

charges of unfair conduct on either side, and that victors and vanquished remain on the most friendly terms, Lord Dunraven and his friends frankly admitting that they lost because their antagonists had the better boat. No sport is more invigorating, clean, and free from evil associations than yacht-sailing. An interesting article on the general subject by Mr. Charles Ledyard Norton will be found on another page.

GENERAL NEWS.—The attack of the fanatical Mohammedans in Morocco against the Spanish fortified town of Melilla, which was repulsed last week after severe fighting, has been renewed and again repulsed; it is said that a war of extermination is being preached by Moorish fanatics against the Spaniards.—Prince Bismarck has been brought from Kissengen to his home at Friedrichsruhe; he stood the railway journey very well, and his general health seems to be slowly improving.—Several hundred cases of cholera were reported from Palermo last week; in Bradford, England, five deaths from cholera have taken place; the steamship *Russia*, from Hamburg, has been quarantined at New York, as several suspicious deaths and cases of sickness occurred on her voyage.—The condition of affairs in Brazil has not changed decisively during the week; it is reported that Admiral Mello has agreed not to renew the bombardment of Rio Janeiro.—The epidemic of yellow fever at Brunswick, Ga., continues unabated, and is not likely to cease until heavy frost; the people are in great want, and contributions to aid them are earnestly solicited.—The number of lives lost in the great storm on the Gulf Coast is thought to be in the neighborhood of two thousand.—The State Board of Charities of New York has been carrying on, during the week, a careful investigation into the administration of the Elmira Reformatory.—As we go to press it is reported that Ferdinand de Lesseps is lying at the point of death; Marshal MacMahon is also so ill that his recovery is regarded as impossible.



## The Reward of Larceny

The Democratic Convention in this State has nominated to the Court of Appeals Judge Isaac H. Maynard. The nomination was unanimous, those Democrats whose opposition to the nomination were well known keeping silence from prudential motives. Only one man was found brave enough to utter a ringing protest against the course of the Convention, which he did by courageously standing his ground against hisses and cries of "Put him out!" The chief defense of the nomination from Democratic sources is that Judge Maynard at a critical point in the party's history rendered it an invaluable service, and that gratitude requires some public consideration from the party for that service. The public, therefore, who are asked to unite with the Democratic party in making this consideration effectual, should recall the service which Judge Maynard rendered. The facts are briefly these: A return which the Court had decided was the true and lawful one and should be counted, and which would have given the Republican party a majority in the State Senate, had been forwarded to the Comptroller at Albany. Judge Maynard, then Deputy Attorney-General, went into the office of the Comptroller, abstracted the letter, and carried it away. Judge Maynard's defense, as embodied by himself in an open letter published at the time, was twofold: First, that the return which he abstracted from the Comptroller's office ought not to have been sent to the Comptroller, because of a stay previously

granted; and, second, that he acted as attorney for his client. A committee of the Bar Association, appointed to consider and report upon the facts in the case, reported them as given above, and declared the act of which Mr. Maynard was guilty to be grand larceny in the second degree. The committee was composed almost wholly of Democrats, and their report was approved by the Bar Association, an eminently conservative and cautious and a wholly non-partisan body. The statement, sometimes carelessly made, that the Court of Appeals has since approved the action of Judge Maynard is a mistaken one. When the contested election cases came before that Court, it simply declared that in this case the Board of Canvassers could not go behind the returns, regular on their face, which were presented to them; that if there were charges of fraud they must be presented to the Senate, which body alone has jurisdiction to hear and determine such questions in cases of contested elections.

These facts ought not to require comment; and yet the acquiescence in the nomination of Mr. Maynard by men whose opposition might, we should suppose, have been counted on, makes a word of comment necessary. The first condition of an honorable and efficient judiciary is that its members should be above reproach. Party men they naturally will be; partisans, who will disregard moral principles for party ends, or even seem so to do, they never ought to be. It is of vital importance that every judge on the bench of the Court of Appeals should have the respect and confidence of all the people of the State. If to the Republicans, who uniformly condemn Judge Maynard's course, be added those Democrats who either openly condemn it or with difficulty find apology or excuse for it, it is safe to say that Judge Maynard has not the respect and confidence of even a majority of the people of the State. If this were all, it would be sufficient to condemn the nomination. But it is not all. The Democratic party proposes to put on the bench of the Court of Appeals a man who, after an investigation of the facts by a committee chiefly constituted of members of his own party, has been declared guilty of grand larceny by the Bar Association. Nor is this all. The people are asked to give this man judicial office because he has perpetrated an act which that Association defines as grand larceny. The nomination is an insult to the moral sense of the State. Every paper that cares more for judicial purity than for party triumph should give its readers the facts in this case. Every voter should see to it that his vote helps to stamp with public execration this entire dishonorable proceeding. Grand larceny for party ends was declared justifiable by Governor Flower when he appointed Mr. Maynard to the Court of Appeals; again declared justifiable by the Democratic majority when a legislative committee approved his course; again declared justifiable by the Democratic Convention when it nominated Judge Maynard last week. The people are now asked to declare it justifiable by rewarding grand larceny with a seat on the bench.



## The Personnel of State Conventions

A cheering picture of American political life is presented by the New York "Sun" in its description of the Saratoga Convention and its editorial comments thereon. The comments may be given first, and are, briefly, as follows:

"The ticket nominated yesterday at Saratoga is the ticket of the Democratic party in the greatest Democratic State in the Union. No machine was ever invented in politics that could stifle or misrepresent

the will of a majority of the members of a great party. The first requisite for political leadership in the Democratic organization is the consent of the led. The leaders of to-day lead with the consent of the led. They are leaders because they possess the admiration and confidence of an overwhelming majority of the Democrats of New York."

The Convention which called forth this rhapsody upon triumphant Democracy is described in the news columns of the same issue of the "Sun" after this fashion :

"One feature of Convention life here—and it is the same in all political Conventions in this State—is the glimpse it affords of last century life and conditions. It is a peculiar fact that the politicians have not developed as other men have. Their eccentricities would not have attracted much attention eighty or a hundred years ago, when men drank more and more openly, when they swore more generally, and when, in parts of the country, they gambled as frankly as they ate their meals; but to see a vast crowd in these days airing their weaknesses openly is an interesting and a strange sight. To-night, for instance, a large club of well-dressed men, in silk hats and broadcloth, marched down the main street and into a saloon to get their whistles wet. They formed ranks, got out their brass band, assembled at least 15,000 spectators to watch what they supposed was going to be a parade, and then, after two blocks of marching, filed into a gin-mill with shouting and yelling and laughter. Next door to that saloon was a typical, wide-open gambling-hell, just such as one sees in Denver or Butte City. The politicians packed this hell, and found, in addition to faro, red-and-black, and roulette, a brand-new invention of the devil called the bookmaker's game. The politicians bucked that tiger so enthusiastically that the place was crowded all day and night. So it was at Chicago and Minneapolis last year, and so it is wherever any politicians assemble. This is true only of the rank and file. The leaders who have forced their way to the top of each heap are steadier and wiser men. They don't drink too much, and if they gamble no one knows it. As a rule, however, they are as profane as the under-strappers."

This picture has its hopeful side. Not only is there always a grim satisfaction in knowing that things can get no worse, but reforms break out when conditions become intolerable. The reform which such conditions advocate with irresistible force is the transfer of political power from the "representatives" of the people to the people themselves. It has already been demonstrated that the power to license the liquor traffic must be taken from the Excise Boards and given to the people, if the cause of temperance is to be advanced. It has already been demonstrated that the power to grant municipal franchises must be taken from Common Councils and given to the people, if bribery and extortion are to be put down. The belief that is now gaining headway is that all great public questions must be submitted directly to the public, if they are to be settled in the interests of the public.



## Shall We Burn Criminals?

Two articles in the October "Forum" will attract general attention, and will deserve it. They are the two articles on the Negro Question, by Bishop Haygood and Charles H. Smith. Their immediate text is the apparent increase of crime among the negroes in the South, and the frequent and horrible lynchings which have accompanied that crime.

In one respect we find ourselves in entire accord with Mr. Smith. "Seven millions of negroes are face to face with fifteen million whites. How much longer can they live in harmony? It is a more vital question than silver or gold or the tariff." We also suppose that indubitably there is an increase of crime, and especially of a certain class of crimes, among the negroes. And if Mr. Smith were to substitute the word "many" for the word "most" in the following sentence, we should be able to agree with him in that also: "To most negroes neither jails nor

chain-gangs have any great terrors, for in both they can eat and sleep, and the records show eight per cent. of the convicts serving a second term." This is, however, a very small per cent. The average of repeaters in most prisons is nearer fifty per cent.

But history has established nothing more clearly than that revenge, whether it be by individuals or by communities, is no remedy for crime. Lynchings, burnings, torturings, neither restrain from crime nor cure it. When punishments are vengeful, crime increases; when punishments are reformatory, crime decreases. It ought not to be necessary for Americans to rewrite the horrible pages of mediæval history in order to learn that lesson. The spirit that justifies vengeance is the spirit that promotes crime. This is an axiom in morals verified by history. Whatever the remedy for negro crime may be, it is not "a separate code enacted that will fit him" (the negro), based on the doctrine that "corporal punishment is the only kind that has ever reformed him." And certainly it is not substituting an infuriated mob as tribunal for the courts of justice, or introducing upon American soil torture and the stake.

If the laws for the protection of womanhood are not stringent enough, they should be made more stringent. If the courts are not prompt and vigorous enough in executing them, prompt and more vigorous courts should be put in their place. A single criminal arrested, tried, convicted, and hanged, by due process of law, for rape, would do more to check this horrible crime than a score of lynchings. Lynchings promote and stimulate it. For vengeance always breeds brutality.

But the South must seek elsewhere both for the causes and the remedies of negro lawlessness. Southerners must themselves take up the work of negro education, and give it their sympathy and support. Then they can also give it direction. They can incorporate ethical teachings in their public schools. They can educate negro preachers to understand the Ten Commandments and the Sermon on the Mount. They can gradually substitute an ethical religion for an unethical emotionalism in the negro churches. If many negroes in the South are brutes, the South must remember that slavery imported brutes from Africa, and slavery kept them brutal. We have tried for a century Mr. Smith's remedy—little education, exclusion from all but manual labor, and corporal punishments. We are getting the results of this method. It is time to change it: to treat the negro as a man; to give him all the education he will receive; to open the door to all industries that he can perform; to give him the rewards we give white men when he does well, and to punish him as we punish white men when he does ill.

The remedy for crime is not vengeance, but justice.



## Coddling Our Prejudices

It is a very uncommon thing to hear people defend the right to entertain prejudices, but it is an extremely common thing to find people who not only refuse to give up their prejudices, but take positive pleasure in fostering and expressing them. It is a great deal easier, in certain stages of development, to discover the faults than to recognize the virtues in other people. Dispassionateness is not innate with most people; it must be developed. It is the fine fruit of self-education, and as such it is by no means easy of acquirement. To look at people from whom we differ, or, what is still more trying, who differ from us, with clear and unprejudiced eyes, and judge them by dispassionate intelligence, is to achieve a victory over our-