

LOS ANGELES HERALD

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CLEAR, CRISP AND CLEAN



VESTIGIA NULLA RETROSUM

AT THE THEATERS

AUDITORIUM—Dora. BELASCO—"The Man of the Hour." HUBBANK—"Cameo Kirby." FISCHER'S—Musical farce. GRAND—"When Johnny Comes Marching Home."

LOS ANGELES—Vaudeville. MAJESTIC—"Six Hopkins." MASON—"Lambert's Grand Opera company." ORPHEUM—Vaudeville.

CONSERVATION

CONSERVATION is a Roosevelt policy. This alone is enough to recommend it to citizens who have learned by experience to associate Rooseveltism with robust common sense. But beyond its association with Roosevelt, it appeals to the people on its obvious merits. The necessity for a conservation policy is demonstrated in the history of other nations, in the history of various sections of the United States, and in an old English proverb: "YOU CAN'T EAT YOUR CAKE AND HAVE IT."

Former Governor Pardee's remarks at the chamber of commerce banquet were to the point, and should be remembered: "At the rate at which they are disappearing, the forests of this state will not last more than sixty years. What man is there who will say that it is not for our benefit that our forests shall be conserved? In the national forests are many streams capable of generating enormous water power. These streams the federal government has taken under its protection. It will not permit them to be taken up and owned by private parties. It will grant private parties permission to use the power sites for limited periods, and on payment of reasonable rentals. It is denied by certain men that there is any intention to form an electric light power trust in this country or state. A similar denial was made when the movement for the consolidation of the railroads of the country began. Standard Oil and the sugar trust made similar denials. Do you of Southern California believe that there is not in existence south of the Tehachapi a sturdy, abled-bodied monopoly? Let any man who doubts it invest in an independent electric power plant with the idea of competing with existing plants."

At this stage of our civilization, when mechanical power is becoming more and more important to the people, all attempts made to obtain monopolistic control of sources of power supply must be stoutly resisted, because a surrender of the power supply is equivalent to a complete surrender of the industrial liberties of the people. For this reason conservation, as Theodore Roosevelt and his followers realize, is not merely a "business" policy. It is a PATRIOTIC policy.

Los Angeles' year of greatest achievement must be followed by a year of greater achievement. "The city beautiful" should now be the city's slogan. Tear down the billboards, improve the waste places, let the architects and artists have a say when tracts are laid out, and remember there is a profit in aestheticism that cannot be expressed in dollar marks.

PROGRESS AND FINANCE

SIXTY-SEVEN YEARS ago, on February 21, 1843, John P. Kennedy moved in congress that a bill appropriating \$30,000 for testing the merits of Morse telegraphy should be approved. The motion was greeted with peals of derisive laughter. This is the common fate of all innovations in modern times. In days of old, the derisive laughter was followed by decisive action, and the innovator was hanged, drowned, burned at the stake, or otherwise "removed." As it became evident progress was not necessarily blasphemy and was not even witchcraft, the inventor or improver was allowed to escape with his life and his idea; and sometimes managed to develop it, although never to his own profit.

Even now civilization has not advanced in this matter as it has in some others. The progress of invention has far outstripped the progress of rewarding inventors and originators. An inventor, originator or improver, whether of a piece of machinery, a book, a telegraph code or shorthand system, must appeal to capital and accept its terms, or form a stock company and become a shareholder in the value of his own creation, if he would derive any pecuniary benefit from his contribution to the progress of mankind.

Not yet is there a special governmental fund at the disposal of inventors, authors, etc., a fund which, controlled by a committee of "experts," might save for many ingenious citizens the rewards of their originality and thought power. Nothing more strikingly illustrates this defect in our civilization (or defect it seems to be) than the private appropriation and capitalization of that great public utility, the telegraph. The government of the United Kingdom saved the telegraph franchise for the people. But in the United States Morse telegraphy has been in the hands of an unscrupulous and greedy monopoly.

Telegraphy, however, is such a "big" undertaking that even monopoly cannot prevent it from being beneficial to mankind; and the progress it has made under artificial influences warrants the belief that in the next few years, when the telegraph system of the United States shall be taken out of the hands of the trust and tolls are not prohibitive, the people will realize what a boon was conferred upon mankind when Samuel Finley Breese Morse, in an inspired hour, invented the signals which are still in daily use, and gave telegraphy an alphabet which apparently was perfect from the hour it was first drafted.

Why derision and discouragement should be the lot of men who ask the representatives of the American nation to finance experiments the results of which may contribute to peace and prosperity on earth and the promotion of goodwill among men is unguessable. The proverbial attitude of our national officialdom toward the national inventor is being illustrated again in the case of airship construction and trial. With the exception of a single solitary case, that of Prof. Langley, nothing has been done financially to assist inventors in working out the problems of aerial navigation.

The progress of aeronautics in this country is dependent upon the enterprise of American inventors and private financiers. With regard to airships and other modern NATIONAL inventions, the much experienced but untalented nation seems bent upon repeating the same old tactical error which deprived the people of the full use, benefit and advantage of telegraphy, and will surrender the latest inventions to the seizure, manipulation, operation and exploitation of profit-seeking syndicates, combinations, associations and trusts.

MOMENT OF DEFEAT

PERHAPS some of our readers may not appreciate a sermon on a prize fight. But the ending of the career of the gentleman known as Battling Nelson was so strikingly like many instances in the competitive struggle for existence that we may be pardoned for calling attention to it. Only the successful man who breaks down or who stays too long in the game or who meets a sudden and unexpected "reverse," as it is politely called, can appreciate the agony of the moment of defeat. And if that agony should be brief, and he should emerge from it more determined than ever to "do or die," he will recognize the fact that the moment of what the world calls defeat is the supreme moment both of training and of test. Under modern conditions, all the world's more or less of a prize fight, and all the men and women are merely "bruisers."

Therefore the sympathy extended to Nelson should not be of the superior or patronizing kind. On the contrary, let everybody hope the young man may now "find himself," and engage in an occupation in which his fighting qualities will stand him in good stead. A man who is a man "for a' that" gets up again when he is downed. The other kind of a man stays down.

OFFICE HOLDING

"SINCE I was 21," says President Taft, "I can hardly remember a time that I was not holding office." This is indeed a record. Of course it is not without its disadvantages. A gentleman who has spent all of his life in holding office and has had no actual, personal experiences in the transaction of business, is naturally more dependent upon advisers as to business policies than a man who upon experience can found initiative. It has often been remarked America is creating an office holding class, which of course suggests that such a class, while its establishment may not be without its advantages, is contrary to the first principles of Americanism.

According to old-fashioned ways of thinking, public service was a patri-

'Pity the Poor Devil in Office Trying to Do His Best'



otic duty to which a citizen, experienced in citizenship could devote part of his life. Curiously enough, the president's statement was made just before he addressed the Society of the Cincinnati. Now, the original Cincinnati was a strenuous opponent of "professional" office holding, and the Roman legend has it he was summoned to his public duties from the plough, and when his public task had been performed went back to his farming and gave another citizen an opportunity of serving the people.

TRUST AUDACITY

OF all the trust magnates, the Guggenheims are the most frankly audacious. Their transactions lack refined caution and the polished veneer of big-pardonism, and hopelessly don't intrude which glosses the operations of trusts controlled by people with less aggressive names. There was an element of rare frankness in the bald brutality of a statement made by Simon and Daniel Guggenheim to the Denver newspapers: "We have kept up the price of lead, and we propose to do the same with silver." The American Smelting and Refining company now controls the silver output of South America, Central America, British Columbia and the United States, which is nearly 80 per cent of the output of the world.

From this it will be seen the Guggenheims are still 20 per cent short of their ambition. The Guggenheim interests, tagged for identification with the capital representation by each, are as follows: American Smelting and Refining company, \$100,000,000; American Smelters Securities company, \$77,000,000; Guggenheim Exploration company, \$22,000,000. Total, \$199,000,000. Writers still talk of the "resources of the United States."

The population of the United States owns the eggshell, but the Guggenheims and others are scooping out the meat.

SOCIALISTS LIBELED

LOYD OSBORNE, a fairly clever writer who has fallen for some of Robert Louis Stevenson's reputation, says in a short story: "Fred ought to be a curbstone Socialist, he had such a talent for invective." Whatever we may think of the beliefs of any curbstone orators, we should give all of them a square deal, and we

do not think there is any ground whatever for believing Socialists have a talent for invective. Their teachings are peaceful and peace bringing. Their discussions are conducted in terms of economics. Their cult deals with the social system, and the worst that can be said of them is they are faddists, always talking about tomorrow's possible millennial dawn and a Golden Age, for the construction of which apparently no one has yet even struck a penny.

Edwin A. Brown, sociologist, says the only place in Los Angeles in which a starving, unemployed man can be sure of shelter for the night is the city jail. He recommends the establishment of a municipal lodging house so that this approach may be taken away from our excellent city.

This community sympathizes sincerely and heartily with the president of the board of education and of the chamber of commerce in the tragic and unexpected death of his bright and promising young son, Joseph Scott, Jr. Mr. Scott is one of our most valued, most valuable and most esteemed citizens; and his bereavement is, in a sense, that of the community with which he is so closely and so honorably identified.

It is high time property rights in brain products were recognized and protected. A board of experts should recommend new plans and inventions which demand financing in order they may be developed for the good of the nation. Give the nation the benefit of its brains.

Patent office will grant a patent on almost anything, no matter how foolish. Then why not make provision for financing patents that are NOT foolish, and allowing the nation to enjoy the fruits of American ingenuity, and at the same time reward the inventors.

Battling Nelson fought once too often. In this he resembled many other great and good men. "His human nature to outwear the welcome of Dame Fortune. Happy is the man who knows when to woo her assiduously, and when to quit.

Views of Professor Fisher Do Not Solve the Problem

(San Jose Herald) were wholly correct, the increased production of foodstuffs and other necessities from year to year would serve in a measure to check the tendency toward higher prices attributable to the abundance of gold. To the contrary, prices have risen regardless of gold production and an increasing supply of necessities.

Indeed, Prof. Fisher's theory is correct only as the theory of the natural working of the law of supply and demand is correct, but there are other agencies concerned, agencies which give no heed to these things. Finally, if the abundance of gold were the main cause, an adjustment would be easy. But the difficulty is that the seemingly exorbitant rise in prices isn't general. For example, the wage earner complains that his wages are insufficient to provide amply for his and his family's living, but the demand for a proportionate increase in wages encounters the plea that the employing interests "can't afford to increase wages." Or, if the disposition is to increase wages, it is threatened that the price of production must be raised, and as this production includes transportation of foodstuffs and clothing, it is obvious that the threat is implied of still further advances in the prices of these things. Consequently, the gold theory is simply going around in a circle. It reaches no conclusion.

Public Letter Box

TO CORRESPONDENTS—Letters intended for publication must be accompanied by the name and address of the contributor, who gives the widest latitude to correspondents, but assumes no responsibility for their views.

COURSE OF COUNCIL PRESIDENT IS GIVEN COMMENDATION

LOS ANGELES, Feb. 22.—[Editor Herald]: If John D. Works, president of our city council, continues to pursue the course he has outlined since becoming a member of the council, he will fully merit the credit of being the best man that the voters ever put in that office. His surplus stock of common sense, his comprehensive grasp of public affairs, his love of right and justice, and his determination to secure the same as far as possible through action by the council are simply unique and extraordinary in a member of that assembly. Therefore, when we see the attempt to belittle and besmirch him by professional politicians and other people that have been attracted to the use of such sources, nothing is seen not expected from such sources, and the much overworked and silly prefix "Goo Goo" that is used to excite ridicule and insure contempt shows to what limits his opponents are driven in an effort to discredit him.

When John D. Works sent back to the street railway officials their indirect bribe to influence his actions, it was something his predecessors cannot be shown to have done; for though the constitution of California forbids the use of such sources, and declares the office shall be forfeited by any official using them, it is a notorious fact that this law has been a broken year after year by men who have selected to make laws for other people to obey or be punished.

Think of law violators posing as reputable law makers, and the general respect for the law as it was. "Rotten" is a mild name for political conditions that have long existed here, and yet powerful influences in the press and other sources have done their best to prevent change and improvement. Our police system has long been an autocratic power, from chief to patrolman, and no more respect has been paid to the constitutional rights of citizens than has been given to the law which says public officials shall not ride on railway passes. Think of the innocent people that have been arrested on mere suspicion and without right or warrant; and besides being denied communication with friends or an attorney, kept in jail to suit the pleasure of an autocratic chief who defied the constitution with impunity. Well has Councilman Works termed these acts "police despotism," and his earnest efforts to prevent a continuation. To this champion of good government, of constitutional rights, of just laws and their impartial enforcement, I doff my hat and say: Godspeed and success in the work you have undertaken, and may you receive the support of every citizen of this city who loves right and justice and detests corruption and tyranny. CHANNING SEVERANCE.

FINDS SOMETHING OUT WEST SLOWER THAN SLEEPY WEST

LOS ANGELES, Feb. 18.—[Editor Herald]: Every western man I meet who has been to the east with the wonderful push and enterprise of the west. Your aggressiveness, like Mark Twain's death, is often grossly exaggerated. While it is true that Los Angeles is moving for a free harbor in an able and progressive way. The Owens river aqueduct also shows enterprise and foresight. The housecleaning that Los Angeles has just completed is one that any city might well be proud of. The people of Los Angeles should be very grateful to The Herald and Express for the able and fearless work these papers performed for clean city government. But yesterday I saw, in Pasadena, something that beats anything I ever saw either in the United States or Canada for downright slowness, and I challenge any of The Herald's Letter Box readers to find any-

THE LOUISIANA LAW

By Frederic J. Haskin

LOUISIANA is the only state in the Union which has a system of law—exclusively its own. In all the other states the jurisprudence is based upon the common law, which is their equal heritage from the English founders of the republic. The civil law, which prevails in Louisiana, is based upon the code Napoleon, and that in turn rests upon the old Roman civil law. As both the common and civil law have the same origin—the safeguarding of individual right and liberty—there is not at bottom so much difference between the two systems as might seem at first glance. The divergence, however, largely matters of procedure—of the methods by which suits may be instituted and conducted. For example, in the United States courts and in the courts of practically all the other states, there is a law side and an equity side, and the two may not be confounded. In the Louisiana courts there is no equity side, but the law and the equity may be passed upon in the same proceeding by the same judge.

The Louisiana law diverges most widely from the common law in all that relates to the family. In the common law the emphasis falls upon the man as an individual; in the Louisiana code, on the other hand, he is viewed essentially as a member of the family. Hence, in Louisiana there exist the curious statutes by which the right of a testator to dispose of his property is restricted to certain fixed proportions. Under these ordinances a man dying without children, but leaving a father or a mother, or both, must leave one-fourth of his estate to the father or mother he leaves children, the parents are eliminated as forced heirs and the children take their place; in which case, if the testator has no child, he must devise to that child at least one-third of his estate; if he has two children he must leave them at least one-half; and if he has three or more he cannot give them in his will less than two-thirds of his property.

The Louisiana law is, moreover, exceptionally careful of the interests of minor heirs. For instance, it provides for what is known as the "family meeting." This is a council appointed by the court from among the relatives or near friends of the minor, which exercises a sort of general supervision over his concerns, and to which the executor must report, and without the authorization of which the executor can take no step vitally affecting the administration of the estate. Regarding the nature of wills, the Louisiana code is singularly explicit, and for the most part its provisions exhibit an amazing wisdom and foresight. One form of will which is peculiar to Louisiana is the "olographic will," regarded by some of the ablest lawyers in the state as the most satisfactory form of testamentary disposition. This is a will wholly written, made and signed by the testator himself. Another form of will may be dictated to a notary, in which event it is known as a "testament by public act." The notary is in this case acting as a witness, and during the preparation of this instrument as to the manner in which the testator shall dispose of his property; and in this regard the will is voided, but the offending official is made responsible to the heirs who shall thereby be deprived of their heritage.

The character of the Louisiana law is most readily understood from an examination of its history. From such a study one may learn, better than in any other way, how diverse are the elements out of which the existing code has been forged, and how deeply ingrained in the mental processes of the people are the ideas of the ancient Roman law. The first laws that were enforced in Louisiana were the edicts of the realm of France and the "Customs" of Paris, which were extended to the province of Louisiana in 1763. These "Customs" of Paris were compiled in 1510, in somewhat tardy obedience to a decree of Charles VII, directing that the ancient unwritten laws which had governed the jurisprudence of the various provinces of his kingdom should be reduced to writing, for the guidance of his judges. When, some sixty years after the publication of this edict, the "Customs" of Paris were committed to paper, they formed a work of some sixteen titles and 362 articles.

BROTHERHOOD OF MAN NOT TO BE REALIZED AT PRESENT

LOS ANGELES, Feb. 20.—[Editor Herald]: While the Letter Box usually yields lively ideas of divers kinds, it sometimes lets loose queer expressions. For instance, the "Brotherhood of Man" astonishes its readers with the following: "We are told that the slow demoralization of gold is one of the causes of high prices and idle men. But the unit value of an hour's work by a pair of human hands can never be demoralized."

What the writer probably means is that while we are told the rapid increase of the gold product is one of the causes of high prices and idle men, we know the price of an hour's labor by a pair of human hands does not increase. When he says that labor cannot be "demoralized," perhaps he means that labor, instead of gold, should be the standard of money value. I also, wish to object to the author's contention that the fact that the various kinds of labor are not equally productive. Some men (usually called "cranks") hold that as all mankind have, by nature, equal rights, therefore all should have equal shares of life's bounties. But under the grab game rules that now govern life's reckless race, instead of helping the cripples who struggle in the rear, the prevailing cry is "the devil take the hindmost."

considerable prominence in the common law, is unknown in Louisiana. Prior to 1908, when the state legislature amended the code, it held that legally be witnesses to a will. In general, the Louisiana code, in all its provisions respecting women, is remarkably cautious to protect them even from their own weakness. For example, there are stringent prohibitions against a married woman borrowing money, which, if she does not, in fact, borrow money or alienate her property at all except with the consent of her husband or a judge, or in some instances, with the approval of both.

One of the most benevolent provisions of the law is that which determines the ownership of the earnings of a married couple. The code proceeds on the theory that in the great majority of cases the husband is the wage earner, and the partnership, but assumes that the wife's activities, though confined within the walls of her home, are of equal value and importance. Therefore, it holds that one-half of all the money which he may earn shall go to his helpmate. However, property inherited or acquired by the wife, or which she has in partnership—called technically the "community"—is not subject to this division, but becomes the exclusive possession of its recipient. The law does not give either wife or husband any right to property which one or the other of them may have acquired in the community, but becomes the exclusive ownership of their earnings. In the latter event the contract must be recorded in the public office, and the community may be viewed by third parties, who might otherwise suffer from their ignorance of the status of the couple. "Customs," a number of ordinances which had been adopted by the French government from time to time were applied to Louisiana. Of these the most notable was the "Black Code," first promulgated in 1685, the government of slaves. All of these laws remained in force in Louisiana down to 1763, when the province passed into the hands of the United States. In that year Don Alejandro O'Reilly, the new Spanish governor, made extensive changes not only in the law, but in the entire machinery of government. He abolished the superior council, which had been the legislative body of the province since 1712, and substituted in its place a somewhat similar organization, with rather more extensive judicial powers.

O'Reilly also caused a series of new laws to be prepared, chiefly relating to the institution of suits and the method of procedure before the courts in civil and criminal actions. These were taken from the laws of Castille and the laws of the Indies, which in Spanish times, based upon the Partidas of Alfonso the Wise and upon the "Recopilaciones" of the sixteenth century, served for the instruction of his judges only until they had acquired some familiarity with the Spanish law, which was, of course, put into effect as soon as practicable, like the Spanish law of the old Roman civil code, they were similar, especially with regard to matrimonial rights, testaments, successions, etc., and a slight modification of the former worked comparatively little hardship to the population of Louisiana.

Louisiana is not free from freak legislation. It has a law fixing the date of early elections, which may be amended in New Orleans. Another forbids anyone from rising from his seat during the performance of a theatrical play, and another makes a serious offense of a man leaving his seat in a playhouse without a permit from the manager. There is an anti-hat law which is vigorously enforced at the street car stations and in the street car law which every car shall have the rear part screened off for the comfort of passengers, or by no special sort of screen was provided for in the act the railroads supply one eighteen inches long by four or five inches high which hooked on to the back of one of the seats unquestionably complies with the letter of the law, though plainly violating the spirit of it.

Tomorrow—Creole Cooking. worthy of his signature, "Student," like other searchers for truth, is not infallible. He affirms that the value of gold is determined by the amount of social labor crystallized in its production, same as all other commodities. . . . The value of gold changes the value of all other commodities. Gold uncoined is a commodity, and prior to its legalization as a standard of value for currency gold dust and bullion were, like other commodities, subject to the same fluctuations of value. That which Student here calls "value" is the labor cost of commodities, gold included, and such cost has little to do in determining its real value or even its market price. Gold, it is true, was a commodity "same as others" prior to its legalization as a money standard. When laws were enacted declaring government gold containing a given number of grains of pure gold, a legal tender, the commercial value of uncoined gold was practically settled. Our student comrade makes some nice comments (as is our Marx) between this and that, which I do not care to discuss, so will close.

CALM THINKING NEEDED TO BRING ABOUT NEEDED CHANGE

LOS ANGELES, Feb. 22.—[Editor Herald]: Pinchot's policy of conservation has a ring of true Americanism about it. Every intelligent reader and close observer sees the need of some conscientious and tactful leader to save the people from the contemptuous tyranny of the foxy political bosses, who are more concerned about individual power and selfish interests than the welfare of the people. Even now the masses are becoming restless at the alarming growth of the privileged class, and a subject people whose faith and confidence in the honesty and integrity of their leaders are becoming weakened. It is a sad thing to see the masses of the people who are beginning to regard the people as sheep not safe to be led by any other than their (the interests) own masked leaders.

Nothing but impartial courts and the wisest statesmanship can save the country from a great social and political revolution. Spasmodic or violent action in the cause of reform does not bring the best results. Calm thinking and intelligent voting are the proper things. Vigilance is the price of liberty.

A. HAYSEED. Another contributor, while evidently