

THE POST-INTELLIGENCER.

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County and City Official Paper.

SEATTLE, TUESDAY, DEC. 29.

EMPLOYMENT OF CONVICTS.

The best means to adopt for the employment of convicts has not been settled yet in most of the states. It was advocated as a humane policy which would keep them from idleness and at the same time reduce the cost of their maintenance to the state. Several methods have been employed, but all in turn have been subjected to criticism.

In some of the Southern states convicts have been leased out to work in mines, but the objection is urged that they not only take the places of men who are not criminals, but indirectly injure miners by the amount of work they are compelled to perform. This makes the wages of honest miners seem high, because equal results are not obtained, and mine owners using convict labor can underbid those who do not. In New York convicts have been contracted out to manufacturers of brooms, hardware and other merchantable goods. The same objection is raised there, although there can be no doubt that men sent to jail have had put into their hands by the training a means of earning an honest livelihood on their release.

No project promised better than the establishment of a jute factory in the penitentiary of this state. It interfered with no local industry and prevented money being sent out of the state. Since the institution of that industry, however, the convict labor of the Orient has had its effect and even prison labor cannot compete with it.

Illinois is contemplating a very important step, if the plans of Gov.-elect Tanner should be favorably received by the legislature. Four years ago Gov. Aligned equipped the state prisons with expensive machinery, hoping to teach the convicts trades which should be to their advantage if they wanted to reform. Labor organizations have raised objections to the system, because of the competition; and Gov. Tanner now proposes to discard the machinery and try another plan.

It is to employ the convicts in the construction of roads. There is probably no objection to this, as it does not conflict with skilled labor; but the oft-repeated argument is used against it, that the expense of watching the prisoners will make it cost more than that of ordinary labor, and that people in the neighborhood of their work would be kept in dread of the consequences of daring criminals escaping.

The English government has kept the convicts at some places engaged in local work. The most notable example of this is the Portland breakwater, which was almost entirely constructed by prisoners serving long sentences. They have also been employed on fortifications, and in France the galley slaves have done some excellent government work, although their treatment is not such as to commend the French system. Russia sends her political prisoners to the government mines in Siberia, but there, too, humanity is shocked by the hardships of the unfortunates and the brutal conduct of the guards.

There should be no objection to convicts being taught trades, and being employed in the manufacture of such articles as they wear. The difficulty in the way of this is that so much work is now done by machinery, and the varied implements needed would call for an enormous outlay, to say nothing of the chances of over-production. If some method of exchange between states could be devised, one state might make shoes, another clothing, another tools, and another hardware, but this is too intricate a system to be attempted except under uniform regulations, such as an act of congress could insure, but which it is beyond the power of that body to enact.

It almost seems as if roadmaking and extensive breakwaters or fortifications are the only recourse, and even these two latter must be done by agreement between the states and the Federal government.

REMINISCENCES OF NAVAL CONFLICTS. The act of an American merchant ship in firing at the war vessel of a nation with which we are at peace has no exact parallel in our history. Something like it occurred about eighty-five years ago, but in that case both vessels were warships and the nations engaged were in an attitude of hostility.

An unfriendly correspondence between the United States and England, fostered by Napoleon in his own interests, had led to the passage of an act of congress declaring non-intercourse with England. War had not been declared, but the relations between the two countries were strained. In May, 1811, the American frigate President, forty-four guns, one of the few war vessels then owned by the United States, was patrolling the North Atlantic coast. She came across the British sloop-of-war Little Belt, carrying eighteen guns, belonging to the squadron sent to prevent aid being afforded to France. The ships met a few miles south of Sandy Hook, chased each other in turns, and then fired into each other without any reasonable pretext and without any authority. The encounter lasted only a few moments, but the English vessel suffered a loss of over thirty killed and wounded, while our ship had only one man slightly wounded. Each accused the other of being the first to fire.

Congress now took an animated interest, and by the following June matters had taken such an angry turn that President Madison recommended a declaration of war, which soon after broke out. It is worth noting that, while our army was not altogether successful, our victories at sea were, considering the great disproportion of the two fleets, remarkable. In 1812 the frigate Constitution captured the British frigates Guerriere and Java, the sloop Wasp captured the brig Frolic, the frigate United States captured the frigate Macedonian, and the American privateers in one year captured more than 500 vessels. In the following year, in 1813, a British fleet of six vessels was taken on Lake Erie, and on the ocean the Hornet captured the Peacock, and the Enterprise took the Boxer. On the other hand, the British frigate Shannon captured the frigate Chesapeake. In the following year, on the memorable day of September 11, the United States fleet totally defeated the British fleet, and on the same day the British army retreated in disorder to Canada. Prior to that Gen. Ross had reached Washington City, burned the capitol and president's residence, with other public buildings, but was repulsed at Baltimore and killed. During that year we also captured the British vessels of war Spervier, Avon, Retriever, Cyane, Levant, Penguin and Nautilus, but lost the frigates Essex and President, besides two or three smaller vessels.

In spite of all this glory our commerce was badly crippled and the close of the war showed, besides an enormous current outlay, a debt of over \$80,000,000; and peace was accepted with great joy. Passing over the well-remembered progress of our fleet during the civil war, our next trouble on the high seas was the capture of the steamer Virginia, sailing under the United States flag, by the Spanish man-of-war Tornado, in 1873, during the Cuban insurrection of that period. Several of those on board were summarily shot on the charge of being concerned in the uprising, and the Virginia taken to a Cuban port. She was afterward surrendered to the United States government and Spain paid \$50,000 for the relief of the families of those executed.

During the hundred odd years of our independent existence, we have been comparatively free from incidents such as that which took place between the Three Friends and the Spanish cruiser; and the United States government cannot be blamed for that. All the usual and some extraordinary precautions have been taken to prevent contraband traffic, but attempts to watch the entire coast for such dragon flies as the now notable craft are like efforts to catch a mosquito in a salmon net. It was fully as much the business of the Spanish vessels to protect the coast of Cuba as it was ours to watch the American shore.

IS IT PIRACY? It has been evident that the firing of the Three Friends upon the Spanish cruiser would become a very serious matter if the little runner should be recognized. Unfortunately for their safety, those on board have been betrayed by their own boasting and the identity of the officers disclosed. If the Spanish authorities had any difficulty in obtaining evidence, it has been removed by the confession of those on board. That will serve no purpose in the trial, of course, but the identity cannot be concealed, and the news from Jacksonville published yesterday indicates that the Spanish government intends to avail itself of its rights.

Whether the act which the Three Friends is charged constitutes piracy depends somewhat upon the terms of the treaty with Spain. This country was the first to bring under that definition offenses other than murder or felony on the high seas. If it were not for this, the Three Friends might escape, as she committed neither of the crimes which had been held by other countries to constitute piracy; namely, robbery or depredation, guarded by the further provision that there could be no conviction for a crime unless the accused plainly confessed it, or it were directly proved by witnesses who saw it committed, as in the case of civil offenses. By an act passed in 1847 the United States went beyond this, and enacted that "subjects or citizens of foreign states found and taken on the seas making war on the United States, or cruising against the vessels and property thereof, or of the citizens of the same, contrary to the provisions of any treaty existing between the United States and the country of such persons, shall, when such acts are declared by such treaties to be piracy, be arraigned, tried, convicted and punished in the courts of the United States."

It seems very probable that if the United States made her laws the interpreter of piracy and embodied this provision in a treaty with any nation, that nation would demand reciprocal conditions. To make matters worse for the Three Friends, a more recent act, passed about the time of the outbreak of the civil war, makes "vessels built, purchased, fitted out or held for piratical acts subject to seizure and condemnation, whether any act has been committed or attempted from such vessel or not." This is only valuable as showing how rigorously we intended applying the piracy law because the Three Friends is not liable now, being in American waters, to seizure by Spain.

The serious part of the matter will be if Spain has the right to demand trial of the offenders in her own courts. This is not made at all conclusive by the act referred to, because it limits the right to those "found and taken on the seas," and though the daring little steamer was "found" she certainly was not "taken" on the high seas.

Her best defense was that she got away, and if some on board had kept silent until the affair had blown over she could probably never have been identified. If she is identified, and the United States authorities be compelled to order an investigation, she and her crew are liable to the consequences of having landed goods at other than a port of entry, of leaving a port without clearance papers, of having landed part of her crew and of her having attacked Spanish subjects, and of violating several other provisions of the law of nations.

In the celebrated case of the Peterhoff the Federal supreme court affirmed the principle that "the right of visitation and search of merchant vessels on the high seas is an incontestable right of the lawful commanders of cruisers of a belligerent nation," and in the case of the Koonor, extended it to mean that "the right carries with it all the means essential to its exercise." In another case the court laid down the instruction that "if a neu-

tral is stopped on the high seas for search, he must not candidly deliver the ship's papers and dispatches, but concealment and mala fide conduct will subject him to the penalties inflicted by the law of nations."

This nation had a very bitter experience with attempts to evade the laws of neutrality, and yet our statute books and judicial decisions show abundant evidence of a determination to be governed only by broad, humane and equitable principles. The Three Friends, if punished by this country or surrendered to Spain, will not violate the law, or that there is insufficient evidence to convict them if they did; but the honor of the country must not be strained. Everybody has had an idea that the owners of the Three Friends knew who was engaged in a hazardous enterprise, and that they were well paid for their risk. It has been generally believed that she was engaged in the carrying of contrabands of war, and that she was done with the Spanish authorities had a right to resent. Had a Spanish vessel done as much to us, had a merchantman of another flag fired upon the stars and stripes, it would have set this nation ablaze in a burst of indignation at the outrage to our honor.

Theodore C. Search, president of the National Association of Manufacturers, points out that about one-fifth of the total commerce of South America is with the United States, and that we purchase a far larger quantity of South American products than any other nation. But while we buy from South America goods valued at \$100,000,000 annually, we sell only \$22,000,000 worth of goods to those Southern countries. The problem, therefore, resolves itself into this—how may our exports be increased until they, approximately at least, balance our heavy imports? This problem may be settled satisfactorily when the new congress comes to framing the reciprocity sections of the new tariff bill.

A correspondent is informed that the United States statute relating to the organization of military forces for service in Cuba, is section 5,286, and reads as follows: "Every person who, within the territory or jurisdiction of the United States, begins or sets on foot or provides or prepares the means for any military expedition or enterprise, to be carried on from thence against the territories or dominions of any foreign power or state, colony, district or people with whom the United States are at peace, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding \$3,000 and imprisoned for not more than three years."

Gov. Morton, of New York, recently refused to pardon John J. McKane, though a delegation, headed by the prisoner's son and daughter, implored the executive to extend clemency. Sympathy seems to have been the chief force at work in this case, and it is something which should be given no consideration whatever, if there has been a fair and impartial trial and no question of the guilt of the prisoner.

So far as can be judged from the expressions one hears the Federal appointments in this state are to be made with a view of harmonizing the party. This is a very worthy purpose and, if carried out, would contrast very considerably with the plan adopted for the distribution of patronage under Mr. Cleveland four years ago.

The convention which meets in Tacoma tomorrow to discuss municipal legislation ought to do some good. A similar convention held two years ago, while it may not have accomplished all that could have been wished, nevertheless brought forth many suggestions of value to those legislating upon municipal affairs.

Carnegie and Rockefeller have pooled issues on the iron business. The one owns the largest iron and steel working mills in the world, the other the largest and richest iron mines. Now, if the advocates of trusts are correct in their theories, we ought to see cheaper iron products than ever before.

It is thought that 12,000 applications will be filed by Ohio people for positions under the new administration. This is a very good showing, but if reports are correct, the state of Washington beats it in proportion to its population.

The Cubans now generally admit Maceo's death, but they don't accept the current accounts of it. There seems to be a good deal of mystery about it which will not be cleared away until the war has come to a close.

It is safe to say that there will be quite a general brushing up of banking laws in many states this winter, with a view of making depositors a little more secure than they have been heretofore.

The Spanish statesmen think they would have pretty good ground to stand on if it were not for the exasperating fact that Spain was the first European power to recognize the Confederacy.

Thus far there has been no suggestion of tacking a free silver amendment to the Cuban resolutions, but there is no telling what scheme Senator Teller may hatch up during the holidays.

It would appear that a good many sound money Democrats will not only not oppose a Republican tariff measure, but work and vote for it. The protection sentiment is waning.

Vancouver didn't seem to have a great deal of difficulty getting into these waters without a licensed pilot. He would probably not be in favor of a compulsory pilotage law.

The loggers have had a meeting, and the old-time friend, the log sailing bill, will be early on hand at the opening of the legislative session.

Ex-Senator Edmunds says Olney is all right, and there are few better constitutional lawyers than Edmunds.

Perhaps the present good roads convention will not formulate a scheme that is in every way perfect for the improvement

of our highways, but it will serve to start a discussion on this all-important topic which, in a few years, will bear fruit. There is no question in which the people of Western Washington ought to take more interest than that relating to good roads.

We don't imagine the officers and crew of the Three Friends will be adjudged sufficiently villainous pirates to be swung from the yard arm.

It is very safe to say that if Gen. Buckner runs for vice president again he will get the entire six votes of Dudley precinct, Kansas.

The Spanish authorities in Havana talk about the "mercenary, lying press," which brings back memories of Populist orators on the stump.

Just now politics must take a back seat in favor of good roads.

THE STATE PRESS. South Bend Journal: "Peace on earth and good will toward all men," but here's hoping that Wayler gets thrashed soon.

Olympia Capital: If the Colfax Commemorative wants a few examples in selfishness and prejudice, we can furnish them from the silver Republicans and Democrats in this county at any time on short notice.

Vancouver Register: J. S. Coxey has issued an open letter announcing his withdrawal from the People's party. We are sorry for Coxey, but we believe the party is better off without this "rule or ruin" class of leaders.

Chehalis Nugget: A too previous resignation proposes to abolish the office of assistant attorney general of the state. If this were done who would there be to look after the legal questions that will be sure to arise in the next four years?

Tacoma Citizen: A comparison of our extravagant, complicated system with the simplified and economical plan with which county affairs are conducted in many of the Eastern States is all that is necessary to condemn the reckless expense connected with the system in vogue here.

COAST PAPERS. San Francisco Report: The man has a bad—a hopelessly bad—case who can plead only that the newspapers of an American metropolis condemn him through prejudice.

Portland Telegram: When one realizes that after Christmas we shall have a revival of congress and Cuba, one can hardly restrain from regretting the brevity of the festive season.

Los Angeles Times: The Pleasantia post-office has adjourned under suspension of the rules for the want of a postmaster. And at night the ghost of Petroleum V. Nasby wails into space without response.

San Francisco Call: The decision of the court of inquiry on the sinking of the Texas, finding two navy yard engineers to be the "irresponsible causes," will probably be satisfactory to the people. It is easier to get two new engineers than to get another warship.

San Francisco Bulletin: On the whole, Frank Newlands' plan for a tariff congress is an excellent one. The gentleman from Nevada, if the silver idea could only be hatched by hypnosis, might stand in some danger of becoming a real, level-headed, practical man of affairs.

San Francisco Call: At a recent meeting of the protectionists in England one of the speakers said "the only ruler under heaven who has adopted the principles of the Cobden Club is the sultan of Turkey." The truth of the statement is beyond the reach of denial and the argument is weighty.

HITS OF HUMOR. "Such a dress must hurt the woman who wears it." "It hurts the woman who doesn't wear it more."—Detroit Tribune.

Clergyman—People should take a man at his word. Miss Shady-side—I think so. I've always been willing to.—Adams' Freeman.

Hewson—Say, what do they raise in these New York gardens? Newsom—Peaches, my dear boy; some of the loveliest peaches in the vandeville business.—Philadelphia North American.

NOTABLE PEOPLE. Mrs. Phoebe J. Clymer, of San Francisco, had been totally blind for thirty-six years. Last week recovered her sight. Her family believes that this was a divine dispensation granted to them in response to constant prayers.

The body of Henri Montagne, in India-China, who was killed by a tiger few months ago, was brought to Paris the other day and buried in Pere Lachaise, under the auspices of the Societe des Gens de Lettres.

It is said that Mrs. Humphry Ward wrote George Trevelyan four times over before it appeared as a serial, and twice more before she allowed it to appear in book form. It is also stated that £200 is her price for serial rights in England.

Miss Estella Mae Davidson, who was recently elected clerk of the town of New, has won success as a lawyer. After being graduated from the university of Nebraska she entered the law department of the university of Nebraska, from which she received a diploma.

Shakespeare mentions the cat twice, and each time with no evidence of liking for that animal. He makes Hotspr scornfully say, in reply to the vaporing of Glendower, "So it would have done if your mother's cat had kilted," and in "Richard" he calls puss a "fool, night-walking" cat.

The widow of that Earl of Cardigan who commanded the famous charge of the Light Brigade at Balaclava, so graphically described by Tennyson, is the pay-son of Queen Victoria. The latter widow adopted the title of Countess of Cardigan, but when the widowed Lady Cardigan married a Portuguese nobleman named Count Lancaster, she at once assumed the title of Countess Lancaster, and declined to heed any of the hints that were conveyed to her by people at court on the subject. The result has been that the queen has been forced to abandon the use of the Inconceivable name of Countess of Lancaster when traveling abroad, and now writes herself Countess of Balmoral.

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When a man owns a blooded horse he is always careful of its health. He looks after its diet and is particular that the feeding shall be regular and right. While he is doing this it is likely as not that he is himself suffering from some disease or disorder that if left to itself will go on and on till it develops seriously.

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