. But I am sure that if such an epidemic as sometimes finds its way into institutions of the kind under consideration were to break out and become general, the result would be terrible and really disgraceful to the State. Upon the happening of the contingency suggested, I ask you to put the question to yourselves, How could the prisoners be taken care of and treated? There are now 1,069 prisoners confined in the Penitentiary, and the average monthly number during the past year was 973, and it may be said truthfully that at no time during the sickly seasons of the year is there a hospital, or any other place pertaining to the institution, in which a single convict could be properly provided for and treated.

THE COURTS.

Your attention is most earnestly invited to the following facts and suggestions in respect to the Supreme Court of the State:

Number of cases on the docket at St. Louis, March term, 1874	304
Number of cases on the docket at St. Joseph, February term, 1874	201
Number of cases on the docket at Jefferson City, January term, 1874	259
Making an aggregate of	764
Number of cases disposed of at the March term in St. Louis	136
Number of cases disposed of at the February term in St. Joseph	74
Number of cases disposed of at the January term in Jefferson City	86
Making the whole number disposed of at Spring Term	296
Leaving the number undisposed of at the close of the Term	468
Number of cases on the docket at St. Louis, October Term, 1874	433
Number of cases on the docket at St. Joseph, August Term, 1874	226
Number of cases on the docket at Jefferson City, July Term, 1874	316
Making an aggregate of	975
Number of cases disposed of at the October Term, 1874, at St. Louis	132
Number of cases disposed of at the August Term, 1874, at St. Joseph	80
Number of cases disposed of at the July Term, 1874, Jefferson City	70
Making the whole number of cases disposed of at Fall Term	282
Number of cases left on docket at close of Term	713

So it will be seen that the number of cases left over and remaining undisposed of at the close of the Spring Term was 468, whilst at the close of the Fall Term the number remaining undisposed of was 713. The same ratio of increase between the last Fall Term and the present Spring Term will give the following result:

Number of cases on docket at St. Louis, March Term, 1875	566
Number of cases on docket at St. Joseph, February Term, 1875	245
Number of cases on the docket at Jefferson City, January Term, 1875	399
Total number at approaching Spring Term	1,210

During the year 1874, 578 cases were disposed of—less than half the number now on the docket. So it is manifest that more than two years must elapse before the cases now before the court can be tried, and that more than two years will intervene before any new case can be reached. The consequence will be that all litigants against whom judgments in the interior courts are obtained, and who are maliciously inclined, or who are hard pressed and desire to put off the day of payment as long as possible, will, as a relief measure, carry their cases to the Supreme Court, knowing that at least two or three years will elapse before their cases can be tried. No one who is familiar with the habits of the judges of the Supreme Court will attribute the slightest blame to them for the condition of the docket at the present time. On the contrary, every lawyer who practices in the court will bear me out in saying that they are faithful, prompt and energetic, and do more work really than they are able to do, and more than ought to be required or expected at their hands.

The remedy for the evils to which I have referred is not to be found in placing men upon the bench who will do more work than the present judges, because they cannot be procured. In my last annual message I urged the General Assembly to change the statute regulating the sessions of the the Court, so as to require only one term a year, and thus save the time always intervening between sessions of the Court. I refer you to what I then said upon the subject, and renew the recommendation then made. But the most efficient remedy in your power will be found in passing a law cutting off the right of appeal, or the prosecution of a writ of error to the Supreme Court, in all cases when the amount claimed to be involved does not exceed one hundred dollars. Nearly one-half of the cases now on the docket, under such a law, would never have been there, and with such a law for the future, connected with the other provision indicated, viz.: one term a year, I am satisfied that the Court before a great while will be able to clear the docket and dispose of all the cases pending at each term.

I admit that it is just as hard, in an abstract sense, to illegally deprive a man of sums under one hundred dollars as it is over that amount. But when we remember what it really costs the successful party to prosecute a case through all the courts to a final judgment in the Supreme Court, we may readily conclude that he has lost little that is of substantial value when such a privilege is denied him. Certainly, the Circuit Judges can be safety trusted to make final decisions in the class of cases under consideration. Every case carried to and tried by the Supreme Court, when the amount involved is not more than one hundred dollars, costs the State more than the successful litigant gains. Can the State afford such useless luxuries to excited litigants?

Men, when they go to law before a Justice of the Peace about the smallest matters, become as deeply interested in the result as if thousands of dollars were involved. These little cases are often attributable to honest differences of opinion between neighbors. One of them thinks the law is as he states it in reference to something of trivial value; the other does not think the law is that way. They quarrel over the question. Each goes to a lawyer for advice. The lawyers differ in opinion as readily as their clients. The result is a lawsuit in a Justice's court. The Justice not knowing, or pretending to know the law, decides the case justly and equitably between the parties; but the defeated litigant, urged on by his discomfited attorney, takes an appeal to the Circuit Court. The judgment is affirmed. By this time, however, the costs in the case have accumulated until they amount in value to more than four times as much as the thing in controversy. Both parties now begin to see and feel that whoever has to pay the costs will be ruined. To avoid this an appeal to the Supreme Court is prayed for and obtained. Before this august tribunal the original lawyers in the case do not practice. So those who have managed it up to the present time are dropped. Distinguished attorneys now take hold of it. A fifty or hundred dollar fee must be paid, and that in advance. This is done. The original judgment is affirmed, and the unsuccessful party is broken up and his family brought to want in consequence of the protracted litigation of a case that five dollars would have settled in the beginning. It is not the part of wisdom, in my judgment, to encourage such litigation, and the earlier in the stage of its progress it can be cut off, the better.

THE PREVENTION OF CRIME.

The prevention of crime, and the arrest and punishment of violators of our criminal code, are subjects of the highest importance to the character of the State and the protection of all good citizens. True liberty and personal security can only exist in and be enjoyed under governments controlled by law. The law must be regarded by every citizen as binding upon all, and entitled to supreme allegiance at the hands of every one living in the State. Every good private citizen and public officer must feel bound to enforce strict obedience to it before we can hope to see the State assume her proper position in the sisterhood of States, and infractions of law universally punished. In despotic governments, having large standing armies and policemen scattered all over the country, obedience to law is possible without a united public sentiment in its favor; but in a free State, such as ours, where the law hangs upon the will of the people, and in which all who are entrusted with official positions and the enforcement of it are dependent upon popular support, such a result is utterly unattainable. As long as a large portion of the people entertain the idea that they have the right to punish, contrary to the form of law, criminals of however deep a dye, and as long as they can do so without the fear of punishment in consequence of popular sympathy with them, just so long mobs will commit outrages and shock the moral sense of all cultivated, right-thinking men. Again, no one need hope to see the laws strictly enforced until the popular mind is cultivated and induced to believe, that when a crime is committed, to fail to arrest the criminal is to fail to discharge one of the most important and binding obligations to the State and themselves. Our statutes in reference to the arrest of criminals, and the duties imposed upon officers and citizens in reference thereto, are but a reflection of the views entertained by our people upon the subject. When the laws are changed upon the subject, then we may readily conclude that the public mind has also changed—not until then. No officer or citizen, except under peculiar circumstances, is bound to make an affidavit that a crime has been committed and have a writ issued for the arrest of the criminal. Nor is any officer or citizen, so far as the prevailing crimes in the country are concerned, bound by positive statutory provision to make the slightest effort to bring any offender against the law to trial and punishment; and even in such cases as the law does require action, a non-compliance with it may be punished by a fine of one cent, except in one class of cases, in which the fine imposed cannot be less than five dollars. Now, the English common law is exceedingly strict in making it the duty of all citizens, having knowledge of the commission of a crime, to use all possible efforts to arrest the criminal; and, under this law, when a crime is committed in a township or hundred, and the residents thereof fail to arrest the offender, such township or hundred is held responsible for the crime. The rigidity of the common law has been supplemented by a number of parliamentary enactments. To show the light in which the English people and Government regarded this subject, I transcribe almost literally a provision from an act of Parliament, passed during the reign of Elizabeth.

"It is enacted, that from henceforth every county shall be so well kept that immediately upon robberies and felonies committed, fresh suit shall be made from town to town and from county to county. If the county will not answer for the bodies of such manner of offenders, the pain shall be such that every county, that is, to wit: the people dwelling in the county, shall be answerable for the robberies done, and also the damages."

A failure to pursue and capture a guilty offender against the law was, according to the stern, yet profound, views of the statesmen of the enlightened reign to which I have referred, regarded as being as great a crime as that committed by the felon the law required to be arrested. Suppose a law similar to this were placed upon the statutes of Missouri, and in obedience to the public sentiment of the State—who for a moment believes that robbers and other felons would, year after year, bring reproach upon our State and people by being permitted to remain anywhere within our borders for weeks and months at a time? For the reflection of the General Assembly, I give the follow extract from Bacon's Abridgement:

"In an action against the hundred of Gravesend for a robbery on Gads-hill, it seemed hard," says the book, "to the inhabitants that they should answer for the robberies committed on Gads-hill, because they are so frequent that if the inhabitants should answer for all of them, they would be undone. But the inhabitants were adjudged to be chargeable."

It is to be hoped that no such defense will ever be offered should a similar law to the English be enacted here, when suit is brought under its provisions, anywhere in Missouri. But I say to you, in all candor and with the keenest possible solicitude for the honor and welfare of the State, that unless our people arouse themselves to a higher perception of duty in respect to the enforcement of the law, the arrest of criminals and the prevention of mobs, our State will be most seriously injured—its progress and development greatly retarded.

I do not believe that greater crimes or more numerous crimes are perpetrated in Missouri than in other States by which we are surrounded. But this consideration affords no excuse for us. What I ask you to do is to impose the duty upon every able-bodied man in the State, as well as every officer thereof, when it is known that a crime has been committed, to use proper efforts for the arrest of the criminals; and when it can be shown that any such man or officer has failed to discharge his duty promptly and faithfully in the premises, inflict such penalties upon him as will deter him, as well as all others, from a repetition of the failure.

I wish in this connection to call your attention to my annual message to the adjourned session last winter, in reference to the propriety of allowing changes of venue on the part of the State, in cases where human life has been taken by mobs; and I most earnestly renew the recommendation therein contained upon the subject.

NEED OF A STATE MILITIA.

Once more I regard it my duty to call the attention of the General Assembly to the fact, that there is not an organized militia company in the State, subject to be called upon by the Executive for any purpose whatever; that there is not one dollar in the Treasury, nor has there been during my term of office, that can be used in the organization or employment of the militia when organized. A well organized militia is the chief reliance of all Republican and free governments, for protection against invasions from without and dissensions from within. I submit the question to you, whether it is safe and prudent to allow this state of things to continue? We have a city now numbering nearly half a million inhabitants, and in large cities, particularly, mobs, when once assembled, are hard to control, and nothing short of the strong arm of military power can do it. A few thousand desperate men, in the absence of a military force, could with impunity ransack, rob and burn the city of St. Louis. Again, our State lies immediately upon the borders of the Indian Territory, the home, hiding place and base of operations of so many desperate outlaws. A few hundred of these men could invade the sparsely populated counties of the Southwest, burn the houses, run off the horses, and carry away the scalps of hundreds of our population, before the citizens could organize and prepare to expel them. A mob of five hundred men, anywhere in Central Missouri, could, for weeks, defy all the power that the State could command to disperse them. The possession of power to enforce obedience to the law is of itself a source of security and power. The absence of this power, and the knowledge on the part of lawless men of this fact, is an element of insecurity and weakness, and operates as an incentive to the defiance of the constituted authorities. It does seem to me that, if it is not a criminal, it is at least a manifest neglect of duty on the part of the Legislature, to fail in making any provision whatever to enable the State Government to enforce obedience to law, when defied, or repel invasion should it come. What I said in my last annual message upon this subject I beg leave to call your attention to, and urge action at your hands in reference thereto.

THE CENTENNIAL.

In my last annual message, on page 24, I called the attention of the General Assembly to the importance of having Missouri properly represented, in all respects, during the Centennial Exhibition, which is to be opened in Philadelphia on the 4th of July, 1876. I most respectfully urge upon your consideration what I then said. Nearly every Government throughout the civilized world has signified its intention to be fully represented upon the interesting and grand occasion, and most of the State Governments have done the same thing. Will Missouri fail to take any action in reference to this important matter? I ask the question; it devolves on you to answer it. But it would look strange, I think, to say the least, if our great, rich and expanding State, so full of life and energy, were to neglect such an opportunity as the one offered for the exhibition of her advanced skill in manufactures and arts, varied and abundant agricultural productions, and unequalled mineral resources. Herewith I transmit to you a letter recently received from the Hon. A. T. Goshorn, Director General of the United States Centennial Commission, as well as the report of the Commissioner and alternate of Missouri, upon the subject. These communications will give you all the information necessary to enlightened action by you in regard to the matter.

RECOMMENDATIONS RENEWED.

All that I said in my last annual message respecting the State Entomologist, clerks of committees, Railroad Commissioners, the Indian Territory, the improvement of Western rivers, savings banks, a reform and industrial school, and the Superintendent of Public Schools, I wish you to regard as renewed and urged upon your consideration. Time and reflection have only tended to the confirmation of the correctness of the views then expressed upon the subjects mentioned.

LOUISIANA.

Believing that the policy pursued by the President of the United States and the leaders of the party generally who elevated him to power, in regard to the Southern States, and especially as manifested in Louisiana, is a war with the great fundamental principles of free government, in direct antagonism to the Federal Constitution, and intended for the overthrow of State sovereignty, and the concentration of all power in the hands of a usurping General Government, I cannot refrain from calling your attention to the subject. No intelligent citizen of the United States, whose attention has been directed to the facts, doubts that the Kellogg Government in Louisiana was in the beginning the direct result of a gross usurpation of power and heinous crime on the part of a corrupt Federal Judge, and that it has been perpetuated from the hour of its birth by a still more heinous crime on the part of the President of the United States, and his pliant and unprincipled Attorney-General in recognizing, sustaining and upholding, through the instrumentality of the army, the Government thus inaugurated. That the people of Louisiana failed to support Kellogg and his confreres in their aspirations for power, no one questions; that they acted forbearingly, wisely and well, in acquiescing in the results of the stupendous wrongs inflicted upon them, after it was manifest that these wrongs were to be sustained by the strong arm of the Federal power, is equally certain. This acquiescence on their part was most certainly attributable to the perfect consciousness that any other course would be attended by bloodshed. Believing this, and knowing that at the next general election they would be able, through the peaceful instrumentality of the ballot box to regain their lost rights under the Constitution, they, for the time being, submitted to their fate. But what is the result? By a majority of many thousands, at the election held last November, they elected their State Treasurer and an overwhelming majority to both branches of the Legislature, notwithstanding the terrorism exerted over the free action of the people by Federal soldiers, and still more fearful and troublesome special United States Deputy Marshals, scattered all over the State to arrest and keep from the polls those who wished to overthrow the Kellogg dynasty. Every friend of the Constitution, every hater of fraud and usurpation, rejoiced when he heard the glorious news of the triumph of the friends of law, order and right in this down-trodden State. Time, however, passes on. Faint whispers are at last heard, after weeks of delay, that the Returning Board, being in the interest of Kellogg, may after all thwart the expressed wishes of the people of the State. Little credit is given to the rumor, nearly every body believing that the majority is too great to be tampered with or disregarded. Those who thought thus had but a poor appreciation of Kellogg's power and audacity, when encouraged by the Attorney-General of the United States and backed by the President and army and navy of the country. Majorities, with Kellogg and his Returning Board, go for nothing—the wishes of the people weigh not a feather in the balance—and a Kellogg Treasurer is declared elected (although fairly beaten by a majority of more than 20,000 votes), and the returns of members of the General Assembly so manipulated that Kellogg cannot be deprived of power!

Gentlemen, I do hope you will not fail to give expression, by proper resolutions, to the indignation felt by Missouri at such conduct. Assert what your great State thinks upon the subject, and the tendencies of such a policy as that pursued by the President and the Radical party towards Louisiana. Let not the States of the American Union one by one be annihilated, and our Federal Union and compact as framed by the fathers of the republic destroyed, without a bold and fearless protest on the part of the representatives of the people in this General Assembly, and a vigorous assertion by you of the right of the States to regulate their own institutions, frame their own laws, and exercise every power that independent governments may exercise, except so far as the right to do so has in express terms or by necessary implication been conferred upon the Federal Government.

EDUCATIONAL.

The public and Normal schools of the State, the State University, and the educational institutions of Missouri generally, were never in a more prosperous condition than at the present time. The cause of education is at last receiving that attention at the hands of the people so essential to its success. Counties, cities, towns and school districts all over the State are vieing with each other in efforts to build up and establish institutions of learning worthy of the age in which we live, and suitable to the wants and demands of every locality. That prejudice against public or common schools, which some years ago threatened the very existence of the system, has almost entirely disappeared before the marked success which has crowned its progress from year to year. No one believes that the system, as at present established, is perfect; but this recognized imperfection is no longer used as an argument against common schools. And when a defect is discovered, it it simply pointed out that it may receive attention and be corrected. My views in regard to the most objectional features, as I thought, connected with the practical operations of our public schools, were pointed out in my annual message last winter. The views then expressed are still entertained by me; and I give it as my most decided opinion that no house should be built for common school purposes by taxation upon the people in which it is built, unless two-thirds of the qualified voters residing in the district vote to impose the necessary tax. Nor should any school be protracted beyond the time it can be carried on with the means provided independent of a special tax upon the district, unless the tax necessary to do so is voted by a like vote of two-thirds of the qualified voters to be affected by it. I know that the people are exceedingly anxious to see their children educated, and I am glad of it; but at the same time it must be remembered that times are hard, taxes high, and the people are greatly pressed for the want of money, and realize the greatest difficulty in obtaining means for the support of their families. When you require a man thus situated to keep his own children at home eight months of the year, hard at work to enable him to raise the means to provide the necessaries of life, and support a school the entire year for the benefit of others, you invariably make such a man the enemy of common schools. No one need fear that his children will not be sufficiently educated for the discharge of the ordinary duties of life, if they are kept at school four months a year from the age of ten to twenty years, and at work during the time they are not at school. If, however, two thirds of the voters of a school district agree and vote to tax themselves to keep up a school for the benefit of their children the year round, let them do so. What I protest against, is allowing a bare majority of one, it may be, in a district, to exercise any such power. Moreover, I do not believe that the exercise of it will add to the popularity of public schools or tend towards giving them a secure lodgment in the affections of the people.

BENEVOLENT INSTITUTIONS, ETC.

The benevolent institutions of the State were never in a condition more gratifying to the friends of humanity than now. They are all well managed, economically conducted, and are the noblest monuments to the liberality and magnanimity of the people the State can boast. The insane are made as happy as their condition will permit, and as many of them restored to reason and society as human skill can reach. The blind and the deaf are educated, and thus the sad misfortunes visited upon them ameliorated to an astonishing degree. These institutions are in all respects worthy of your fostering care and attention.

I herewith transmit to you the report of the Trustees of the Missouri Institution for the Education of the Blind, as well as the report of the Trustees of the Industrial Home for the Orphans and Indigent Children of Missouri—both for the years 1874. I commend these reports to your favorable consideration. I also transmit herewith the report of the Missouri State Board of Immigration for the past year, in the hope that it will meet with favor at your hands, be printed and scattered over the world. I also send to you the report, for the last year, of the Curators of the State University, which exhibits the most satisfactory results of the present management of an institution which has already sent into the world so many ripe scholars to adorn the social walks of life, and who, in more advanced years, have been elevated to the highest, most distinguished and useful public positions by the people of the State. Every Missourian should feel under obligations to build up and extend the usefulness of this institution of learning—make it all that could be desired by its friends, and the good of the people and the credit of the State demand. The report of the State Register of Lands for 1874 will also accompany this message, and your attention is respectfully invited to its contents.

POLITICAL REFLECTIONS.

You meet here, gentlemen, under peculiarly trying circumstances. For the first time since the close of the late civil war, the people of the United States, at the elections held on the third of November last, seem to have taken cognizance of the misdeeds, incompetency and corruption of the men placed in official positions by the Republican party. At all events, it was the first instance in which a majority of the people of the United States, during the period referred to, manifested their disapprobation of the conduct of their rulers at the polls. Everywhere almost, all over the country, the people repudiated the present National Administration and the party sustaining it. And, certainly, no one familiar with the extravagance, want of statesmanship, and unblushing corruption, which have characterized the Government in all its departments, and especially during the last six years, will regret to know that the people have determined upon a change of rulers. That a change is inevitable few doubt; but the great question is, who, and what party, will be placed in power? As a matter of course, a large majority of you think that it will be the Democratic party. Pardon me for saying, gentlemen, that this depends, in my judgment, upon circumstances, and circumstances that can be controlled by this General Assembly and bodies like it. If you, and all other Democratic Legislatures throughout the United States, will manifest, by your course as legislators, that the greatest economy, the strictest fidelity, the most unselfish devotion to the interests of the State control your actions, and that the Democratic party desires to come into power for the good of the country, and not the promotion of selfishends. In other words, if the Democratic party, wherever in power, will only prove true to the trusts confided to it, and prove thereby that it can be safely trusted, then there is little doubt, I think, that in 1876 it will not only elect a President of the United States, but gain full possession and control of every department of the Government. In this grand work, gentlemen, you have a difficult part to perform. You must be wise, firm, prudent, self-sacrificing. Comprehending all the circumstances by which you are surrounded, you must be able to command sufficient practical statesmanship to adapt your legislation to the wants of your constituents, and whilst doing this, do nothing to the detriment of the State.

CONSTITUTIONAL CONVENTION.

The party now in power in Missouri has taken the responsibility, and that by a very small majority, of calling a Constitutional Convention, which is to meet in May next. If the Convention should adopt a Constitution suitable to the wants and wishes of the people, and should they ratify it, then all will be well. On the contrary, should the work of the Convention be repudiated by the people, then all the cost of the Convention, as well as the odium consequent upon defeat, must be borne by the party in power.

ECONOMY RECOMMENDED.

If, however, you will exercise nerve enough to hold a short laborious session, and not remain in Jefferson City one day longer than is absolutely necessary to dispose of important, necessary business, and determine under no circumstances to have an adjourned session, you will, by pursuing such a course (even including the cost of a convention) make the Twenty eighth General Assembly and Governor Hardin's administration cost less than any other since the war. Should it be necessary to have a called session to put the machinery of government into operation under the new Constitution, then the Governor can call it. If the Constitution should be rejected no extra session will be necessary, and no such session may be necessary. Should the Constitution be ratified let the Governor determine the matter.

An adjourned session of your body, of ordinary duration, will cost twice as much as will the Convention. Fail to hold an adjourned session, then, as suggested, and our political enemies are welcome to all the capital they can make out of the cost of a Convention. In these hard times, when money is so scarce, and the people so much inclined to grumble, we may all well fear the effect of adding the cost of two sessions of the Twenty-eighth General Assembly to the cost of the Constitutional Convention.

IN CONCLUSION.

Gentlemen, the official ties which have bound me to the people of Missouri are soon to be severed. No one can over-estimate the consolation it will afford me to be able to affirm, that in all things my action has been for the best. This I cannot do. However, judgment is fallible, and the wisest and best among us often fail in the perception of right and truth. One thing I can say truthfully, and that is, I have most conscientiously endeavored whilst in office to discharge faithfully every obligation, and in all things so to act as best to promote the interest of our beloved State. In retiring from office, I shall carry with me, and through life, the most grateful remembrances of the high honor the people of Missouri, without solicitation on my part, conferred upon me by elevating me to the chief magistracy of this great State. Confidently, I submit my official life to the lenient judgment of the people and the unerring verdict of posterity.

May an all-wise Providence guide and direct your deliberations during your sessions, and the blessings of heaven ever rest in the richest profusion upon the State of Missouri, is my most ardent prayer. SILAS WOODSON.

EXECUTIVE OFFICE, Jan. 6, 1875.

The Growth of Oysters.

A writer in the *Scientific American* describes the growth of oysters in the beds of the planters. At the age of three months the oyster spats are about the size of a finger nail, and adhere to the planted shells to the number of fifty or sixty on each. The further growth during five years of development is closely watched by the planter. The spats crowd each other on the shells to which they adhere, and are thinned out, the surplus usually being removed to other beds. At the end of the third year the oysters are taken up and removed to another field, it having been found that a change of water hastens the growth. A firm, gravelly bottom, with a free flow of water, is considered best for oysters of that age, and in the location of the grounds the planters exercise the nicest care. Oysters grown on a muddy bottom do not mature rapidly, and are not as fine in flavor. The effect of transplanting is to thicken the meat and make it fill the expanding shell. It is only the best oysters in the market that have been subjected to these processes, the most of those eaten in the restaurants being either natural or only transplanted from natural beds.

Old Trees.

From an exhaustive article in a late number of the *Atlantic*, we glean a few curious particulars regarding "Old Trees." The most ancient tree on record is the Cypress of Somma—a town near Naples, at the base of the Vesuvius. One tradition relates that this tree was planted in the year of Christ's birth; and another, that it was full grown in Cæsar's time, fifty-two years before the Christian era." The dimensions of the tree are 121 feet in height and 23 feet in circumference. When Napoleon planned the route of his great road over the Simplon, he carefully turned its line in order to spare this hoary patriarch of the vegetable kingdom. One of the trees in the Garden of Chepultepec, called the Cypress of Montezuma, has a circumference of 45 feet, and a height in due proportion. Four hundred years ago, this tree was remarkable for its splendid stature. In the village of Atlisco, in Puebla, stands a cypress which measures 76 English feet in circumference, and has a cavity in its trunk that is 16 feet in diameter, and might shelter ten or twelve men on horseback. Another tree, of the same species, in the church-yard of the village of Santa Maria del Tule, is, according to Humboldt, 118 English feet in circumference. The estimate of the age of the oldest of these trees is from 4,000 to 6,000 years.

A half a century ago, single specimens of the American pine were frequently met with having a diameter of 6 feet and an altitude of 250 feet. A pine was cut in Hopkinton, N. H., in 1844, from which a mast was hewn 110 feet long and 3 feet through at the smaller end. Lambert's pine, on the Northwest coast, grows to the height of 230 feet, and the Douglass pine to the height of 300 feet. The age of the most venerable of these trees is reckoned at 1,400 years, while many individuals are found of the age of 1,100 years. Their trunks will measure from 27 to 36 feet in circumference, and they often rise to the height of 120 feet without a limb.

The yew, which is allied to the pine, is, of all European trees, the slowest of growth and the most durable. Many specimens in England are remarkable for their age and size. One, in Brabane church-yard, in Kent, is 60 feet in circumference, and said to be 2,500 years old. A second, standing in the woods of Cleddon, and called the Hedron Yew, is over 80 feet in circumference, and 3,000 years old. Of the seven yews of Fountain's Abbey, near Ripon, Yorkshire, which stand together so closely as to form an unbroken canopy overhead, one measures 26½ feet in circumference, and another is 1,200 years old. The yew in Tisbury church-yard, Dorsetshire, is 37 feet in circumference, and more than 2,500 years old; that in Fortingal church-yard, Perthshire, Scotland, is 56 feet in circumference, and above 2,500 years old. The cedars of Lebanon, of which there are now seven, are supposed to be coeval with Solomon.

Fooling with a Bear.

The captain of the propeller Benton, in winter quarters at the foot of Griswold Street, has a half-grown bear on board, and the animal has been annoyed so much that he does not hesitate to use his claws whenever occasion offers. Saturday morning a lanky stranger from Sandusky happened along the wharf and saw the bear in the gangway. He stopped and began teasing the bear, and by-and-by the captain said:

"Look out, mister, or you'll get dreadfully tickled."

"I guess I've seen bears afore now!" replied the man, indignantly, and he kept on cuffing the bear, spitting at him, making false motions, etc. Finally, when about ready to leave, he thought he'd scare Bruin by pretending to throw a water pail at him. The force of the false blow threw Sandusky off his feet and he rolled down to the bear. Bruin uttered one growl and went to business, and the way the broadcloth, suspenders and white and red shirt flew was handsome to behold.

"Call off yer b'ar—help! police! police!" yelled Sandusky, but the police were far, far hence, and the captain has a lame foot and can't get around very fast. The whole back of the man's coat made only one mouthful for the bear, and he wasn't a minute in getting down to hide and blood.

"Oh! oh! Marcy—whoop—gracious—stop—yelp! yelp!" howled the man as he rolled around the deck; but the bear would have been playing with him yet but for the captain and a hand-spike. When Sandusky was hauled out of the way and jerked to his feet he was all blood and rags, and bites and scratches.

"Didn't I tell you not to fool with the bear?" asked the captain as he stood back and surveyed the man.

"Yes, capting, you did," replied Sandusky, "and the next thing is to lend me an army blanket and show me a first-class hospital!"—*Detroit Free Press.*

The Trade in Birds.

It is only forty-five years since a German bird-fancier brought over to this country the first birds that were ever imported for commercial purposes. He opened a little store in New York City, and, with a few valuable songsters, began a traffic which has since swelled into enormous proportions. There are now above a dozen importers of birds in the United States, and hundreds of fanciers who deal in birds procured from them. According to a statement in the *Herald*, there are eight large establishments in New York City, and over 100 minor bird-stores. There are said to be five private collections of birds in the city worth over $10,000 each, and not less than twenty valued at above $5,000 each. One lady of wealth owns a parrot with a wonderful gift of speech, and has repeatedly refused $400 for the accomplished bird. Another lady has seven parrots which are valued altogether at above $1,000.

The finest private collection of pigeons in New York, of the variety known as "Buttonhead Tumblers," is valued at $8,000; another collection, embracing all the leading varieties, is estimated as worth $10,000; and a third, of choice varieties, is rated at $6,000. Besides these, it is calculated that there are a dozen private collections, ranging in value from $2,000, to $5,000. Between fifty and sixty varieties of pigeons are included in these collections. Choice varieties of carrier-pigeons bring $500 a pair.

Mocking-birds are the favorite domestic songster, and are sold from $5 to $100 a piece. A starling which talks and whistles well is valued at from $40 to $50. Nightingales, which are not uncommon, range in cost from $15 to $100. The Frussee, another popular singer, is valued at from $8 to $100. In Germany, whence the birds are imported, canaries can be bought for a trifle; but, in New York, a good singer will command, on the average, $15. One private collection of seventy-two canaries is held at $1,000. It is stated by the paper already quoted that the capital invested in birds in New York City amounts to a sum total of $3,000,000.

A TRAVELER in Russia speaks of the serfs as seeming hopelessly ignorant. Their faces have a vacant look; many of those in cities have no homes, but sleep wherever they can find a resting-place, and go half clad.