Washington Standard

OLYMPIA, WASH.
FRIDAY MORNING, APRIL 3, 1908.

Drifting from the Moorings.

One of the most important decisions of the U. S. Supreme Court, was announced on the 23d ult., when that august body refused to grant Attorney General Young, of Minnosota, a writ of *habeas corpus* releasing him from the penalty imposed by the Federal Court for that district, on a charge of contempt by instituting a proceeding in a State Court for enforcement of the railroad rate law, after the Federal judge had prohibited such a course. The highest court likewise affirmed the decision of Federal Judge Pritchard of the U. S. Court for the Western district of North Carolina, and discharged from imprisonment James H. Wood, a ticket agent of the Southern Railway at Ashville, after he had been sentenced by a State Court to serve a term on the rock-pile on a charge of selling tickets for more than the maximum rate fixed by statute. On application, Judge Pritchard promptly issued a writ of *habeas corpus* ordering his release.

It is claimed that the jurisdiction of the Federal Court is to be exercised only when the State enactment is found to be a violation of the U. S. Constitution, and in such cases a duty seems paramount with the State Courts to see that its provisions, which are declared in the document itself, to be the supreme law of the land, anything in State laws to the contrary notwithstanding. This being considered, and the claim that the provisions of the State laws have been excessive in affixing penalties, so much so as to threaten the service as common carriers of passengers, freight and U. S. mails, and the rates had become confiscating and therefore unconstitutional. When State laws result in this unfortunate condition, Federal Courts, it is claimed do not usurp authority by assuming jurisdiction.

Judge Harlin, in dissenting, in the Young case, held that the suit was practically a proceeding against the State, and therefore inadmissable under Art. XI., of the Constitution of the United States. He said that the effect of the decision was to close the courts of a State against itself, and predicted that the result would be disastrous.

While the action of the Court of highest resort must, of course, command respect and be obeyed, it will not be forgotten that it has been strictly partisan whenever it comes to a part where its prejudices may sway poor mortal judgment. The electoral commission showed this; the income tax bill confirmed it, and now the scheme for centralization of the powers of the government under the tutelage of the "Irrepressible One," finds ready adaptation of ideas, so far as practical, to advance that object. This being such a self-evident fact, it behooves the people to place in power those who have ever maintained the belief that the constitution and government were made for the people to safe-guard their rights as a free nation. Let us note the handwriting on the wall while there is yet time to avert disaster.

WOULD PROHIBIT FREE LUNCHES.—The restaurants of Tacoma are fighting the free lunch counters, kept by the saloons, which they allege deprive them of legitimate custom by offering a premium on drinking, and promoting an insidious and pernicious method of inducing a greater use of intoxicants. They petition the Council to prohibit by ordinance the furnishing or giving away any articles of food in the saloons. The saloon men have organized and will protest on the ground of unconstitutionality of such a law.

THE HIGHEST JUDGMENT AND THE LOWEST.—Judge Landis who imposed a fine of $29,240,000 against the Standard Oil Company, for rebating, about a year ago, has imposed a fine of one cent against a workingman, for writing a dun in language more forcible than elegant, on a postal card, against a doctor who refused to pay a debt of two dollars he owed him. The Judge in announcing his decision said: "The penalty in this case is five years' imprisonment, but I'll fine you one cent and you needn't pay the costs."

ANOTHER BIG SHIP REACHES PORT.—The twin-screw steel freighter Columbian, arrived at Tacoma a few days ago, to load with 7,000 tons of freight for the Hawaiian Islands, where she will take on a 17,000-ton cargo of sugar for a port in Mexico. This big ship can carry oil in tanks for fuel to run her 14,000 miles, about 17,000 barrels. She belongs to the Hawaiian Steamship Company, and was built by the Union Iron Works, of San Francisco.

COVENT GARDEN, London, (an abrevirtio for Convent Garden) takes its name from having been, originally, the garden of Westwinster Abbey, a square celebrated for its great market of fruits, vegetables and flowers. It was in olden times a very fashionable part of the budding city, and in its proximity were the residences of many prominent people.

THE Chinese, displeased with the Tatsu Maru incident, are engaged in a bitter boycott of Japanese trade, and Japan has asked China to take steps to prevent this method of retaliation. This condition of affairs may lead to further trouble.

Let's Try to Make It Plain.

What more effective object-lesson can be disclosed for deterring capital than a struggling public enterprise covered with barnacles and leeches sucking its life-blood as a price of immunity from abuse.

Our much-respected contemporary, the *Olympian*, pretends that it does not understand what this paragraph means; that it is "dense," and needs elucidation. This is our reason for assuming the task of explaining what we surely thought would be recognized and admitted as a self-evident proposition. It leaves in doubt, however, whether or not the our neighbor may belong the Tallyrand school of diplomats, and extreme caution impels him to hide his head in the sand to escape pursuit. Perish the thought that he may belong to that other chass referred to by Indian Superintendent Kendall in days of "auld lang syne," when an Agent on one of the reservations wore out his patience by requests for explanations of orders issued from the head office. At last forbearance absolutely ceased to be a virtue, and elicited a volley from Supt. Kendall's always expressive tongue which souded somewhat like this: "See here, dang it; I can give you instructions, but I can't give you brains to understand them!" As intimated, we are inclined to reject the latter presumption, and will assume that the former hypothesis is true, and patiently assume the task of demonstration of a theorem.

The inquiry made by *Oly* is who are the "barnacles and leeches" that have bled "struggling corporations." Very well. Yes, let us reason together. In alluding to leeches, who, tell us, could we have meant but those autoperipatetic talking-machines employed by the elder twin who so continuously, so persistently, and so offensively, at times, traversed the whole town, to demand patronage as a *douceur*, whether it have been for wares, sold and delivered, or for prospective benefits that are so dense as not to bear the slightest outlines of probable results, and solicited with a tang to the words that implied a "roast" should opportunity offer and an order not be given. A leading business man (in no way connected with the Light and Power company, as officer, employee or stockholder) stated to us that it was just like pointing a pistol at his head when one of these canvassers placed a diagram before him with alloted space and price all arranged for immediate acceptance, and the verbal intimation "We think we can make it to your interest to give us an order." To make it more plain and remove all possibility of a charge of "density," we state that this citizen whose business was and is both legal and honorable, regarded the demand just about as Mr. Heermans, President of the Olympia Water Co., did the demand of the ex-boss, now a matter of court-record, in which immunity from abuse of one of the twins and favor of the city Council was promised for five hundred dollars blood-money.

As the twin that has thus time and again "roasted" the Water company, the Light and Power company, and favored a rival to our very excellent telephone service, it stands to reason that probably less *raw* methods have been adopted than where there was a crime to condone, in which a divy of "thirds" and "halves of thirds," told of by Mr. Gilbert under oath, were successful. If the alleged Levins graft was unsuccessful, it was doubtless owing to the same cause that poor Oliver Twist was refused a second instalment of treacle and brimstone when he held out his spoon for more.

Time was when the *Recorder* manifested all the leech-like proclivities, whether it got its proportion of the "half of a third" whack-up or not, and from the evidence displayed that it has not gorged itself, the assumption is fair that others would not have had better success had they adopted the methods of the footpad. No newspaper merits success that lives upon patronage that is not voluntarily accorded for merit of some form or other. The judgment of the public is unerring in that matter. It is proper, therefore for us in accepting the challenge to cite the infamous Thacker methods for "addition, division and silence," enforced by flourish of a club, as well as the stilletto thrusts to injure a hated rival by accepting legitimate business at starvation prices.

AN Eastern inventor has devised a refrigerating apparatus that will pipe ice-water all over the largest hotels. You turn the faucet instead of pushing the button to get a glass of ice-cold water. The cheerful click of the ice-pitcher will be no longer heard, but the omission of a silent tip to the bell-boy will be some compensation.

WHAT is the use of talking about the faults in construction of battleships when we have not yet learned how to build hotels, theaters and school-houses so as to protect life or property? Let inventive genius and official determination be turned in that direction, if the greatest aid to the largest number is the object of solicitude.

THE automobile racers got through to Chicago, making the last 12 miles in ten hours.—*Ex.*

They probably did as the school-children in the olden-times, in swinging "let the cat die," from necessity after their long run.

AN exchange says a Los Angeles, (Cal.) man has accidentally swallowed a lead-pencil. That's nothing; let him swallow an eraser and patiently await results. Nature will probably do the rest.

Expensive Partisan Grafts.

The railroad commission having expended nearly the $78,000 appropriated by the last Legislature is calling for new funds. It seems there is enough money on hand with which to pay the salaries of the members till next January. They might take a trip off to Europe for the remainder of their terms, for all the good they are doing the people in this State. The *Oregonian* thinks this body has accomplished one object, by showing that Portland has a better market for the products of Eastern Washington than Puget Sound ports. It had been hoped the Commission, with the assistance of the railroads, might show a valuation of railroad trackage and equipment which would form an equitable basis for taxation of these corporate interests, and assist the Tax Commission in that respect. But there seems to be slight hopes in that direction. The members of this latter board may know as individuals that railroads pay only proportionally a fraction of their dues as taxes, as compared with the average home-owner, still they may not know it officially and let the corporations escape by paying a small percentage of their dues to the public. There is a precedent for such action, in the California Schmitz case, as the indictment under which Schmidt was tried did not allege that at the time of the extortion from the restaurant-keepers, he was mayor of San Francisco, though the fact appeared by the record and was a matter of general history, of which judges are supposed to take judicial cognizance, still the court would not assume knowledge of this fact, and therefore said the ex-mayor was not guilty. Owing to the recent high State tax levies, the people in different sections of the State, will watch with interest this matter of railway property taxation. The tax board should take the figures as to valuations of such holdings at once, as the same appeared on the evidence at the hearings before the Railroad Commission, and fix a just basis of valuation. Otherwise the Commissioners will have to furnish to the public an excuse for their existence.

In view of the recent decisions of the United States Supreme Court in the Minnesota and North Carolina railway cars, curtailing the power of State legislatures or commissions to fix rates, it would seem akin to folly to make appropriations to carry on the farce. The members of these bodies belong to one party, and are no more nor less than are integral part of the State political partisan machine maintained at the public expense.

Another Stupid Professor.

Another educational headlight, Dr. H. Johnson of the University of Indiana, has made himself ridiculously notorious, if not memorably infamous, by the declaration that the Government should afford a pension of $100,000 a year for ex-Presidents, or they be "taken out and shot." Probably the irrepressible occupant of the Presidential chair at the present time, may vigorously contest the opinion that he will emerge from his official duty entirely incapacitated for other work and denounce him as a nature-fakir and liar, but that does not matter. To admit an exception, would break the rule, which to be tolerated should be without any exception.

The Professor assumes that all Presidents left the executive chair poor in purse as well as in mental poverty, which is by no means the case. A former article in these columns has shown that all the President's retired "well fixed" financially, for the remainder of their days, except Thomas Jefferson, U. S. Grant and Wm. McKinley. The first of these was well off when he retired from the Presidency, but spent money with a lavish hand at Monticello. Congress bought his library, paying him $28,000, and this was economically used in his declining years.

Grant was a fast liver, but saved money while President, and lost much of it after his second term expired; but this was not surprising for he was never a success in business matters. William McKinley went into office financially embarrassed, but by frugal management and aid of his friends, was accumulating money when the assassin's bullet ended his days.

It is a notable fact that the suggestion of a pension for ex-Presidents comes from Grover Cleveland, the only one that might be benefited, and that he is rated as a millionaire, Prof. Johnson is only playing "second fiddle" to the idea.

AT least District Attorney Jerome is showing a fine example of activity in fighting the proceedings to remove him for inactivity.—*Ex.*

Yes; and that is what lawyers would call a *meum et tuum* proceeding, which comes under the same exceptions noted in the famous case of "Your Bull and My Ox."

THE Commissioner of Immigration has decided that he cannot legally deport Emma Goldman, the woman anarchist. Has he tried advertising "bargain counter sales" over the sea?

IF it be true that Prof. Lowell has discovered water on Mars, would it not be well to encourage colonization of the present superabundance of prohibitionists on that war-like planet?

IT will be observed that every time the President turns on the spigot, Mr. Bryan knocks out the bung.

DEMOCRATIC COUNTY COMMITTEE.

Holds an Enthusiastic Meeting and Selects Time and Place for County Convention.

Pursuant to call, a meeting of the Thurston County Democratic Committee was held at the Kneeland Hotel, last Saturday, at which there was a full attendance, and as well of many old-time Democrats and late accessions, drawn together by the growing importance of political effort.

Chairman Schomber called the meeting to order at 11 A. M. After a few routine preliminaries, the meeting adjourned to 1 o'clock P. M.

On reassembling, the fixing of a date for the County Convention to nominate delegates to the State Convention to be held at Spokane, May 18th was declared to be in order.

After considerable discussion, it was on motion carried that Saturday, the 9th of May be declared to be the time and this city the place for holding said convention, to meet at 11 A. M.

On motion, John Miller Murphy, David Mitchell and James Dever were authorized to secure a hall for holding said meeting, and it was further decided, by motion, that it be in the form of a Mass Meeting.

On motion, a committee was appointed to secure speakers for brief addresses at the convention, consisting of Murphy, Steele, Troy, Doherty and Dr. Mitchell.

On motion, a vote of thanks was tendered, by rising vote, Mr. Schomber for courtesies extended as Chairman of the central committee, as well as the careful, conscientious and able manner in which he has discharged his duties as County Treasurer.

A motion carried thanking Mr. Kneeland for his kindness in furnishing a room for the present meeting.

Mr. Kneeland in response, said it was a pleasure to entertain the supporters of our world-known champion, William Jennings Bryan.

On motion, the meeting then adjourned, subject to call.

DAVID MITCHELL, Sec'y.

IT WILL BOB UP.

A Few More Words on the Same Irrepressible Subject.

BOSTON, March 26, 1908.

EDITOR STANDARD:

The excessive taxation which has confiscated so much property, impoverished so many good citizens, paralyzed the growth and prosperity and threatens the future of Olympia, is a matter of vital importance to every man, woman and child in your city, that personal abuse of one who protests against such confiscation has no possible bearing upon the question, and can only be actuated by private malice, or a design to obscure the real issue. In either case, such attacks are unworthy of notice and are best treated with silent contempt.

It is a mistake to suppose that the men of property, those who own real estate especially, are the only sufferers or even the chief sufferers. They can sell, or have confiscated their real property, and those rich in personal property can either hide it, or move elsewhere, and that is precisely what many have done. But the greatest sufferers, and the most helpless, are the people of small or moderate means, people who have their modest homes and are trying to make a living and get ahead in the world. The direct burden of taxes upon them may not be heavy as they own little, but the indirect injury by driving away capital and enterprising men, and stopping the growth of the town and the prosperity of the community, is very real and very great. You can name scores of first class and able men who in our time have left Olympia, frozen out and discouraged, for their own good and the city's injury, and with scarcely an exception they did better in their new locations. Is this exodus to continue unchecked, or have your citizens enough sense and grit to put a stop to it?

I firmly believe they can and will do so, notwithstanding they have been too patient and long-suffering in the past. Permit me to make a few practical suggestions as one deeply interested in the welfare of Olympia, both as a property-owner and from early associations, hoping they will be taken for what they are worth without prejudice as coming from a despised "Bostonian and non-resident."

Have committee investigate the court expenses, the expenses, of the county commissioners, of the school directors, and of the city, and ascertain where they can be reduced fairly. Then call upon these officials to trim their sails accordingly and at once. At the next election require a pledge from every candidate that he will keep within these bounds, and pledge them to tax levies not to exceed specified limits.

An organization of earnest men, who resolve no longer to submit to legalized robbery, can correct this abuse. HAZARD STEVENS.

ONE WAY TO REDUCE COMMUNITY PROPERTY COMPLICATIONS.—The references in last week's STANDARD to "Community Property Complications," has caused some comment on the part of professional and business men. The position has been taken that these complications, in a great measure, may be avoided in the matter of probate procedure, by the spouses entering into a written agreement, under the law of this State, regarding the division of community property on the death of either husband or wife. In such case, the matter might get before the court, for ascertaining whether any State inheritance tax is due, or the *status* of the property with regard to outstanding claims might require in adjustment. Moreover, unless the property shall have been described in the contract or by schedule, the services of an administrator or executor may be required to make an inventory for the purpose of identification.

DURING the last year the number of depositors in New York savings banks increased 45,000, and they put in $18,000,000.—*San Francisco Index.*

This year, however, in the pivotal State, they are "depositing" in safety vaults and old stockings, and the number of depositors and deposits has materially decreased. "A burnt child dreads the fire."

THE whole of Chile is traversed by an almost uninterrupted chain of volcanoes.

RUSSIA proposes to spend in ten years a billion dollars for battleships.—*Ex.*

That's all right, if she adopts modern methods, and does not weight them down with an armor that renders them unmanageable, as she did her Cossack soldiers.

THERE are 100,000 ostriches in the Oudtshoorn district, Cape Colony, the average annual value of the feathers yielded by each bird being $35.

IN the Superior Court of the State of Washington, for Thurston county.

In the matter of the estate of Mary Giddings, Deceased.

Probate No. 1102.

Notice is hereby given that David Mitchell, as executor of the above named estate, has filed in the above entitled court his return and report of the sale of real estate described as follows:

The NE ¼ of SW ¼, and N ½ of SE ¼ of the SW ¼ of Sec. nineteen (19), Tp. Seventeen (17), N R one (1) West, Thurston County, Washington.

Said property having belonged to Mary Giddings deceased, said report having been filed in this cause on March 25, 1908. That an order has been made fixing Monday, April 6, 1908, at ten o'clock A. M., and the court room of the above entitled court at Olympia, Washington, as the time and place at which any and all parties interested may show cause, if any they have, why such sale should not be confirmed by the court.

Witness, the Honorable O. V. Linn, Judge of the above entitled court and the seal of said court attached hereto.

[SEAL]

W. M. NUNN,
Clerk of the Superior Court of Thurston County, Washington.

First publication, March 27, 1908.

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" 21 " the best iron-clad, all sizes, 25c linen knee
" 99 " " very best 4-thread Lisle hose. This hose comes in white, tan and black, sizes 4 1-2 to 10, retails up to 7 at 25c; 7 1-2 to 10, 33c.

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We have the flare top, at 33c, 37c, 50c and 75c.
We have the fancy hose, in blacks and colors, 17, 25c, 33 37c, 50c, 75c, 89c, $1 and $1.25.
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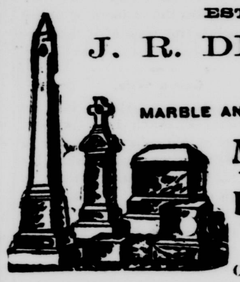
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