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WEDNESDAY, FEBRUARY 19, 1908.

The Inflation Section of Gas Law Should Be Repealed.

Some people who do not understand the situation, and some others who want it to be misunderstood, are engaged in circulating the impression that there is now no need to repeal the section of law which the Court of Appeals recently held to be unconstitutional.

This is section 5 of the act of June 6, 1896—the section under which the gas companies are trying to double their capitalization. The highest court in this district has held that the law is unconstitutional, and has pointed out that, whether constitutional or not, it is a vicious act.

It must be understood that to repeal this section is the only way to guarantee against ultimate success of the inflation conspiracy. It is by no means certain the Supreme Court of the United States will hold the act unconstitutional.

The mere fact that a law is vicious, dangerous, and ought never to have been passed, is no guarantee that the courts will hold it unconstitutional.

Congress need not fear to correct its own mistake. That law is a bad law. It was passed by Congress, not by the courts. Its repeal will be a reflection on the people who jobbed it into the statute books, not on the courts which have been asked to decide whether it is valid.

No rights have vested under the act as yet. If it remains on the books, rights will ultimately accrue under it, provided it is finally held valid, and then there will be no escape for the people of this District from continued extortion in gas prices.

The lesson of New York ought to be impressed on Congress. New York tried to enforce an 80-cent gas law, and it was declared unconstitutional because confiscatory. Why confiscatory? Simply because the gas companies had been permitted to overcapitalize themselves many millions, and this excessive capitalization having got into the hands of innocent holders, the courts held that it could not now be deprived of its right to earn some return.

Under the New York decision, it is pointed out clearly that the way to protect the public is to prevent inflation, to make it impossible to over-issue capitalization.

Here in Washington a complaisant Congress has not only failed to take steps to prevent inflation, but has been kind enough to the gas interest to provide the procedure. The gas act of 1896 was and is a scandal. It was and is a disgrace to the Congress that passed it. It will be a disgrace to this Congress if this Congress permits it, under any specious plea, to remain on the statutes.

Not One. One branch of our city council is now considering the District budget for the next fiscal year. At the outset and all along the line it will be brought nose to nose with this dilemma:

If needed permanent improvements, such as the reclamation of the Anacostia flats, are to be paid for from current revenues, the money therefor must be taken from the schools, the Police Department, and every other branch of the District government.

So far, Congress has chosen to cripple the government rather than draw on its credit. This year the people of the District ask:

How many Representatives and Senators serving on the two District Committees would propose such a program for their home towns?

Judging by the history of those towns, the answer is prompt: Not one.

Back to the Pie-Counter. Good administration or party spoils?

That choice is to be made by the Republican leaders of this Congress. It is precipitated by the prospective employment of extra clerks required for the next census. If the party larks to the faithful henchman out among the rank and file it will give the opposition a fine text for an appeal to every other voter class of the voters.

On the other hand, it would be hard to find a worse time to offend the men who gather in the faithful at the polls. The issue has been skillfully clouded. Argue the party men: If Congress says nothing whatever on the subject it is possible for the President, under the original civil service act of 1883, to include these clerks within its safeguards. Any plea that the clerks should be employed only after a competitive examination is, therefore, easy to deny. But the law does better than keep still on the subject. It goes far enough to provide that there shall be an examination, and that it shall be conducted by the Civil Service Commission. What more could even the doctrinaire desire?

Well, the doctrinaire with his wits about him will desire at least the

DOLPHIN'S CREW AT DANCE PUTS OFFICERS TO SHAME

Pride of Uncle Sam's Heart at Navy Yard Hall Makes Merry Till Wee Sma' Hours of Morn.

When the marine trumpeter sounded assembly at the Navy Yard hall last evening he called to the floor scores of pretty maidens who loomed proudly on the arms of the pick of the United States Navy, the crew of the U. S. S. Dolphin. And right good reason they had to be proud of their escorts, too. Every man jack of 'em was as immaculate as the daintiest midshipman ever produced at Annapolis, and with all their instruction on the graceful carriage of the body the junior officers of the navy would have been put to shame had they been compelled to enter into competition last night with the Dolphin crew.

The dull routine of a warship in port was forgotten and the sailor boys devoted themselves to the ladies, happy in the knowledge that no other port in the world could produce such a beautiful picture.

The program gave the best illustration of Jack's nature. It was so arranged that, with the blank places filled in, it might read something like this:

Dance Music. The "Yankee Tar" said "Take Me on the Rollers" of "Ramona" and carry me back to "School Days," where I met "La Sorella" "Somewhere" in "My Maryland." She was "The Jolly Widow" He was "The Yankee Doodle Boy," who said "Let Me Have the Next Dance With You" and she smiled consent when she said "Honey Boy" "To Live, to Love, to Die" "She Was a Grand Old Lady" murmured Jack, just like "Senora" or "Mintonek Jane," with eyes like the "Blue Danube" and "Kohinoor" as "Pettie Tonkinise," the last girl to whom he sang "Good Night, Ladies." The Navy Yard ball was beautifully decorated, the men having put in their spare time converting the bare hall into a ballroom, under the direction of an

Prince and Pauper Revel In Realm of Merry Momus At Gay Saengerbund Ball

A cowed monk flitted desperately with a German bar maid; mamma's boy cavorted with a Spanish dancing girl, and a dignified professor upset to the lights with a little fool girl last night. A tenebrous paid court to a maid from old Japan, an invulnerable bachelor fell captive to a country maiden, and a French grand dame in powder and wig associated openly and amiably with an American hobo.

Other anomalies there were, plenty of them, at the masque ball of the Washington Saengerbund, held at National Rifles Hall. Representatives of all ages and nations responded to the call of King Carnival and made merry.

Costumed pirates of the Spanish main rubbed elbows with fine ladies in silks and satin, and a tramp gallantly escorted a Russian princess. Four rubes wandered aimlessly through the glittering throng with signs on their backs—"We are looking for the cars to the Union Station," and Mother's Angel Child went because a clown ran away with her bottle.

While the breath of romance pervaded one end of the hall as Romeo and Juliet glide through an entrancing waltz, at the other end a missing link was doing his best to make life miserable for an Italian belle.

For three hours this melody of nations and caste and follies held sway, paraded and danced and held high jinks. And then, at the end of the evening, were awarded the merry-makers with the best costumes, and then again the jollity continued, but this time among people who waltzed and twirled and danced with girls and boys of Make-Believe Land.

One of the features of the masque was a game of pretty fencing girls, which went through a fencing drill in the center of the hall. Adroitly they made pass and parry. Their foil ran; as they clashed, the hall echoed with the applause of the spectators. The main contest of Miss Sophie Mann, Neida Wallington, Martha Pink, Mammie Pink, Elizabeth Leuchring, and Bertha Langie.

Albert Lepper, chairman of the committee in charge of the affair, with his associates, all topped with the jester's cap and bells, kept things lively during the night. The prizes for costumes were awarded as follows: Lady, character mask, silver service, Miss Gundlach. Gentlemen, character mask, \$20 gold piece, Robert Fryer. Lady, most original mask, guitar, Mrs. R. Schneider. Gentlemen, most original mask, cigar case, Otto Horwarding. Lady, best burlesque mask, umbrella stand, Miss Julia Moore. Gentlemen, best burlesque mask, fancy vest, Mr. H. Shaw. Lady, most comic mask, umbrella, Mrs. L. Schott. Gentlemen, most comic mask, umbrella, T. J. Trodden, Jr.

CHIPPWEAS ENLIVEN COSMOS CLUB PRECINCTS

The walls of the staid Cosmos Club resounded last night with the songs, war whoops, and dances of full-blooded Chippewas Indians, when Miss Frances Donmore, of Red Wing, Minn., lectured on "The Music of the Chippewas," and was aided by a practical demonstration from three Chippewas who happened to be in Washington.

Miss Donmore has been studying Indian music for thirteen years and gave an interesting analysis of its many forms and interpretations for the benefit of the Anthropological Society before which the lecture was given. The three Chippewas Indians, who appeared in native dress, war-paint, feathers, beads, etc., are representing their tribe before the Government. Their appearance gave the lecture a most realistic aspect.

PROSECUTION OF RAILROADS DELAYED FOR INVESTIGATION

Millions of acres of land worth millions of dollars are involved, according to Senator Heyburn, in the Fulton substitute for the Tillman resolution, which has been favorably reported from the Judiciary Committee, authorizing the Department of Justice to begin suits against the land-grant railroads to force them to comply with the terms of their grants. Preliminary to prosecution, the Attorney General is to make an investigation to ascertain if the roads in question are refusing to dispose of their lands to actual settlers, in compliance with their grants, and are holding back these lands for high prices.

CAPTAIN LEMLY DETACHED.

Capt. S. C. Lemly, U. S. N., retired, has been detached from special duty under the Navy Department, to take effect February 29, and is ordered to his home. Captain Lemly has been engaged in revising and codifying the naval laws and regulations.

FLAGG'S RESIGNATION ACCEPTED.

The President has accepted the resignation of Capt. Charles E. Flagg, assistant surgeon, to take effect April 15. Captain Flagg is a native of South Carolina and was appointed to the army from that State in 1880. He was promoted to the grade of captain and assistant surgeon in May, 1888. Captain Flagg holds the degree of M. D. from the University of Georgia, class of 1880.

ACCEPTS RESIGNATION

Secretary Metcalf has accepted the resignation of Passed Assistant Surgeon E. C. Taylor, and Surgeon Taylor is relieved from duty at the Naval Hospital, New York-Lyon, Col., and ordered to his home.

MAGOON BOOSTERS LOUSE ANXIOUS AIR

Provisional Governor of Cuba Not in Danger of Forced Promotion.

Friends Say He Is Not Likely to Get Taft's Place.

Charles E. Magoon, provincial governor of Cuba, is not in so much danger of being Secretary of War as he was popularly supposed to be some time ago. Governor Magoon is reputed to have lost a good deal of reputation during his term of service in the Pearl of the Antilles, and report is that his superiors, especially Secretary Taft, are not nearly so anxious to do things for him as they used to be.

Governor Magoon used to be pointed to as another Taft; a man who had carved for himself a career out of the opportunities of the colonial service.

Government of Philippines. He was going to be governor of the Philippines, but Panama required attention, and he was sent there to be boss of the canal zone. To his credit he made no failures until he reached Cuba. Whether he has failed there is perhaps a moot question as yet; but certain it is that he does not stand so well with the authorities who have to view his transactions, as he once did.

Cuba has been the making and the unmaking of a good many reputations since it became intimately related to the United States. Governor Magoon was sent to straighten out its affairs after the American occupation, and he was regarded as exactly the right man for the place.

But it is said that when he found himself confronted with problems as rapidly as they were presented at Havana, he showed his nervousness. It is charged that he manifested no confidence in his own judgment, and became a suppliant for the favor of advice and counsel so often as to make his communications unwelcome.

Position Difficult. He found Cuba in a sadly up-torn condition, and his own position as temporary viceroy difficult in the extreme. He found graft rampant in Havana, and the means for its suppression few and inadequate. He found Americans protesting that they were given little consideration, and urging that the anti-American sentiment was actually injuring American business while American force was maintaining order in the island.

As a result of these conditions, it is alleged, Governor Magoon stored up a choice collection of troubles and brought them up to Washington some days ago. He is especially charged with unwillingness to shoulder responsibilities for details concerning which the President's wishes of the Administration here. It is claimed that he has lost standing with Secretary Taft, and that the President as well, because of this hesitating and uncertain attitude. That he will remain in Cuba so long as the occupation continues is fully expected, and that there will be some great promotion ahead after that is doubted by people who had occasion to observe the attitude of his superior authorities.

BIG STICK, NEW DRINK; ONE CURES RUM HABIT

WINSTED, Conn., Feb. 19.—The Big Stick, the name given to a new drink by Winsted bartender which is said to be much more powerful than a Fairbanks cocktail. The micrologist says he makes three quarts at a time and that such a demand has been created for "the big stick" that he is kept busy preparing it. Here's the recipe:

Cut up four sticks of slippery elm, six figs, two oranges, three lemons. Put in one stick of horicore, two onions sliced, one-half pint of rock candy syrup, and fill with the strongest rye whiskey and let it stand for a week. A complimentary bottle will be sent to the President.

REPUBLICAN STATE CLUBS TO GIVE BANQUET APRIL 25

Arrangements to hold a campaign rally and banquet at Masonic Hall April 25 were made at a meeting of the executive committee of the League of Republican State Clubs last night. Plates will be laid for 450 persons. President Roosevelt will be invited to speak, as will Secretary Taft, Governor Perkins, President Fairbanks, Speaker Cannon, Senator Knox, Secretary Cortelyou, Senator La Follette, and Senator Foraker.

WILSON PASSES ON BILL FOR PURSER AT ASYLUM

Representative J. Van Vechten Olcott has forwarded to the Commissioners a bill to provide for a disbursing officer for the Government Asylum for the Insane at a salary of \$4,000 a year. Mr. Olcott requests the views of the Commissioners on the matter.

NOMINATION CONFIRMED.

The Senate has confirmed the nomination of Merritt O. Chance, of Ohio, as auditor for the Postoffice Department. At the next executive session the nomination of L. A. Coolidge will probably be confirmed as Assistant Secretary of the Treasury. His confirmation has been requested by Senators Lodge and Crane.

SENATE WANTS REPORT ON COMPLAINTS OF BANKS

Senator Culberson's resolution directing the Secretary of the Treasury to inform the Senate if any national banks outside of New York city complained between October 1 and November 15 of refusal of New York banks to pay obligations in cash, was passed by the Senate yesterday afternoon without opposition.

ACADEMY APPROPRIATION BILL.

Senator McHenry has introduced a bill appropriating \$125,000 for finishing the crypt of the chapel at the United States Naval Academy as a permanent resting place for the body of John Paul Jones. The Secretary of the Navy is empowered to carry out the project.

TAFT BOOM ON ITS FEET; HITCHCOCK'S THERE, TOO; AND CHAIRS ARE NOWHERE

The boom for Secretary Taft is on its feet. This condition of Presidential politics, strange to say, is not due to the wild enthusiasm of the enthusiastic friends of the Secretary of War. Neither is it the immediate result of the Secretary's tour, which is just now agitating rugged and snow-capped New England. But the boom is on its feet, nevertheless, and the furniture man is responsible. He hasn't delivered the goods. There is a nice suite of offices owned by the Taft boomers in the Union Trust Company building. The offices are there, but nothing else. Not even a common ordinary kitchen chair. Consequently, the Taft boom is on its feet.

Frank H. Hitchcock, the chief boomer, also is on his feet, and he and the boom are surely going to get flatted out soon. When a politician walks into the new Taft headquarters he finds Mr. Hitchcock standing in the middle of the floor. Mr. H. smiles his genial smile, extends his hand and says: "Ah, good morning. Be standed." After lighting cigars Mr. H. and his visitor lean back comfortably on the built-up chairs, and their shoes and proceed to business. If the political talk happens to be a short one the posture remains unchanged. If it is prolonged the conferring gentlemen move slowly, but surely in the direction of a nearby and friendly wall.

Arrived at their destination Mr. H. and his friend look at the bare room, and then lean their shoulders up against the wall, where, face to face, and each shorn of his dignity, they discuss Presidential possibilities.

PROFIT FOR BANKS IN CERTIFICATES

Failure of Public to Cash Is a Harvest for Financiers. The financial sharps are now trying to calculate how much profit the national banks have made from the issue of clearing house certificates and certified checks, such as were used at the height of the money panic.

From Milwaukee comes the statement that, although for a long time the banks have been asking holders of these securities to bring them in and get real money, there is still over \$25,000 of them outstanding.

One of the Missouri river cities sends the story that the banks were paying in cash for three weeks before the community realized the fact or assumed to care about it. The banks resumed acceptance without saying anything about it in order not to encourage a rush for cash.

The result was that the resumption had been accomplished and business resorted to, and so the banks actually knew it. As soon as people discovered that they could cash their certified checks at any moment they lost interest in doing so and many of them are still abroad.

One city reports that the banks are assured of a 2-cent profit on their circulation because the people are holding out a great many of the checks as well. Efforts to get them in have failed entirely.

It is said that the profit on these checks in many places has been as high as 5 per cent of the total amounts issued.

Members of House Cruel and Harsh to Mr. Crumpacker

Members of the House were cruel to Representative Crumpacker of Indiana, while he was explaining the provisions of the bill his committee has reported for the taking of the next census. They made him look red and careworn.

Crumpacker had climbed out of the buried recesses of the room devoted to the Committee on Census, and had found his way to his seat in the House. He was loaded down with legal lore, and lore about how to take a census. He used this lore and one gesture in impressing his views on the House.

The members, however, asked him about Guam, Porto Rico, and the canal zone. They nipped him with questions, and badgered him with suggestions. The following quotation from the Record shows what they did to Mr. Crumpacker throughout a space of two hours:

Mr. Perkins—I would like to ask the gentleman a question. Mr. Crumpacker—I yield to the gentleman.

Mr. Perkins—It is provided here to extend this census to Guam, Porto Rico, and some other places. Is it supposed that to take the census at these outlying districts we will have to send clerks from our country to Guam and Porto Rico?

Mr. Crumpacker—They may be. We do not provide for any special machinery for the census of those districts.

Mr. Perkins—Does the gentleman think it would be worth while to send people from here to Guam to find out the statistics of that little island? Mr. Crumpacker—It perhaps might be; they have 10,000 people there. I should like to know how many dollars does the gentleman think it would cost to send enumerators over there to find that out?

Mr. Perkins—Probably \$1 a head. Mr. Parsons—I will state to the gentleman that Guam is under the Navy Department, and they could detail an officer of the navy to take the census. Mr. Crumpacker—We have a provision in the bill that would detail officials from other departments.

Mr. Perkins—As it is extended to Porto Rico, is it your idea that the canal zone, or will they have to be people sent from this country? Mr. Crumpacker—The enumerators before were appointed under authority of the Secretary of War, in 1890, and were natives of Porto Rico.

Mr. Garrett—Mr. Chairman, I should like to ask the gentleman if he does not think there is very grave doubt about taking the census of the Panama canal zone at the present time?

TARGET PRACTICE OVER; CRUISERS OFF TO COAST

The Navy Department has received advice from Magdalena Bay, to the effect that the heavily-armed cruisers Nebraska, West Virginia, Maryland, Tennessee, Washington, Pennsylvania, and Colorado have completed their target practice in Magdalena Bay and have left for the California coast.

The Nebraska will go to Santa Barbara, the West Virginia to Maryland, Tennessee, Washington, Pennsylvania and Colorado to Breton, Wash. The larger type of vessels at Magdalena have completed their target practice and the range will undoubtedly be clear when the battleship fleet under the command of Admiral Evans arrives.

LIUT. WILLIAMS IN HOSPITAL.

Lieut. R. Williams has been relieved from duty at the naval proving ground, Indian Head, Md., and ordered to the United States Naval Medical School Hospital in this city for treatment.

BLOCKS REDUCTION OF POSTAGE RATES

Proposed Two-Cent Postal Service to England Opposed by British Official. LONDON, Feb. 19.—Sydney Buxton, postmaster general, is blocking the work of a deputation of members of parliament, which has in view the establishment of 2-cent postage between the United States and Great Britain. Mr. Buxton says he is in sympathy with the object of the deputation, but pleads that the American postal authorities are inexorable in their opposition.

A short time before the opening of the session, Member Seaton wrote an informal letter to the Postmaster General of the United States, bringing the whole case of 2-cent postage before him, and pleading for his assistance in establishing it. A week ago he received a reply from Washington, in which the Postmaster General, Buxton, and to his surprise warmly espoused the cause, and stated that he would visit London early in the spring to confer with the authorities at St. Martin's Grand.

The Postmaster General of the United States asked how the people of Great Britain regarded the project, and expressed a desire to be notified by cable. Mr. Seaton showed the letter to Postmaster General Buxton, and to his surprise that official refused to sanction further communication on the subject.

The Postmaster General of the United States is still awaiting an answer to his communication. So strong is the support of the movement that many in many countries have undertaken to guarantee the postage against any loss sustained by reason of the reduction.

Foraker Now Sleeps With One Ear Open For Fatal Message

The fates seem to be against Senator Foraker—sometimes. The other day the Ohioan, who is recognized as the dearest enemy of the Chief Executive, was making a forceful and earnest reply to the President's statement in denial of the charge that Government patronage had been used for political purposes. He had just reached a dramatic point in his statement when the Senate door swung open, and the announcement resounded through the chamber:

"A message from the President of the United States." Everybody laughed except the Ohioan, who sank into his seat for the presidential message, and never afterward pulled himself together sufficiently to inject his old-time vigor into his address.

Yesterday the Senator was on the floor making earnest inquiries about a certain bill. He said he wasn't opposed to the bill, but he did want to know about it. He was in the midst of his statement when, produced as on the previous occasion, the President's assistant secretary opened the door, was taken under the escort of a messenger, and his announcement again echoed through the chamber:

"A message from the President of the United States." This time it was too much for the "ribbles" of even the Senator himself, who recognized that the presidential message, and never afterward pulled himself together sufficiently to inject his old-time vigor into his address.

TRIBUTE TO MRS. WILLARD FROM SENATOR OWENS

A glowing tribute to the memory of Frances E. Willard, late president of the Women's Christian Temperance Union, was paid last night by Senator Robert S. Owen of Oklahoma, on the occasion of Mrs. Willard's picture being presented to the George Washington University by the "Y" branch of the W. C. T. U.

Senator Owen, in praising the character and work of Mrs. Willard, said that no Josephine B. Baker had been used by endeavoring to obtain suffrage and equal rights for women, but that he would do it again. Short addresses were made by members of the organization present after the picture was unveiled.

BARTHOLDT WILL SPEAK ON PROGRESS OF PEACE

The Congressional Membership of the Interparliamentary Group for Arbitration and Peace will hold a meeting in the new House Office building this afternoon at 3 o'clock. The speaker will be Representative Bartholdt, the chairman, is expected to make a report on the achievements and progress toward peace made in The Hague conference.

OWEN WISTER LOSES RACE FOR PHILADELPHIA COUNCIL

PHILADELPHIA, Feb. 19.—Owen Wister, the novelist, has been defeated in a race for the city council from the Seventh ward. Wister ran as a reform or city party candidate.

His opponent was Charles Seger, a well-known and powerful Temperance local machine. There were fights in but five wards.

IN BUYING DUKES.

"Only a million. I got the dukas cheap." "But you must remember, dear, that it isn't the first cost that counts."—Exchange.

January Circulation Figures

Net Daily Average: The Times.....41,501 The Star.....37,128