

THE HERALD



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WEDNESDAY, AUGUST 24, 1893.

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MAGUIRE AND HIS RECORD

The railroad press of this state for the last six months or more has been busily engaged in treating the public to short sketches of Mr. Maguire's political record. The amusing charge has been made and peddled around from hamlet to hamlet that once upon a time Mr. Maguire left the Democratic party. This was in 1887 when Boss Buckley was running the Democratic party of San Francisco and of the state as a side show to the Republican circus. He was prostituting the party after the manner that Bosses Burns and Rainey are now attempting to do as a means of electing tools of the corporate monopolies.

It is true that Mr. Maguire did then leave the Buckley party as did also hundreds of other representative Democrats. He does not and never did deny the charge. But as soon as Buckley had been overthrown and the Democratic party rescued from its traitors through the instrumentality of Mr. Maguire and others, he became, and ever since has been, a consistent and faithful member of the party. This party has honored him for his years of service in its ranks and in its lead by nominating him as its standard bearer for the highest office in the state.

The Republican subsidized railroad newspapers which have been cajoling their readers with such trash have an object in view. They know that Mr. Maguire was and is a Democrat. The truth is, he is too much of a Democrat to suit the individuals and corporations for whom they have been and are now speaking. They know that if he is elected governor of this state his Jacksonian Democracy would check their wholesale robbery of the public treasury and lay bare their schemes for escaping their share of the just burdens of government.

These newspapers exercised their craft for weeks and weeks before the Democratic state convention in the hope of alienating from him the support of representative Democrats throughout the state, and by this means cheating him out of the nomination for governor. How sadly they have been fooled is best proved by the fact that he was nominated as a Democrat by the Democratic state convention and by the people at large by acclamation. Instead of enlisting the members of the Democratic party in their cause, these newspapers have clearly shown that the Democratic party needs within its ranks more men like Mr. Maguire, if it is to accomplish the high purposes for which it aspires in the realm of clean politics and good government.

It is a great satisfaction to Democrats to know that their party has for its leaders such incorruptible, uncompromising and clean men as Maguire, Phelan, White and a host of others, and the railroad press of this state will be afforded a splendid opportunity to make Democratic votes by continuing to publish sketches of their public, especially of their anti-railroad and anti-monopolistic, records.

WHY NOT REFERENDUM?

The annexation of new territory involves many nice points of law. When President Jefferson by treaty acquired the vast territory included in the "Louisiana purchase" he candidly confessed his belief that a permissive amendment to the constitution, to that end, would be needful. But he yielded

his opinion in the premises to the views of his party friends and so made the first precedent in our history of foreign annexation by treaty. Jefferson had the reputation of being well grounded in constitutional law, but public approval resolved every doubt in favor of the treaty, and so the precedent was established. Thereafter, when Mr. Monroe acquired Florida by purchase from Spain, the Jeffersonian precedent was successfully invoked and a valuable acquisition was peacefully and honorably made.

If "custom is the life of the common law," as jurists contend, we need, at this day, no amendment to the federal constitution authorizing the acquisition of new territory and defining the modus operandi thereof. Yet it would seem, that in the accomplishment of a work of so much importance to the republic as the acquisition of new states and territories, the American people should have something to say. In such cases there ought to be a referendum of some sort to the people—such, for instance, as their consent by a majority vote to such annexation, or the like. Otherwise the people of the United States will continue to occupy the anomalous position of helpless lookers-on while their public servants do that for which there is no constitutional warrant, and which may result in the serious modification if not radical reconstruction of democratic institutions.

Of course, we are not oblivious of the elastic and all but omnipotent principle of "implied power" that, latent in the constitution, arms with authority congress, by implication, as some recent commentators on constitutional law would have us believe, to annex the earth. But the American people do not take very kindly to the doctrine of "implied powers." They much prefer a plain "thus saith the law" and are prone to hold the powers that be to a strict construction of the legal text, at that. They scent danger to our political institutions when men rest their authority for doing acts of grave moment to the republic upon implications and the thin ice of logical deductions or fine-spun conclusions.

CONSTITUTIONAL AMENDMENTS

A strong plank in the platform of the Democratic party of California is that favoring the election of United States senators by direct vote of the people, and advocating an amendment to our federal constitution to that end.

This proposition is in harmony with the popular sentiment, now general throughout the United States, to place in the hands of the people, rather than in those of their representatives, the election to political office of all their public servants. In other words, the American people, in the practical application of the governmental system handed down by the Federal convention of 1787, have discovered that however wise and admirable such a system may be as a whole, there are features of it that may be improved and brought more in sympathy with the scope and spirit of modern political thought.

It has before now occurred to the men who framed the constitution of some one or other of the score of states admitted into the union during the last two or three decades, that that conservative fear lest too much power should be entrusted to the popular vote—which inspired so many leading statesmen in the early days of the republic—had no longer any virtue, and that the American people could be trusted to control the disposition of all offices high or low incident to the administration of our political affairs. The trend of popular thought has been away from a mere representative republic and toward that of an enlightened democracy—a word which found its aptest definition in Mr. Lincoln's concise expression—a government of and by and for the people.

Cousin german to this is improvement in the modes of our Federal legislation as now existing under the constitution of the United States. A bare majority of a quorum, in either the house of representatives or the senate, may enact any law within the scope of Federal authority. Everybody knows how profitable of evil legislation this constitutional provision has been, especially in modern times when so many questionable members of congress and millionaire United States senators have secured seats in the legislative branch of our government. The suggestion has been made by Mr. James Schouler (Forum, August), and well and opportunely made, that our Federal constitution should be amended so as to require for the passage of all new legislation a majority vote of all the members elected to either branch of congress.

Had this been the constitutional provision in 1873 the country, in all likelihood, would have escaped the notorious enactment of that year demoralizing the silver currency of the United States. An amendment of our Federal constitution requiring a two-thirds vote, in each branch of congress, for the enactment of legislation involving the borrowing of money, pledging the public credit, changing the currency, declaring war, or making large appropriations of public funds, as further suggested by Mr. Schouler, is clearly a much to be desired improvement of our fundamental law. Our next legislature should give these interesting questions attention.

INVESTIGATE THIS

In a Honolulu contemporary we find the most forceful evidence yet adduced in proof of the mismanagement of the war department. It gives glaring testimony of the most shameful mistreatment of soldiers on vessels in transit to Manila. It not only substantiates and strengthens reports of incompetency that have come from various other quarters, but it brings outrage up to the level of gross criminality. The Commercial Advertiser of Honolulu is a journal that has been published nearly fifty years, and it has a well established repu-

lation for conservatism and truthfulness. In its issue of the 4th inst. it says: Large numbers of the enlisted men on the transports call at the office of the Advertiser and make bitter complaints about the food and quarters on the transports. But much worse than this is the selling of belts, leggings and other national property by the soldiers in order to obtain a "square meal." The enlisted men are not beggars and do not whine, but they cannot help disclosing their hunger. So much so that nearly every resident in town, including even the little children, repeat stories of hunger on board the vessels. And enlisted men are being daily fed by the scores in private families. One of the men used the language, "two thousand miles away from home, anxious to fight and willing to die for Old Glory, but, all the same, tramps, glad to get a square meal through Honolulu charity."

These soldiers, bear in mind, were only a few days' sail from San Francisco. They had marched to those transports with the acclaim of thousands of their countrymen ringing in their ears. No doubt they expected and were prepared for hardships incident to military life. What they encountered on board, as we read in the Honolulu newspaper, must have disheartened the bravest of them. And when this report of their condition was written they had voyaged only about a third of the distance to Manila. Fully two weeks more of such suffering, necessarily aggravated with each succeeding day, lay before them.

Secretary Alger will soon have on hand something of more vital consequence to him than any self-eulogy such as he has just published in the guise of a communication to his friend Chauncey M. Depeue.

DAY AND HAY

A Washington dispatch says "It was stated in an authoritative quarter today that the choice of Mr. Hay was due solely to his general fitness for the position." Now we happen to know how there came to be this vacancy for Mr. Hay to fill. Judge Day, President McKinley's able and popular secretary of state, frankly declared that he left the cabinet because he was too poor a man to stay there. He had only the salary of \$8,000 a year with which to fill the social niche that an American cabinet officer occupies in these days of alleged republican simplicity. Judge Day is a personal friend of the president, his townsman in Ohio, and there is no reason to believe that the position of secretary of state was not to his liking.

John Hay has the important qualification which Judge Day lacked. Through the gate of matrimony he passed from newspaper poor-devilism to the glitter of millionairessdom. Since he went to England as American ambassador we have heard a great deal about John Hay's peculiar aptitude for a place in the cabinet. As an entertainer he has astonished even royalty. One of his elegant receptions would probably cost as much as the paltry year's salary of the secretary of state. Day was too poor for the place. Hay is quite rich enough. That is the sum and substance of the transition from Day to Hay.

OUR RESPONSIBILITIES IN CUBA

Congress and the president have declared that, to acquire Cuba was not an object of the war. The president was directed to drive out the Spanish authorities and troops, and to establish a government that shall be stable and capable of protecting life and property—a government that shall respect the rule of the Cuban people. Both congress and the president refused to recognize the insurgents as belligerents, and, therefore, it may be assumed that the government to be established will not be under their special auspices and control. The war was for the expulsion of Spain and not against any class of the Cuban people. Recognition of local officials at Santiago has not been on condition that they shall acknowledge the supremacy of the insurgent government, but that of the United States.

This action was necessary that the president may not be embarrassed in establishing such a government as congress has directed to be established, and as humanity and the world's commercial interests demand. The requirement that a government of and by the Cuban people shall be established, is on the implied condition that the Cuban people shall be found to be capable of instituting and maintaining such a government as the resolution of congress requires, and as the civilized world has a right to expect and demand. Time will be necessary to a proper determination of that important and delicate question. The government cannot be of a faction or class of the Cuban population. While the insurgents are entitled to credit and high consideration for their brave and persistent struggle for independence, those who have been loyal to Spain cannot be ignored in efforts to give to Cuba a government by the whole people. It was not illegitimate for them to be loyal to Spain. It is not our business to show partiality towards either class in the internecine struggle.

There are a few intelligent and bright men in Cuba, but the masses are ignorant and wanting in individuality. The whole population have been accustomed to oppression, corrupt and cruel officials—a government reflecting the ideas of the sixteenth instead of the nineteenth century—and hence they have an imperfect conception of a government which the American people desire and expect to be established. Not immediately, nor for some time to come, will the Cuban people constitute a proper basis for a structure which liberty and humanity require shall be reared.

For three years and more there has been internecine war, brutal in character, in which animosities have been aroused by injuries inflicted on both sides. The spirit of revenge is inherent in human nature. In the Spaniard it has been immoderately developed, and it is a marked characteristic of all unenlightened races. Removal of emitties and the development of the finer and better feelings are the work of education and of time. It would be a dereliction of duty to at once turn the management of affairs over to the Cuban people under the circumstances, when the Spanish military and civil authorities are withdrawn. As a matter of prudence and duty we must remain in control of the islands until such a government is established as the Christian world will approve.

It is not improbable that each faction will prefer annexation to the United States rather than be turned over to the control of its rival. All who possess property will prefer to be under our flag than to be subject to a government by the irresponsible element which numerically dominates in Cuba. Before it will be possible to settle matters as they should be settled, and under the assurance of the security the presence of our army and navy will afford, American intelligence and enterprise will revolutionize material conditions and in large measure solve political and social problems. There has been considerable sentiment in this country for a half-century in favor of Cuban annexation, and it is likely to become irresistible if our control of the island long continues. The same sentiment in Cuba is destined to increase and become preponderant. The Spanish power has been removed and our question is already installed. The Cuban question therefore has become simplified and the problem will be solved largely by the action of our government.

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DEATH OF DR. GRIFFIN

Another historical character was taken from Los Angeles yesterday by the death of Dr. John S. Griffin. Since he took up his residence here in 1854 he has been a prominent factor in the social and material prosperity of the city. He not only held a leading place for years in the practice of his profession, but he was also a man of affairs and lent a hand in many important developments when the city was in its formative stage. East Los Angeles regarded him as a patriarch, since it was he who first platted that section and opened it for settlement. He was one of the original incorporators and for a long time was president of the Los Angeles City Water company. Dr. Griffin left an impress on the community as only a man of strong individuality and great tenacity of purpose can do, and his death will be mourned by a wide circle of old-time friends.

According to an opinion rendered by the city attorney three years ago and now revived, in response to an inquiry of the council, the act of the legislature under which it was hoped to abolish the offices of city assessor and tax collector, relegating their duties to the corresponding county officials, is unconstitutional. There are grave fears that the consolidation scheme would not hold water, and that the city assessment might be invalidated if it were attempted. Under this stress of legal objection the best that can be done will be to ask for remedial action from the next legislature.

An agreement is reported whereby Aguinaldo shall govern the provinces outside of Manila for the present, while General Merritt remains within. It might answer for a permanent arrangement. Aguinaldo is probably familiar with animal life in the high grass of the Philippines, and Merritt would probably not care to conduct a menagerie.

If the Seventh regiment should finally get to Honolulu no further, good luck will be born of disappointment. Discomfort, disease and death await the stranger in the tropical Philippine archipelago. The greatest danger to the boys, if they fetch up in Honolulu, will be the piercing black eyes of the pretty maidens.

With the control of Porto Rico and the Philippines and the virtual control of Cuba, the United States will hold a monopoly of the tobacco business. The present profitable industry of making cigarettes without tobacco is likely to languish, and may need some sort of Republican protection.

A contemporary, in dealing with the forest fire problem, thinks "it may be necessary to prohibit, absolutely, all camping in the mountains." How? If the interior department would do its duty, as required by act of congress, the danger from forest fires would be minimized.

Sensible suggestions we naturally expect from El Heraldo, our Madrid namesake. It thinks "the interior question is fraught with great difficulties." No doubt about it. Spain has got into a condition of chronic indigestion and heroic treatment is necessary.

Those two unoccupied islands in the South Pacific over which the British flag has just been raised, are probably of recent volcanic origin. England has too often run her fine-tooth comb over the ocean to miss any valuable property.

The naval system of advancement for officers must be on the cribbage board plan. The peg was advanced several holes for Dewey and Sampson and Schley, and now Captain Sigabee is pegged up three numbers.

Under ordinary circumstances we should be delighted to read the proceedings of the dental congress at Portland. But the association of dentistry with high temperature is in the nature of a misfit.

It sounds odd to hear that business men are "hoping for new strikes." In this case it is only the expression of a wish that the old field may make a fresh spurt.

The footing of facilities from powder mill explosions within the last four months would show up a good second to the loss from bullets.

The navy department is entitled to credit for excellent judgment in deciding that there shall be no naval review at Hampton Roads.

The Forest Fires

BY ABBOT KINNEY

The Sierra Madre range constitutes the main watershed of the springs and streams of Los Angeles and San Bernardino counties. The condition of this mountain watershed determines the delivery of the rainfall upon it to the valleys below. The fact is fully established that a forest covering, whether of trees or brush, delays the delivery of a given rainfall. The more forested a watershed is the slower is the delivery of the rainfall, consequently the springs and streams are more perennial in their character under such conditions, and the danger from a flood is diminished. On the other hand, a bare mountain watershed offers no delay to the escape of the rainfall. There is no opportunity for the rain to percolate through the soil or to enter water veins through which it is delivered months or years after it has fallen. The delivery of the rain from a bare mountain watershed is necessarily sudden and diluvial in character. Such a watershed produces torrents now raging and destructive and then an arid waste of land and agriculture. Floods replace the regular flow of springs and streams.

Those acquainted with human experience and disaster from undue deforestation of mountain watersheds have long urged these matters on the people of California. Action to protect our mountain watersheds has commenced. First the most important forest areas were held out from sale and constituted into permanent reserves.

For a long time nothing more of a practical kind was done. No system for the management or protection of the forest reserves was inaugurated. This year the secretary of the interior has authorized the employment of forest rangers. A considerable number of these have been employed both in the Sierra Nevada and in the Sierra Madre, but still without any general and adequate plan of action.

While these two things, the establishment of forest reserves and the appointment of rangers to protect and govern them, are most important and promising, it is clear that we have now come to the point where an adequate plan of action should be formulated.

Such plans have been made and submitted. The plan for the Sierra Madre range submitted long since to the government officers is as follows:

Establishment of a patrol at the opening of the dry season. Such patrol could either be of specially appointed officers or of details from the army. In either case the patrol should be under permanent civil forest officers.

Establishment of such patrol in central distributing stations located so as to be accessible to the largest possible forest area in each case.

Establishment of various signal stations so as to cover entire forest area.

Mapping in duplicate the area under each signal station and the division of such area into numbered districts. One map to be at the signal station and one at the patrol headquarters.

Connection of signal stations by telephone lines with patrol stations. Such telephone connection was found to require but little new work, as existing lines could by short extensions cover most of the area involved.

Construction of trails where none exist from patrol stations so that access would be easy to all parts of the reserve.

This is the first outline for fire protection. With this system the first sign of a forest fire would be immediately reported, and the trained and prepared patrol be on its way to control it.

The general estimate is that a forest fire requires from eight to twelve hours to gain a dangerous headway. The outline map with signal and patrol stations presented with this plan demonstrated that a battalion of cavalry could be located so as to have adequate patrols within six hours at most of any section of the Sierra Madre.

Such a system would give us perfect insurance against any very destructive forest fire.

Besides this, it was proposed that there should be a station on each of the trails or roads entering the forest reserve. At these stations visitors for any purpose to the forests would be furnished free of charge a permit to travel therein. The permit would state the route to be followed, and the time to be occupied. This would be entered in the station book. Each traveler would receive, with his permit, a copy of the forest rules as to fire, etc., and a statement that he would be held responsible for any violation of the same. In this way every visitor would be advised of the rules and precautions necessary for the common good in the forests. He would also know that his location in the reserve was known to the forest officers, and that violations of the rules could be traced to him. Every visitor to the forests would in this way be made to feel his personal responsibility for fire setting, etc., and would know, further, that there was an efficient patrol within striking distance.

I believe that every forest lover hates to see the forest destroyed by fire. Every irrigator, and, in fact, every one on a water course, is personally interested in the preservation of our water sheds. It must, then, be an occasional and irresponsible fool that starts the wasteful and deadly forest fires, or, as is more often the case, the man ignorant of our conditions and careless in his camp or other use of fire. A complete system on these lines will, in my judgment, end the forest fires in Southern California.

The areas already fire denuded might well be planted with the local spruce and the more hardy drought pines, such as P. Sabiana, P. tuberculata, P. Coulteri, etc. There is no time to lose in this business of watershed protection.

Philippine Taxes

Before you grumble about your taxes just reflect how much worse off the natives of the Philippines are. In the Philippine islands all males over 21 years of age must pay a poll tax that equals about \$20 of our money and the women must pay \$15. A man must pay a license to sell coconuts from his own trees or indulge in his own raising. Every article of furniture costs half a sovereign is taxed. The curtain never goes up at the theater unless \$10 is paid to the government, and for every act of slaughtering his own animals, clipping his own sheep or felling his own trees the Philippine farmer must pay a fee to the government. There is exacted government tribute for getting married and for being buried, and at every step and turn of his life the tax collector holds out his hand to him, and it is not a demand that can be refused. No wonder! Spain wishes to keep a possession that yields a return; no wonder also that the last six years have witnessed seventeen rebellions in the Philippines.—Lewiston Journal.



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POLITICS

C. H. Eberle of Compton, editor of the Downey Champion, has announced himself as a candidate for public administrator. Mr. Eberle is a staunch Democrat, has been active in party matters in this county for years, and is a man well qualified to administer the affairs of this office. As a newspaper man whose paper has fought for the Democracy of this county and in this state he is entitled to generous consideration from the hands of the county convention soon to meet.

Candidates for the Democratic nomination for assemblyman in the Seventy-second district are bobbing up on all sides. Here is a partial list: William Gaines of Compton, E. C. Bower of University, George Frampton of Artesia, Harry Steig, I. J. San Pedro and Orm Bullis of Compton.

Victor H. Metcalfe of Oakland has received the Republican nomination for congress for the Third district. Hilborn, the incumbent, was not a candidate, or rather was forced out of the race somehow or other.

J. C. Needham of Modesto has been nominated by the Republicans for congressman from the Seventh district. Editor Pillsbury of Tulare was credited with having a sure nomination for this office, and Captain Daniels of Riverside also claimed that he had the same nomination in his vest pocket. Pillsbury and Daniels may console themselves with the fact that Castle will show Needham under on election day, a matter with which they are not now much concerned.

It is said that ex-Congressman Bowers was turned down for the Republican nomination for congress in the Seventh district because he is a consistent bimetalist. There is no doubt that Bowers is a bimetalist, but he is making a serious mistake in standing in with the goldbug party. He would better come over to the party of the people, where he will stand some chance of getting back to congress two years hence.

Judge W. M. Conly of Madera, the Democratic nominee for associate justice of the supreme court, was given an enthusiastic reception by Madera Democrats upon his return home from the state convention, in which the Republicans joined. Judge Conly is well liked by the people of his own county and of the valley generally. Speaking of Judge Conly and of his reception, the Fresno Expositor says:

Judge Conly has the support of the entire San Joaquin valley. On his return to Madera Saturday he was given a reception by representatives of all parties. It was a general demonstration in his honor. In the evening there was a political meeting which is without parallel in the history of the state. A member of the national committee of the Republican party occupied the platform. Judge Conly was introduced by a man who has twice been defeated by him for superior judge. Speeches in his honor were made by Democrats, Populists and Republicans.

The nomination of Congressman Castle of the Seventh district meets with the hearty approval of the Democrats of every county in his district. It is rather a pleasant matter to know that the members of the other parties also approve his nomination and that a great many Republicans will support him. The Populists are in need of more Castles for distribution in the other congressional districts.

MEGAPHONE.

**Too Much Revenue**  
There is a margin of unexpended war money remaining in the hands of the government to cover the expense of winding up the affair. There is an element of danger in this situation. On a peace basis, con-

gress invariably spends more than the national income. What may be expected unless the brakes are put on, with all this extra money on hand? The first thing the people should demand is strict economy on the part of congress and the administration. The temptation will be great to rush into wasteful jobs. This must be checked. We should at once, or as quickly as practicable, get back to a reasonable scale of expenditure and lighten some of the burdens which the people have cheerfully borne through past years.—Boston Post.

**Too Poor to Hold Office**  
It is rumored that Secretary of State Day will resign for the reason that he is too poor to meet the social obligations of his position. We have heard something like this before. It is an old story, but it brings up an important problem, which must sooner or later be solved. The solution will lie in the increase of the salary paid our public officials or in a decrease in the tomfoolery which has attached itself to the social incidents of official life. A little more business-like methods on the part of the people in fixing salaries, and a little more practical consideration on the part of public minds for the homely character of this country's institutions, both political and social, and the public welfare will be advanced.—Omaha Herald.

**The Art of Retiring**  
Secretary Day's determination to return to the practice of law in Ohio, now that the national emergency which impelled him to give his services to the country in the state department is a thing of the past, presents to the country a very high ideal of citizenship. The art of retiring cannot be cultivated too assiduously in this day of covetousness of public places as the rewards of personal or political services. What a pity that another close friend of the president—Omaha Herald.

**America Will Be Watched**  
Our course in regard to Cuba will be closely observed by the nations of Europe, who keep distinctly in mind our formal disclaimer of any purpose of territorial aggrandizement in that quarter. If politicians and political bargainers and exigencies, or the personal fads and fancies of those in authority in the war department should constitute in the end the chief agencies for governing the island, the republic would be shamed and disgraced in the estimation of the entire civilized world.—Philadelphia Record.

**Need of Prayer Removed**  
President McKinley has been urged by a pious woman friend to pray for guidance in the matter of the Philippines. This is entirely unnecessary, as Senator Foraker and half a dozen preachers have already proclaimed the decision of divine providence.—Springfield Republican.

DEMOCRACY

Our mighty bark, with masts that rake the stars,  
Has lagged too long in port, and we have  
drowned.  
An idle crew, or with wild masts caroused,  
Forgetful of our part in Freedom's wars,  
But now, at last, with sail taut to the spars,  
For her whose rightful cause our sires espoused,  
Again our ship must steer where blow and  
vaned  
The winds of God, beyond the bows and  
bars,  
For still our orders hold, as in the past—  
That glorious day we took our banner  
free,  
And broke from out the line and took the  
van,  
With Inshocks lit, and bade them follow  
fast,  
Who held with us—to sail and search the  
sea  
Until we find a better world for man.  
—William Prescott Foster in August Atlantic  
Monthly.  
At the Soda Fountain. Party Waiting—  
Where's my order? Waiter—Coming, str.  
Your wink is being deciphered.—Detroit  
Journal.