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The Newman Decision.

In its decision in the Newman case the Supreme Court has so interpreted the District code as to deny to citizens of this jurisdiction the right to question the title of municipal appointees to office. That is the essence of yesterday's ruling, which, by a vote of 5 to 3, puts an end to the commissionership contest in favor of the incumbent.

Three questions were before the Supreme Court: 1. Whether Mr. Newman under the terms of the statute creating the office of civil commissioner was eligible by virtue of a sufficient local residence; 2. Whether the courts could review the actions of the executive, with the consent of the Senate, in appointing officials to office; and 3. Whether the proceedings of ouster instituted in this instance were warranted by law.

Of these three points the Supreme Court has elected to decide the case upon one alone, denying to the relator citizen the right to institute proceedings and ignoring the other questions. The effect of this decision is that Mr. Newman is continued in office without any validation by the highest court of his title, which had been denied by two courts below, and without a determination of the right of the judiciary to review the appointive actions of the President with the consent of the Senate.

The question as to the Commissioner's eligibility in fact and law stands unanswered and the doubt still remains in the public mind as to his qualifications, which the lower courts, after a trial upon the issue of facts, have declared insufficient.

According to the Supreme Court's decision it is possible to secure the ouster of a public official of this District on the ground of ineligibility only through the intervention of the Attorney General or the district attorney, or, in the event of their refusal to act, upon the motion of a citizen who is sufficiently "interested."

The greater part of the Supreme Court's decision concerns this question of "interest." The court holds that Mr. Frizzell, being a mere citizen without claim to the office and with no direct pecuniary interest in it, has no qualification under the law as a relator in quo warranto proceedings.

Nor, according to the Supreme Court's decision, has any other citizen such a right, or any way to acquire that right. The practical effect of this ruling is that appointments to office by the President in the District of Columbia are impossible of question or review by the courts.

If a citizen, having, as the court says, only a public and not a private interest in the office, challenges an incumbent's title to office, he must secure action by the Attorney General or the district attorney. It is an obvious proposition that the President of the United States having appointed and secured the confirmation of a municipal official for the District, the President's chief law officer will not act at the behest of a citizen in challenge of his chief's right to appoint. It is to be presumed that in case any doubt has existed relating to eligibility the question has previously been referred to the Attorney General for advice.

It is conceivable that the President and his Attorney General might, in their desire to make a certain appointment, be mistaken in their view of the law of eligibility. It is so urged in the present case. Where, then, is there any way to correct the situation? The Supreme Court declares that in such circumstances the test can be brought only by an "interested" citizen. Who is an "interested" citizen? According to the court, only one who has a direct, personal, pecuniary interest in the office. Who in the District of Columbia can have such an interest in the office of Commissioner? Surely not an incumbent whose term has expired and whose rights to the office have lapsed, being merely holding place pending appointment of his successor. Surely not a disappointed applicant for the office. And the court of last resort now says, in effect that no others can invoke the law to challenge the eligibility of an incumbent.

It would seem that the Supreme Court in this decision has ignored the essentially peculiar character of the District as a non-voting community, all of whose officials are appointed. It has apparently applied its decision the reasoning applicable to other communities in which "interest" in an office is possible in terms of its restricted definition. The District code was written for this peculiar community, and it would seem only just to have interpreted it with reference to the limitations put upon the local citizenship, and particularly with a view to the enforcement of the organic act creating the office of Commissioner and prescribing particular qualifications of resi-

dence, which in the present instance have been ignored by the appointive power. There is no appeal from this decision, and the District must accept the situation. It sees the residential qualification in effect repealed by executive action and judicial prohibition of intervention by the citizens. It can only trust that in the future, at least until possibly Congress has granted a broader right of appeal to the courts than the Supreme Court now permits, the executive, in making appointments to local office and the Senate in giving consent to such appointments, will scrupulously respect the requirements of the law respecting residential eligibility.

Bull Moosery and Democracy.

In an Indianapolis letter to the Louisville Courier-Journal this statement appears: "The progressive party in Indiana today is on the threshold of becoming an active adjunct of the democratic party. Jackson Boyd of Greencastle, a former democratic member of the Indiana senate, is state chairman of the party, Edward C. Toner, the former state chairman, having resigned and gone back to the republican party. Edwin M. Lee of Lawrenceburg, the first state chairman of the party, is still within it—and is in favor, it is said, of turning the entire organization over to the democrats, rather than see the machinery of the party go to the republicans."

Well, has the progressive party ever been anything but "an adjunct of the democratic party"? Did it not give victory to the democrats in 1912? Did it not last year give victory to a number of democratic candidates for the House? Election figures answer these questions in the affirmative. Mr. Wilson owes his office more to Mr. Roosevelt than to Mr. Bryan. The Baltimore nomination would have been worth nothing if Mr. Roosevelt had not created bull moosery.

As to the value of the machinery of the progressive party, that depends. How many men remain behind the machinery? They were numerous three years ago, and under Mr. Roosevelt's direction handled it with skill. But, as everybody knows, their number has been greatly reduced since, and there is warrant for the belief that it is still shrinking.

In Kentucky, just across the Ohio river from Indiana, a handful of progressives are still holding together, and talking of nominating a state ticket. They formerly were republicans; and if they put a ticket in the field the action will be so much to the good for the democrats. In the contest they will be "an adjunct of the democratic party."

It is this aspect of bull moosery which explains the return of so many bull moosers to their former affiliations. Three years ago they acted in heat and passion. Mr. Roosevelt, whose power as an agitator is considerable, whipped them into a rage, and puffed them against the party whose principles they had long supported, and in large measure were still indorsing. But the sum of their accomplishment was to put that party out, and bring in the party with which they had never been in agreement about anything.

Bull moosers who are repentant do not intend to repeat that performance. The democracy in power has not converted them to a single one of its tenets. Its record on domestic issues does not meet with their approval in any feature. As they felt obliged to choose, therefore, between the party which they had helped bring in and the party they had helped put out, they chose the latter, and are now awaiting the opportunity to vote for its candidates again. Not even Mr. Roosevelt could make them assistant democrats next year.

Commutation of sentence in the case of Leo M. Frank is a relief to many people who followed the case with close attention without becoming convinced of the prisoner's guilt. It is also in the nature of a reminder that even justice is sometimes compelled to resort to the compromise.

Though out of school the student will find the daily news showing studies of history in the making such as no American youth can afford to neglect.

If last summer had been as cool as this President Wilson would not have felt compelled to pitch a tent in the White House grounds.

Carranza very possibly does not care how many resignations he accepts so long as his own is not insisted on.

New York and Next Year.

There is talk in New York that Gov. Whitman and Gov. Glynn may confront each other again next year. This is current in circles where the Whitman presidential boom lacks persuasiveness. As the argument runs, Gov. Whitman will not be strong enough for his party's national purposes, but will be strong enough for state purposes, and his party will again avail itself of his strength and put him at the head of its state ticket. He will readily consent to the arrangement because he will not have had enough of politics.

The gossip as to Gov. Glynn is based upon the contention that he lost last year, not because of any demerit of his own, but because of the Sulzer fiasco, then fresh in the public mind, and the unpopularity of the national administration. Circumstances combined to make the year republican in the state. Neither the local nor the national administration was in favor, and the voters "took it out of" Gov. Glynn. And this arraignment, of course, rejects the as-

sertion that religious prejudice cut a figure in the campaign. A senatorship also will be in the scale, and there is gossip as to that. Mr. O'Gorman has made a name for himself in the Senate, and yet is said to be out of favor at home. He is under censure by Tammany for what Tammany charges as indifference to the interests of the organization, and under censure by the national administration for his course in both the Panama canal tolls question and the ship purchase question. He is a Tammany Indian all right, but off the reservation. He is a democrat all right, but not under the President's domination.

Seeing a chance to capture the seat, the republicans are already examining available material. Some are asking, why not Mr. Root? He considers himself too old for the presidential race, and for the burdens of the office. But he would not be too old to resume the burdens of a senatorship, and there are many New Yorkers who would be glad to vote for him for that office.

It is seldom a public man receives so many evidences of appreciation as Mr. Root is now doing. In certain circles he is in high favor for the presidency, notwithstanding his feelings in the matter. In other circles hope is expressed that he may again preside over the State Department, where he did so well for the country. And here now is mention of him for the Senate, where he was a leader, and would easily become a leader again.

The fact that this government has 355,000 Krag-Jorgensens in a sufficient state of repair to be sought by foreign nations should be a gleam of comfort for the pessimists who insist that we are hopelessly unprepared for a serious emergency.

Outside of any questions of domicile or legal residence there has never been the slightest room to doubt that Mr. Newman likes the town.

There is no longer any talk among the Germans of luncheon on a particular date in Paris nor among the French of dinner engagements in Berlin.

Russia is ordering American cars and locomotives to transport ammunition. Neutrality does not exempt a nation from being industrious.

The ad writers' convention has resulted in the assemblage in Chicago of some of the country's most widely read and entertaining writers.

The Sultan of Turkey is reported to be ill. A breakdown due to nervous strain might be excusable under the circumstances.

Whatever may happen to his troops, a Mexican general never permits his American news agency to become discouraged.

Old-time economists who prophesied that the railroads would one day run the government have nothing to say at this time.

Statisticians say that there is no serious shortage of food in Germany, but the blockade is resented none the less.

In an effort to settle old scores Europe's governments have created a formidable number of new ones.

Mr. Frizzell awoke yesterday morning to find his legal status that of an innocent bystander.

SHOOTING STARS.

BY PHILANDER JOHNSON.

A Preference.

"You seem particularly fond of the music of the birds." "I am," replied Mr. Growcher; "they never use inelegant language and nobody tries to dance to the tunes."

The Incomplete Gardener.

A garden isn't hard to make. You get yourself a hoe and rake. And then read books until at last the time to plant the stuff is past.

Time Saving.

"An Indian very seldom laughs," said the western man. "Well, I'm not sure he isn't right," replied the busy citizen. "When an Indian is in a hurry, everybody knows there is absolutely no use in stopping him to tell a funny story."

"Some folks," said Uncle Eben,

"gits so thoughtful dey ain't much use. De man dat's allus feggerin' what kind o' weather we'll have tomorrow generally sits aroun' an' don't take no advantage of his information."

Relations.

"People say you have had relations with the trusts." "I have," replied Senator Sorghum. "And I may as well say in complete candor that none of them were poor relations, either."

The Season's Uncertainty.

Dey's got us all a-guessin' 'Wif de doin's so distressin' 'Till it ain't de same old world it was befo'." Dey is shoutin' an' reformin' 'An' a-coaxin' an' a-stormin' 'An' nobody seems to know which way to go!"

One day de rose is smilin'.

An' de sunshine is beguillin', An' de nex' it blusters 'roun' an' threatens snow; De thermometer is shakin' 'Fum de effort it is makin', But it doesn't seem to know de way to go.



TYREE'S DIXIE CARMINATIVE is the one safe and sure remedy for all attacks of colic, diarrhoea, dysentery, summer complaint—and especially cholera infantum. It not only immediately relieves the suffering, but it soothes the stomach, bowels and intestines, and allays the inflammation that causes all the disturbance.

For years it has been a favorite in the south—where these summer disorders are most prevalent and acute. There's nothing in DIXIE CARMINATIVE that can harm the youngster—nor the most delicate stomach. Don't dose with Squibb's Mixture and that class of drugs. But rely upon the sensible and soothing DIXIE CARMINATIVE.

25c a bottle. Your Druggist Sells It. Tyree & Co., 15th and H Streets Northeast

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12 1/2 Cents YD. 12 1/2 Cents YD. Buy the goods from us and we make the cover. All seams tape bound, fit guaranteed. 2-Piece Pattern Suits upholstered in tapestry and velour. \$7.48 Write or phone and our agent will bring samples.

U. S. UPHOLSTERING CO. 426 10th St. N.W. Phone Main 8186.

Hallet & Davis

Upright Model Slightly Used PIANO \$60 Just the Piano for a Beginner. Hallet & Davis 13th and G Sts. N.W. Hauling and Tuning Pianos Rented

VACATION? MAKE IT COLORADO THIS YEAR

Have you ever felt the thrill of the mountains, that deep mysterious something that comes from a wide sweep of plains and mountain tops, that indescribable feeling that overwhelms you, when you see the glorious and magnificent beauty and grand wondrous of the Rockies for the first time? It's there for every one—in Colorado—and to get there in greatest comfort there's the Rock Island's famous "Rocky Mountain Limited," a modern train providing every comfort and convenience—only one night out between Chicago and Colorado. Other fast trains daily from Chicago and St. Louis. Ample black signals, finest modern all-steel equipment—superb dining car service. Low fares for round trip daily. June 1st to September 30th, only \$30 from Chicago; \$20 from St. Louis. Write, phone or drop in at our Travel Bureau for our booklet and folders on Colorado, hotels and boarding houses in Colorado, Little Journeys in Colorado, etc. 1019 Chestnut st., Philadelphia, Pa. H. M. Brown, D. P. A.—Advertisement.

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Special Lenses \$1.00 per pair. Also Agents for Kryptok Invisible Bifocals. Spherical, 75c. Cylindrical, \$1.50. Sph.-Cyl. \$1.75. 1/2 off on oculist's prescriptions. Adolph Kahn, 835 F St. N.W.

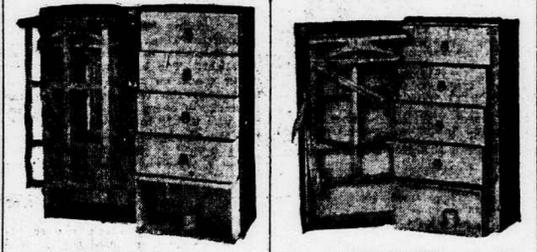
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Woodward & Lothrop New York—WASHINGTON—Paris.

Wardrobe and Dress Trunks Reduced in Price.

These Trunks have been taken from our own stock and marked down to the new low prices they now bear. Every trunk is this year's stock—new, fresh, reliable, perfect and the latest in design, construction and arrangement.



Our \$25.00 Wardrobe Trunk, Reduced to \$21.50. Our \$20.00 Wardrobe Trunk, Reduced to \$17.75.

Basswood Wardrobe Trunks, fiber covered and fiber bound; steel clamps and brass lock and catches; cloth lined throughout; 5 drawers and 10 garment hangers. A high-grade and durably constructed Wardrobe Trunk, with canvas cover and fiber binding; brass steel lock and catches; cloth lining; 5 drawers; 10 garment hangers.

Women's Dress Trunks, Special Low Price, \$10.00 Each. Canvas Covered Dress Trunks, from several of the best makers; high grade in every respect. A lot of about 15 in assorted styles and sizes.

Fourth floor, Tenth street.

White Enamel Cooking Utensils at the Very Special Price of 68c Each

White Enamel Preserving Kettles, 7-quart size, 68c each. Covered Berlin Saucepans, 5 1/2-quart size, 68c each. Double Boilers, 2-quart size, 68c each. Tea Kettles, 5 1/2-quart size, 68c each. Dishpans, 13-quart size, 68c each. This is one of the timeliest and best purchases we have ever offered in Fine First Quality Enamelware, and the price is so very low that no one desiring them need fail to purchase on this account. It is a sale that should have the attention of all householders possessing practical ideas of economy and efficiency in the kitchen. THE SAVINGS ARE MOST UNUSUAL; AVERAGING 1/3.

Fifth floor, F street.

Fruit Jars in the Greatest Variety of Styles

Never have we shown such a variety of Fruit Jars as we do this season. They are all perfectly made and of the best quality. SMALL MEDIUM LARGE 60c 75c \$1.15 Atlas Strong Shoulder Mason Jars.....50c Atlas E. Z. Seal Glass-covered Jars...60c & 75c 85c Atlas Special Wide-mouth Mason Jars...65c 75c Queen Fruit Jars, white glass, glass tops...75c 85c King Fruit Jars, white glass, glass top...75c 85c PRICES QUOTED ARE PER DOZEN.

White Glass Jelly Glasses, 20c, 25c and 30c dozen. Jelly Mold Glasses, lacquered caps; 25c dozen. Wide-flange Extra Quality Jar Rings, 5c dozen. Atlas Special Wide-mouth Jar Rings, 10c dozen. American Beauty Jar Rings, for Mason Jars, 10c dozen. Twin-lip Special Jar Rings for Mason Jars, 10c dozen. Mason Jar Caps, porcelain lining; 20c dozen. Extra Covers for E. Z. Seal Jars, 15c dozen. Parowax, pound package, 10c. "Q-D" Fruit Jar Labels for Fruit Jars or Jelly Glasses. Bold, readable type on perforated gummed paper. Package of 300, 10c.

Fifth floor, G street.

Preserving Necessities.

Preserving Kettles. Of aluminum, gray enamel, white enamel, iron, porcelain-lined. A large assortment of sizes. 65c each and upward. Preserving Spoons. Of aluminum, enamel and retinned ware. All sizes. 5c each and upward. Fifth floor, F street.

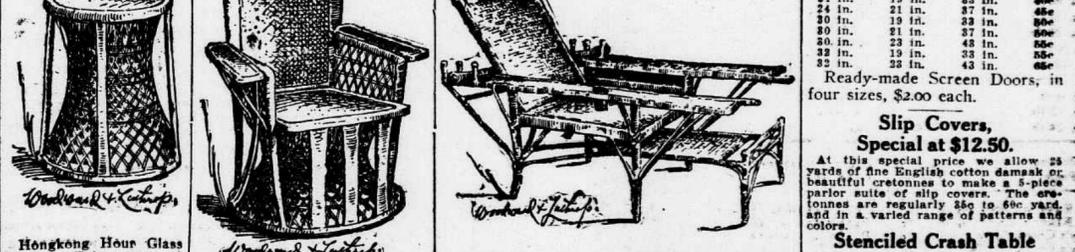
Cut Stem Glassware Suggested for June Brides.

ETCHED PATTERNS, LIGHT CUT PATTERNS AND HEAVY CUT PATTERNS. Especially popular are the light cuttings, in various floral and foliage designs, beautifully reproducing with exactness of detail the design used. As a wedding gift we think it difficult to suggest anything more appropriate than a set or part of set of this fine glass—sherbet glasses, goblets, champagne glasses and other selections, to which the recipient may add other styles to match in pattern, as she sees fit, and gradually obtain the complete service.

Sherbet Glasses. Etched patterns, \$2.25 dozen and up. Light cut patterns, \$3.50 dozen and up. Water Goblets. Etched patterns, \$2.25 dozen and up. Light cut patterns, \$3.50 dozen and up. Fifth floor, G street.

These Three Very Popular Pieces of Chinese Sea Grass and Rattan Furniture

May still be obtained while our direct importation lasts. We advise early selection, however.



Hongkong Hour Glass Stools or Tabourettes; 18 inches high and 11-inch top \$1.50. Hongkong Hour Glass Chairs, in three sizes, \$6.00, \$6.00 and \$7.50. Adjustable Rattan Reclining Chairs, \$12.50 to \$18.00. A most attractive Chinese Reed Suite consists of settee, two high-back armchairs, one low-back armchair, one ottoman, one footstool, center table and lamp. This suite is finished in dull white with dull black decorations, and fitted with rose poplin cushions. The combination is most pleasing and original, and the treatment is carried out with taste and artisticness; a very unique and attractive suite. Fourth floor, G street.

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The Displays of Colonial Glass

Which we have ready in a very comprehensive variety of qualities, designs and pieces. We could say much without exaggerating the use, beauty and practicality of this glassware, but if you will inspect the showing you will gain an intimate personal idea of what it really is. In the showing is Glassware that will be needed at every meal and for every purpose, and until one stops to take account of how great this really is, you are apt to fall far short of the extensive range.

Salt and Pepper Shakers of various designs. Water Bottles. Water Pitchers, Water Goblets, Ice Tea Glasses, Water Tumblers, Vinegar and Oil Bottles, Sugars and Creams, Vases, Butter Dishes, Finger Bowls, Fruit Bowls, Ice Cream Trays, Sherbet Dishes, Salad Dishes, Coasters, etc. Sherbet Glasses, colonial and optic glass, 80c to \$1.15 dozen. Colonial Glass Pitchers, 1-quart and 3-pint sizes, 15c and 25c each. Fifth floor, G street.

Lawn and Garden Art Ware of Imitation Granite.

Knowing that every homemaker who has a garden and lawn is desirous of having them look attractive and inviting, we are this season offering Lawn and Garden Art Ware of Imitation Granite, which is very artistic, comparatively inexpensive, and both frost and weather proof. It retains its freshness and good appearance and quality through years of service in the open during all seasons. VASES, in various designs and sizes, square and round shapes; genuine reproductions of Grecian art pieces.

FLOWER POTS, URNS and SAUCERS, FLOWER BOXES, FERN BOXES, GARDEN BENCHES, FLOWER STANDS OR PEDESTALS. Those interested in wares of this character are invited to call and inspect the pieces on display. We have a complete catalogue of many others, any of which can be obtained upon order. Remember every piece is guaranteed weatherproof—NOT harmed by any climatic conditions—hot or cold. Fifth floor, G street.

A Large Showing of American and English Porcelain Dinnerware.

Porcelain Dinnerware is now generally used for summer, whether in town or country. We are showing a large assortment of American and English makes, in open-stock patterns of a varied and well selected character. Particularly in the English designs is there much of interest, there being several reproductions of historic patterns that are unusually handsome. All this dinnerware is made of splendid quality porcelain, well fired, smooth and excellently shaped and decorated. The values are more attractive than ordinarily, owing to the constantly increasing prices of dinnerware. Every piece of this Dinnerware may be bought separately or in set—open-stock patterns. A service for 12 persons as low as \$6.75, others at higher prices. Fifth floor, G street.

Curtains for the Simple Cottage or the Beautiful Bungalow.

There is nothing left to be desired in summer curtains and hangings. Muslin Curtains; figured and plain, some ruffled and some flat, and some with dainty colored borders; \$1.00, \$1.25 and \$1.50 pair. Voile Curtains; attractive voile, edged with cluny lace. Cream and white tone; 2 1/2 yards long; \$1.50 pair. Boudoir Curtains; Dainty Boudoir Curtains, of soft and sheer white voile, trimmed with ball fringe, in blue, pink, yellow and white. These curtains have a valance to match; \$1.85 pair. Scotch Madras Curtains; very effective and unusually rich patterns, in light and dark colorings; \$2.50, \$3.50, \$3.75, \$4.00, \$5.00 and up to \$8.00 pair. Fourth floor, G street.

Send Your Furniture to Us for Reupholstering Now.

This is the best season of the year to have Furniture Reupholstered and Repaired, and especially for those leaving town for the summer. We will do the work, and return the Furniture at once, or store it safely and deliver upon your return in the fall. Special reductions are made on this class of work in order that we might keep our working force intact. The upholstery materials consist of Damasks, Velours, Tapestries, Brocades, Linens, Velvets and Silks, and some very unusual values are offered. Fourth floor, G street.

White Canvas Couch Hammocks. Reduced From \$6.00 to \$4.25 Each.

For a low-priced Hammock this one has more merit than any we know about. It is a good grade of white canvas, with one wind shield and good mattress. Comfortable, durable and serviceable. Splendid to take to the summer home. Reduced price, \$4.25 each. Fourth floor, F street.

Metal-frame Adjustable Window Screens.

A complete stock of these high-grade rustless and easily adjusted Window Screens, in 10 sizes. HIGH CLOSED OPEN PRICES 15 in. 19 in. 23 in. 27 in. 31 in. 35 in. 39 in. 43 in. 47 in. 51 in. 55 in. 59 in. 63 in. 67 in. 71 in. 75 in. 79 in. 83 in. 87 in. 91 in. 95 in. Ready-made Screen Doors, in four sizes, \$2.00 each.

Slip Covers, Special at \$12.50.

At this special price we allow 25 yards of fine English cotton damask or beautiful cretonnes to make a 5-piece parlor suite of slip covers. The cushions are regularly \$30 to \$60 yard, and in a varied range of patterns and colors.

Stenciled Crash Table Covers, 40-inch square, 75c each. 40-inch round, \$1.00 each. 48-inch round, \$1.25 each. For libraries, living rooms and porches. Attractively combined colors and artistic patterns in stenciled border effects. These do not soil easily, and are made in laundering. Fourth floor, G street.