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TUESDAY, JULY 5, 1910.

THE AGE OF FULLER.

The hand of death has been laid heavily on the Supreme Court during the last few months. Peckham went with many to behead him; Brewer followed, while thousands regretted, and now that the revered Chief Justice, Melville W. Fuller, has been called, the whole country can but regret a fate that chose so shining a mark.

A great place is vacant in American justice and a great jurist has gone. There were many reasons why the American people, irrespective of party, regarded the Chief Justice as one of the best and highest men in the country. He had served long on the bench—ever since the first administration of Cleveland, and not once had there been any question of his ability, his honesty or his exalted ideal of the law.

We are glad that it is over, as it will give us all a chance to think about other paramount men and things. What the next world-wide sensation will be it is hard to tell. Probably somebody will be murdered in New York and the country will be flooded with details of the crime, or maybe there will be a divorce in high life, or some unmanly person will make faces at the Pope, or the muck-rakers will break out in a new spot—something or other is bound to happen, but the world will go on about as usual.

Our legal historians are wont to divide the annals of American jurisprudence into periods, each of which was dominated by the genius of a single man. They tell us that the Age of Marshall marked a great epoch in our history, during which the theory of a Nation was evolved by the great Justice; and they say that the Age of Taney was one in which the idea of a Democratic People was supreme—an age when the powers of Congress were strictly construed and the rights of the States to work out their own destinies were fully admitted by the Court.

In the same way, it is safe to say that the death of the Chief Justice yesterday closed another era in the history of the court, the Age of Fuller. It has been a long age, for so young a nation, and it dates back to the later years of Chief Justice Waite, but the spirit which has ruled it has been the spirit of Fuller. Just what the Court has done during this time, and just what changes it has made in the spirit of the Constitution, cannot yet be determined, but it is at least safe to say that the older Justices of the Court, with Fuller at their head, have striven long and striven hard to decide the great problems of to-day in the light of the Constitution as it was in the days of the Fathers, yielding only where imperative necessity demanded and usurping authority only when forced to do so by motives of lasting public policy.

It is to be noticed that this age ended with the death of the Chief Justice, and that his death came when the Court was facing the greatest problem of recent years. No man knows what has happened in the conferences of the Justices but everyone knows that the order from the Court that the Standard Oil and Tobacco Trust cases be reheard, meant that a struggle had taken place, and that a new page in history was to be turned. The death of three Justices and the appointment of three new men in their places to pass on this great question ends forever the Age of Fuller.

"DEMONSTRATING" THE SENATE.

The New Haven Register agrees with the opinion recently expressed by the Times-Dispatch that "a United States Senator is the servant of his whole country, not of his State alone, and should be selected on that broad ground." "Such selection," the Register adds, "is the South's best means of demonstrating the progress which surely is taking place all over its area, progress which needs to be demonstrated to the North and West."

permit, we should like to say that the time has nearly come when the North and West should "demonstrate" a little to the South. There is McLean, for instance—who not send him to Washington? We think he would be able to "demonstrate" something to the South.

JOHNSON WON.

Mike Murphy was right—Jeffries had too much lard under his abdominal muscles and too little protoplasm in his joints. The negro beat him fairly and squarely, and apparently without half trying. It was his fight from the start, and it only took fifteen rounds to finish the business. Jeffries was plainly outclassed. He couldn't do anything with the negro. His famous crouches didn't fool the Senegambian. He couldn't hit him when he was still hard enough to hurt him, and at the end of the fifteenth round he could not come when the count was finished. It was about the poorest show for the money ever pulled off in this country; about as exciting as a tame bull fight, and not much bloodier than many a scrap between bare-footed school boys.

We derive some satisfaction from the fact that the victor's name is Johnson and that he hails from the grand old State of Texas. If he had been one of these Yankee negroes we should not like it at all; but as he is a Southern man and Jeffries was born in Ohio, we accept the result as almost prophetic of what the Democrats of the South shall be able to do in 1912 to another Ohio man now holding an office of some importance in this country.

Here in Richmond we have suffered for many years from a form of typhoid fever that has baffled our health officers. Everything that science can do for the city has been done; our water supply has been transformed, and is now one of the best in the country; every case of typhoid fever has been studied; but the baffling "residual typhoid" remains. Those who are best posted on such matters say that this typhoid is due to flies, and can only be prevented when the fly nuisance is abated. When it is possible to protect every case of typhoid fever, all exerts from such cases and all uncooked foods from flies, this typhoid must disappear.

Mr. Mills' ordinance shows how this can be done, as easily as is compatible with safety, and as cheaply as possible. It should be approved without hesitation and should be put on the ordinance book without delay. This is the fly season, the typhoid season, and every day's delay may mean more cases of a disease than can be prevented.

SAVED HER COOK.

Mrs. O. J. Baughman keeps a boarding-house at York, Pa. She had a cook by the name of Ella May Walls and scolded her, injuring her feelings to such an extent that the cook drank a bottle of bed-bug poison with suicidal intent, and in order to make sure of her fate, plunged into Codorus Creek. Cooks are scarce in York, and Mrs. Baughman could not bear to lose her, and, rushing down to the creek, she plunged in after her, determined to save her. The cook weighed two hundred pounds in her stocking feet, but that did not deter her mistress from her desperate endeavor, and, thanks to the work of the poison, the cook fainted just as they were both about to go under. By the prompt administration of an emetic the cook was saved. It was a brave thing for the Missis to do, but cooks are scarce in Pennsylvania and a good cook nowadays should be saved whenever it is possible, at whatever risk of person or money. We have known cooks in Pennsylvania, and in some other States, however, it would be a public service to drown.

ONE GOOD CANDIDATE IN TEXAS.

The Halifax Gazette does not know anything about the antecedents of Cone Johnson, or of the platform on which he stands, or of his qualifications for the office of Governor which he seeks; but upon all these points it is as well informed as The Times-Dispatch. We have simply espoused the cause of Cone because he seemed to be the favorite of that untried multitude of the Bryan Democracy of Texas, the Houston Post, and, if the Houston paper want him, it ought to have him, as it will have to live under him.

The candidate in whose success our Halifax neighbor is most interested is Thomas R. Fourqurean, who is running for Justice of the Peace in the town of San Marcos, and we solicit the support of our fair-minded and brilliant Houston contemporary for this most worthy and capable man. In a card issued to the voters of his precinct, Mr. Fourqurean sets forth briefly his reasons for appealing to them for their support. First, he is a Democrat—"my maiden vote was cast for Jefferson Davis for President of the

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interested so many persons? Would the outbreak of war, a great victory, or a great defeat have been watched with such breathless excitement? Has Congress ever done anything or will Congress ever do anything that attracted such attention?

The whole thing has been a revelation of the taste of the people—a revelation that carries its warning. Nobody will argue that this spectacle was harmless or elevating or in any sense improving. It worked in precisely the opposite direction, and, consequently, an end should be put to it once and forever.

THE MILLS ORDINANCE.

The Council could not do a better thing at present than to approve the ordinance which will be introduced by Morgan Mills to-night, looking to the abatement of the fly nuisance. Mr. Mills will propose that all food supplies offered for sale and all provisions intended for patrons of eating houses and hotels be protected from flies by wire screens. Fresh fruits in the markets, chickens and fish in the stalls, berries in the hucksters' wagons, dishes in the restaurant kitchens—all must be covered so that no flies can touch them.

It is predicted that there will be active opposition to this ordinance on the part of those who are supposed to serve the public with clean food. If this should be the case, it is highly important that the people should know the reason for the ordinance Mr. Mills will introduce, and the good results which will follow its adoption.

Scientists have proved, again and again, that the fly is perhaps the greatest single agent in spreading disease. His feet are provided with pads on which thousands of germs collect, and owing to his wandering habits, he walks everywhere. Men who have investigated the matter have found that the feet of a single fly sometimes carry as many as 600,000 germs, and investigators have identified as many as a dozen different kinds of germs from the feet of a fly. Typhoid fever germs, which are often exposed at this season of the year, are very widely carried by flies and may, in the simplest way imaginable, be eaten with food which has been exposed to flies.

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Southern Confederacy in 1864. I have voted the Democratic ticket ever since." He is an old Confederate soldier, "disabled from wounds and expatriated for four years of service in defense of our Southern homes and firesides." He is a Prohibitionist and has "lived a clean and sober life" for thirty-seven years, in his precinct.

We do not ask or expect the Houston paper to support Mr. Fourqurean because he is a Prohibitionist and has lived a clean and decent life for thirty-seven years, but in spite of these facts, we ask its support of him, particularly, because he is a native of the grand old State of Virginia, and, notwithstanding, has lived in Texas without injury to his health or person for more than the life of a generation. The fact, also, that he has been voting for Democratic candidates for President ever since his first ballot was cast for Jefferson Davis should appeal to the patriotic spirit of the Houston paper and all the self-respecting voters of San Marcos. One Prohibitionist, more or less, will not make much difference to the Post after Cone is elected, and we are inclined to think that the Virginian would be of the greatest benefit to San Marcos in the administration of the law. So we appeal with confidence to our contemporary as a personal favor to do what it can to put this fine old gentleman where he can be of the best service to his adopted State.

THE OLD STYLE AND THE NEW.

Speaking of Senator Daniel, the Chattanooga Times says that he was "a remnant of the old days, when diction and rhetoric were much more important in success at Washington than they are now." That is an oracular statement, even if we do not know what it means. Surely our Tennessee contemporary does not prefer the ranting of Jeffries Davis, the violence of Tillman and the pile of Smith to the measured eloquence of men like Daniel and Lamar and Ben Hill! What does it mean by "success?"

What greater success was ever achieved by any body of statesmen than that which was won by Southern men of the type of Hampton and Vance and Ransom and Daniel, who were able by their "diction and rhetoric" to meet successfully in debate the Hoars and Chandlers and Inalls, of the North, in the time of the South's gravest peril? It is true that their speech was not as the speech of the vulgarians and incompetents and demagogues of this time; but "there were giants in those days." It is true that their language did not smell of the stable; but it made a profound impression upon the public sentiment of the country. It is true that Wade Hampton never spoke of Mr. Cleveland as "a tub of guts," but he was none the less effective as a Senator. It is true that Isham Harris could not play the fiddle; and that he could not tell a "good story" of the Almanac sort; but he was of as much use and honor to Tennessee as Senator Taylor. The "diction and rhetoric" of these men gave the South a standing in Washington and before the country it has not had since they passed off the stage.

Not only were they effective in their method of speaking, but they had as much "success" in "doing things" as any of their rougher-speaking successors. They not only saved the South politically; but they started the South upon its constructive period. It was through their statesmanship and courage, their "diction and rhetoric," that the South was changed from a series of military districts into a company of independent States; it was their constructive ability that the true reconstruction of the South was due, and it was through their "diction and rhetoric" that the Treasury at Washington was opened for the benefit of the South. It was when Eastis, of Louisiana, and Harris, of Tennessee, and Lamar, of Mississippi, and Hampton, of South Carolina, and Vance, of North Carolina, and Daniel, of Virginia, and other men of their type were in the Senate from the South that the development of the Mississippi River was begun, that the jetties were built at Charleston, that the improvements at Hampton Roads were provided for, that the reconstruction of the American Navy was undertaken, and that the spirit of industrial life was reawakened in the South. They, with their "diction and rhetoric," were the leaders, the pathfinders, the wheel horses.

We would not speak ill of any Senator from the South of the present day who has done anything worthy of himself and his people; but we would not slur the work that was done by the elder statesmen at a time when full-grown men were of immeasurable value to the South and its uplift. We do not agree, therefore, with the Chattanooga Times in its opinion that "diction and rhetoric" are to be despised even now in attaining "success" at Washington. There is always a disposition among some persons and newspapers to gather about the cage in which the simian family is quartered; but we have found that there is more strength and power among the lions.

"A POLITICAL PRECEDENT." Joseph L. Bristow lives at Salina, Kan., a town with a population of 8,074 by the Census of 1900. Mr. Bristow is the first citizen of Salina, and is likewise United States Senator from Kansas. He had a man picked out for postmaster of his home-town, presumably one of his partisans, and has thrown himself back upon "an almost unbroken political precedent in the United States Senate," feeling himself much aggrieved that he should not have been permitted to name this particular office-holder. "Outside of Salina," says the Kansas City Star, "there would be no unusual splutter to read the result of a contest as to whether the mail that reached that office was to be distributed under the

supervision of Mr. Smith or Mr. Brown," but the Star explains, "everybody in the State knows that the 'humiliation' of losing the post-office appointment in his home town is the price the Senator is paying for representing Kansas in the Senate." If that is all Senator Bristow is really worth to Kansas, it would be well for Kansas to send somebody to the Senate in his place.

Bristow is one of the political non-descripts called "Insurgents." He has recently been log-rolling down at Oyster Bay, and is making the most of his opportunities; but he must be a very small sort of a statesman, to be sure, if he would base any part of his political support of any measure upon a little post-office appointment worth probably about \$1,800 to the incumbent. But Bristow is not by himself in his present "demand." It is "the almost unbroken political precedent in the United States Senate," and it is a precedent that ought to be broken. Mr. Taft has said that he would consult the wishes of communities in the appointment of Federal officers to places of largely local interest; but this did not mean, as we understand, that he would be governed in his selections by the selfish wishes of Senators or Representatives. There is no reason in good politics or good morals why he should help Bristow, or Smith, or anybody else, to build up their political machines or reward their personal supporters or family dependents. We do not know who has been named for postmaster at Salina, nor do we care; but Bristow has no more right to dictate this appointment than he has to control the official acts of the President in any other matter. If the wishes of the community are to be consulted, let the patrons of the post-office say by popular election whom they prefer for the place. The Senate may refuse to confirm; but it has no power to appoint. A positive provision of the law should not be annulled by a political precedent of the Senate.

AN EVERYDAY BIBLE. The Woman's National Daily says that a Bible printed in modern language, with obsolete words and phrases, which tend to confuse the text, eliminated, will be published not later than next May under the auspices of the Princeton Theological Seminary. We are told that "it is not to be a completely revised Bible, but is to be couched in everyday language." This looks very foolish to us, and we have no doubt that it will be very foolish when it is printed. A good deal will depend on what sort of "everyday language" is used. Is it to be of the Chimmie Fadden sort, or the Cabot Lodge kind, that is to say, if Cabot Lodge ever uses "everyday language?" For example, will David be made to say, instead of "I said in my haste, all men are liars," "When I got a move on me I lined it out that all men are liars?" Instead of saying "It is well with the child," shall we be told in the "everyday language" of Princeton, "the child is bully?" Why is it that the great learned men of the seminaries and colleges and universities will insist upon making sacred things common?

Professor Peck has been suspended by the trustees of Columbia University, and he is kicking about it and saying things at Nicholas Murray Butler. In the meantime, the case of Miss Quinn will have to be straightened out by the courts. Instead of suspending the Professor, the trustees should stop mulling over him and kick him out, soul, body and breeches.

The Houston Post tells the Louisville Courier-Journal that "there are 1,000,000 people needing sixty-pound watermelons every day to where there is one man needing a pistol once a week." But not the Texas watermelon, unless 1,000,000 people want to commit suicide. The Texas watermelon is a surer shot than the Texas pistol.

The police of Atlantic City arrested a bather the other day for wearing a suit that was "too tight." There is no telling what these prudels will do next. For all we know, some one up there in New Jersey will be proposing that bathing suits for the feminine bathers have to reach the knees.

A lot of people will be asking this morning who Fuller was, but there will be no doubt as to the personality of Jack Johnson. Such is fame with the great American people.

A nervous man broke from his friends on a Lake Michigan steamer Sunday and leaped overboard. The coroner positively denies, however, that they had been trying to borrow money. He ruled it was not justifiable suicide.

The Massachusetts senatorial fight is already mounting skyward, now that Lodge alleges that Butler Ames is sore about the refusal of the Senate to appropriate money to test his aeroplane.

A negro named Peter Boose, who sought relief from the heat Sunday night on his roof in Washington, fell off and is in a dangerous condition in the hospital. A man with a name like that ought to be mighty careful how he exposes himself to danger. People are too quick to draw inferences.

It proves among other things that Jeffries was not correct as to the best way of training for a prize fight.

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UNHAPPY LIFE OF DUCHESS SOPHIA

Only Married Duc d'Alencon After King Louis of Bavaria Jilted Her.

BY LA MARQUISE DE FONTENAY. THE late Duc d'Alencon, brother-in-law of the murdered Empress of Austria and of the ex-Queen of Naples, was at the period of his life a happy man, and his closing years were rendered additionally clouded by the bitter reproaches with which he was wont to address himself or having managed to effect his escape from the Charity Bazaar fire in Paris in 1871, whereas his wife, the daughter of the French aristocracy, perished in the conflagration.

The marriage of the Duke to Duchess Sophia of Bavaria can scarcely be described as having been altogether a felicitous one, for her heart had been given to Louis II. of Bavaria, and if she eventually consented to accord her hand to the Duc d'Alencon, it was merely at the instance of her family, who hoped that marriage and the birth of children might result in dispelling her melancholia, and in her forgetting King Louis.

Louis, it may be remembered, had an altogether exaggerated notion of the importance and dignity of his sovereign office, largely due to the bringing up of his mother, a Prussian princess, and insisted upon being treated with a deference and with an etiquette similar to that which prevailed at the court of Versailles during the reign of King Louis XIV., the Grande Monarque, whose example he endeavored to emulate. Duchess Sophia, on the other hand, like her sisters, the ex-Queen of Naples and the late Empress of Austria, had been brought up and reared in the most unceremonious manner, and thoroughly despised all the sham and mummery of court etiquette. This led to frequent differences of opinion between King Louis and his fiancée. The King, however, insisted that she should receive with her own hands every article of her wardrobe, and that she should receive with her own hands every article of her wardrobe, and that she should receive with her own hands every article of her wardrobe.

Among those who were opposed to the marriage of King Louis to Duchess Sophia was his own mother, Queen Marie. She was determined at all costs to prevent the match, and actually went to the length of having her prospective daughter-in-law watched by means of spies, and she was reported to her that on the following morning Duchess Sophia had arranged to visit M. H.'s photographic atelier at Munich. It was perfectly true. But the princess was duly accompanied by her lady-in-waiting, the Countess W., who had merely arranged to visit the studio for the purpose of inspecting a huge collection of photographs which were just being taken by the artist, which was then, pictorially, a terra incognita. Queen Marie immediately informed her son that his fiancée was holding a clandestine rendezvous with her friend the photographer at his atelier, and insisted upon her son accompanying her for the purpose of surprising the princess in the studio.

The princess was there, when suddenly the King and his mother were announced, and knowing that her fiancée would dislike finding her there, and that it would certainly be to a squabble, she, without reflecting upon the consequences of her act, suddenly withdrew behind a screen, in a corner of the room, dragging her lady-in-waiting by the hand after her. The King made his appearance upon the scene with his mother, and gave manifest signs of relief at not finding the princess there, while the old Queen did not even attempt to conceal her disappointment. While the King made a pretense of looking at the various pictures, his mother began to wander about the studio, and suddenly clutched in her hand a single photograph in such a way as to show Duchess Sophia concealed behind it. The King gave one look of bitter reproach to his fiancée, and then walked off to the studio, without uttering a single word as soon as he reached the palace, he wrote a note to his Premier, Prince Clovis de Hohenlohe (afterwards Count of Germany), briefly directing

him to break off his engagement to Duchess Sophia of Bavaria, without giving any reason. (Copyright, 1910, by the Brentwood Company.)

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