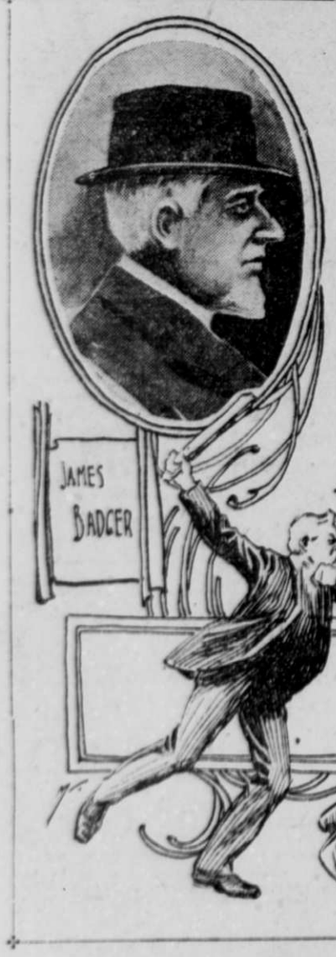
OLD MAN IS SUSPECTED OF DEALING DEATH BLOW

James Badger, Retired Capitalist, Held on Suspicion of Having Caused His Aged Wife's Death by Striking Her on the Head With a Stick During a Family Quarrel



AGED COUPLE WHOSE QUARREL ENDED IN DEATH OF THE WIFE.

A MAN 75 years of age was brought to the City Prison last night, where he will be held pending an investigation into the cause of his wife's death, which is supposed to have been caused by a blow from a stick wielded by him.

James Badger is the name of the aged suspect. He is a retired expressman, and possesses real estate valued at $50,000. With his wife he resided at 1221 Laguna street. Last Wednesday evening Mrs. Badger entered the grocery store over which the couple resided. She was bleeding from a cut over the eye. The wound was dressed by the clerk and Dr. Lagan was summoned.

Mrs. Badger went to the residence of James A. Gibney at 1339 Laguna street, where she was attended by the physician named. She remained there over night and returned home the next morning. Mrs. Badger in conversation with Dr. Lagan informed him that her husband had struck her with a stick and then thrown a piece of wood at her. This she afterward denied in the presence of Dr. Lagan and her husband.

The wound was not a serious one, and recovery seemed certain when erysipelas set in and in three days caused her death. Dr. Lagan reported the case to Coroner Leland, who sent Deputies Smith and Brown to investigate. Detectives Tom Gibson and Archie Hammel were detailed by Captain Seymour for the same purpose. As a result of their investigations the aged capitalist was arrested and the body of his wife was taken to the Morgue.

Owing to the misguided efforts of the Gibney family to protect the old man, the investigation was made under great difficulties. Mrs. Gibney, who was very free with her tongue before the death of Mrs. Badger occurred, refused absolutely to give the detectives any information. She denied possessing any knowledge of the affairs of the Badgers, and referred the officers to her husband, who proved equally as obstinate, and disclaimed having any knowledge of the supposed quarrel.

Fred Raschen, proprietor of the grocery store at 1223 Laguna street, and William Nieman, his clerk, admit stanching the flow of blood from the wound over Mrs. Badger's eye, but claim to know nothing of the manner in which the cut was inflicted.

Badger has been on a spree for the last two weeks and when arrested was stupidly drunk. In reply to the detectives' questions he mumbled that he did not know what happened.

Mrs. Badger was a native of Ireland, where she was born about fifty years ago. She was Badger's second wife, and was a most estimable woman, the neighbors say.

FEDERAL CIVIL SERVICE REPORT

Successful Candidates Placed in General Departments.

WASHINGTON, May 27.—The annual report of Chief Examiner, A. R. Serven, of the Civil Service Commission, was made public to-day. It shows that during the year ending June 30, 1900, 43,641 persons took the competitive examinations for original appointments to the classified service. There were also 248 people examined non-competitively, for excepted place. There were 469 different kinds of examinations involving 1188 opportunities for the assembling of competitors at places widely distributed throughout the States and Territories.

The report says that general examinations in Porto Rico have been somewhat delayed because of the uncertainty whether the "people of Porto Rico" as denominated by the act establishing civil government there are citizens of the United States within the meaning of the Civil Service rules. Expenses have been cut in all directions to enable the establishment of the examination system in both Hawaii and Porto Rico when the citizenship question is settled by the Supreme Court.

There were 1390 appointments made in the general departmental service, of which 500 were to comparatively insignificant places.

The report instances some frauds discovered in examinations, resulting in barring offenders from future examinations, and says it is now well-nigh impossible for collusion to occur without leaving its ear marks and being followed by summary punishment. The report makes a plea for more examiners and for ample facilities to renew systematic instruction of local boards of examiners.

GRAPE-NUTS.

KNEW THE WAY OUT.

Made a Study of His Food.

It is not always that the user of food understands about that food, but a gentleman in Cincinnati writing about Grape-Nuts expresses himself perfectly. He says: "A business man devoting himself to hard, mental labor, requires different food than a man doing muscular work. I became aware of a dull, heavy feeling in my head day by day, which did an untold damage to my work. Verdict, intestinal indigestion; punishment, a severe diet list, leaving out starchy foods, sugar and fat.

"Up to this time, with the most precise care in cooking, the ordinary breakfast food came to the table a pasty, starchy mass. Added to that was sugar and more or less white bread, which gave an excess of starchy food that could not be digested. This indigested mass passed into the intestines, creating gas and all of the distressing symptoms both of body and brain.

"I was put on Grape-Nuts Food for the reason that it is made of selected parts of wheat and barley, thoroughly cooked at the factory, giving to the body the starchy part of the food (which is necessary), predigested, that is, turned into dextrose or grape sugar. This furnished the sweet needed, without the use of cane sugar, and gave me the starchy principle of food already passed into the second condition, exactly in the same manner as a healthy body digests it.

"After eating Grape-Nuts for a short time I found a most remarkable improvement in my health, and I also discovered the reason why the claim made on the package is true, that one pound of Grape-Nuts, which is perfectly absorbed by the body, will afford more nutrition than ten pounds of meat, wheat or bread, imperfectly digested. I can assure any one that a week or ten days' conscientious use of Grape-Nuts will prove far more convincing testimony than any written words. I subscribe myself a grateful consumer. Please do not publish my name." Any one who will write to the Postum Cereal Co., Ltd., Battle Creek, Mich., and enclose stamp, can be supplied with the name and address.

RECOMMENDS EXCLUSION OF JAPANESE LABOR

They Work for Such Small Pay That They Are Displacing the Chinese.

DENVER, May 27.—The Western Federation of Miners and its ally, the Western Labor Union, assembled here in joint convention this morning and will continue their deliberations in separate sessions throughout the week. About 175 delegates, representing every State and Territory west of the Missouri River and British Columbia, were present at the joint meeting, which was called to order by Edward Boyce, president of the Western Federation. Addresses of welcome were made by Governor Orman and Mayor Wright and responses by President Boyce and President Daniel McDonald of the unions.

Matters of vital importance to Western workingmen, including the Coeur d'Alene mining troubles and the question of cheap labor from the Orient, will be discussed. The Chinese exclusion act expires May 5, 1902, and the conventions will recommend its renewal, as well as the adoption of measures to exclude the Japanese.

"The exclusion of the Japanese is more important than the legislation against the Chinese," said President McDonald. "These people are willing to labor for such small pay that they are actually displacing Chinese."

A speech was also made by Lieutenatn Governor Coates of Colorado. "The goal for which we are striving," said he, "is the entire abolition of the wage system. We want better conditions in the shops to-day, better education to-morrow, and then we want all that we can produce. We want it all for ourselves.

"The president of the billion-dollar steel trust declares that organized labor denies opportunities to labor. That is untrue. Big combinations like his deny opportunity to labor."

At the conclusion of the speech Vice President Boyce appointed Thomas Nichols, C. F. Derusha, Frederick Sharp, Thomas Eslick and A. J. Horn a committee on credentials.

DEATH'S HARVEST IN YOLO.

Three Citizens of the County Pass to the Beyond.

WOODLAND, May 27.—Harvey Clinton Gable, farmer, banker and prominent Mason, died last night. The funeral will take place at 2 o'clock to-morrow.

The Rev. J. H. Storms, pastor of the Baptist church, died in this city this morning. The body will be taken to Los Angeles to-morrow for burial.

Taylor Ridley, a native of Alabama, 63 years old and for forty years a resident of Yolo County, died in Dunnigan last night.

Junior Order.

General George A. Custer Council of the Junior Order of United American Mechanics had an interesting meeting last week. Five applications were presented, after which eleven strangers were initiated into the mysteries of the order. After the business there was an adjournment to an adjacent hall, where an enjoyable banquet was partaken of and there were addresses by State Councilor Dr. George H. Derrick, Henry P. Dalton, Professor C. E. Merwin and T. W. Robinson. This council will have an entertainment and dance on the evening of the 4th of June under the direction of the committee on entertainment, consisting of L. C. Shanan, J. P. Thomas and George Calvert.

DUTIES ILLEGALLY EXACTED

Continued From Second Page.

York. The decision was rendered on behalf of the majority of the court by Justice Brown, the opinion being concurred in by all the Justices except Justices McKenna, Shiras and White. The decision hung upon the case coming from the State of New York, involving the levying of $13,000 in duties on goods imported from Porto Rico into the United States, the collection having been sustained by the lower court. In effect the decision was that territory acquired by the United States is a part of the United States and not foreign territory and that such import duties could not be levied. The decision of the lower court was reversed.

Justice Brown announced in the beginning of his decision that the court undoubtedly has jurisdiction in this case. He said the case raised the single question whether territory acquired by the United States by cession from a foreign power remained a "foreign country" within the meaning of the tariff laws, and added:

The question involved in this case is not whether the sugars were importable articles under the tariff laws, but whether, coming as they did, from a port alleged to be domestic, they were imported from a foreign country—in other words, whether they were imported at all as that word is defined in Woodruff vs. Parham. We think the decision in the Fassett case is conclusive to the effect that, if the question be whether the sugars were imported or not, such question could not be raised before the Board of General Appraisers, and that whether they were imported merchandise for the reasons given in the Fassett case that a vessel is not an importable article, or because the merchandise was not brought from a foreign country, is immaterial. In either case the article is not imported.

Adequate Remedy Supplied.

Conceding, then, that section 3011 has been repealed and that no remedy exists under the customs administrative act, does it follow that no action whatever will lie? If there be an attempted wrong the courts will look far to supply an adequate remedy. If an action lay at common law the repeal of sections 2931 and 3011 regulating proceedings in customs cases (that is, turning upon the classification of merchandise) to make way for another proceeding before the Board of General Appraisers in the same class of cases, did not destroy any right of action that might have existed as to other than customs cases, and the fact that by section 25 no Collector shall be liable for or on account of any rulings or decisions as to the classification of such merchandise or the duties charged thereon, or the collection of any dues, charges or duties on or on account of any such merchandise; or any other matter which the importer might have brought before the Board of General Appraisers does not restrict the right which the owner of the merchandise might have against the Collector in cases not falling within the customs administrative act. If the position of the Government be correct, the plaintiff would be remediless; and if a Collector should seize and hold for duties goods brought from New Orleans or any other concededly domestic port to New York, there would be no method of testing his right to make such seizure. It is hardly possible that the owner could be placed in this position.

After citing numerous opinions and authorities to show that the action of the plaintiffs in error was properly brought, the court holds that "whether these cargoes of sugar were subject to duty depends solely upon the question whether Porto Rico was a foreign country at the time the sugar was shipped, since the tariff act of July 24, 1897, commonly known as the Dingley act, declares that 'there shall be levied, collected and paid upon all articles imported from foreign countries' certain duties therein specified. A foreign country was defined by Chief Justice Marshall and Justice Story to be one exclusively within the sovereignty of a foreign nation and without the sovereignty of the United States.

Status of Porto Rico.

"The status of Porto Rico was this: The island had been for some months under military occupation by the United States as a conquered country, when, by the second article of the treaty of peace between the United States and Spain, signed December 10, 1898, and ratified April 11, 1899, Spain ceded to the United States the island of Porto Rico, which has ever since remained in our possession and has been governed and administered by us. If the case depended solely upon those facts and the question were broadly held whether a country which had been ceded to us, the cession accepted, possession delivered and the island occupied and administered, without interference by Spain or any other power, was a foreign country or domestic territory, it would seem that there could be as little hesitation in answering this question as there would be in determining the ownership of a house deeded in fee simple to a purchaser who had accepted the deed, gone into possession, paid taxes and made improvements without let or hindrance from his vendor. But it is earnestly insisted by the Government that it never could have been the intention of Congress to admit Porto Rico into a customs union with the United States, and that, while the island may be to a certain extent domestic territory, it still remains a 'foreign country' under the tariff laws until Congress has embraced it within the general revenue system."

At great length the court then discussed similar cases arising from previous acquisitions of territory by the United States, reviewing very fully former decisions of the court involving cases such as are presented in this case. The possessions in connection with which the main question involved in this case has arisen are Louisiana, Florida, Texas, California and Alaska. Each case was taken up in order and analyzed minutely.

As to Foreign Countries.

The court then presented its conclusions in the following language:

As showing the construction put upon this question by the legislative department, we need only to add that section 232 of the Foraker act makes a distinction between foreign countries and Porto Rico, by enacting that the same duties shall be paid upon "all articles imported into Porto Rico from ports other than those of the United States, which are required by law to be collected upon articles imported into the United States from foreign countries."

From this resume of the decisions of this court the instructions of the executive departments and the above act of Congress, it is evident that, from 1803, the date of Mr. Gallatin's letter, to this present time, there is not a shred of authority, except the dictum in Fleming vs. Page, for holding that a district ceded to and in the possession of the United States remains for any purpose a foreign country. Both these conditions must exist to produce a change of nationality for revenue purposes. Possession is not alone sufficient, as was held in Fleming vs. Page, nor is a treaty ceding such territory sufficient without a surrender of possession. The practice of the executive departments, thus continued for more than half a century, is entitled to great weight and should not be disregarded nor overturned except for cogent reasons and unless it be clear that such construction be erroneous.

If this were placed as an original question we should be compelled irresistibly to the same conclusion. By article XI of section 2 the President is given power "by and with the advice and consent of the Senate, to make treaties, provided that two-thirds of the Senators present concur," and by article VI, "this constitution and the laws of the United States, which shall be made in pursuance thereof, and all treaties made or which shall be made, under the authority of the United States shall be the supreme law of the land."

It will be observed that no distinction is made as to the question of supremacy between laws and treaties, except that both are controlled by the constitution. A law requires the assent of both houses of Congress, and, except in certain specified cases, the signature of the President. A treaty is negotiated and made by the President, with the concurrence of two-thirds of the Senators present, but each of them is the supreme law of the land.

As if by Annexation.

One of the ordinary incidents of a treaty is the cession of territory. It is not too much to say it is the rule, rather than the exception, that a treaty of peace, following upon a war, provide for a cession of territory to the victorious party. The territory thus acquired is acquired as absolutely as if the annexation were made as in the case of Texas and Hawaii by an act of Congress.

It follows from this that by ratification of the treaty of Paris the island became territory of the United States—although not an organized Territory in the technical sense of the word.

It is true Chief Justice Taney held in Scott vs. Sandford that the territorial clause of the constitution was confined and then tended to be confined to the territory which at that time belonged to or was claimed by the United States and was within their boundaries, as settled by that treaty with Great Britain and was not intended to apply to territory subsequently acquired. He seemed to differ in this construction from Chief Justice Marshall who, in speaking of Florida before it became a State, remarked that it continued to be a Territory of the United States, governed by the territorial clause of the constitution.

But whatever be the source of this power, its uninterrupted exercise by Congress for a century and the repeated declarations of this court have settled the law that the right to acquire territory involves the right to govern and dispose of it. Indeed, it is scarcely too much to say that there has not been a session of Congress since the Territory of Louisiana was purchased that that body has not enacted legislation based upon the assumed authority to govern and control the territories. It is an authority which arises not necessarily from the territorial clause of the constitution, but from the necessities of the case and from the inability of the States to act upon the subject. Under this power Congress may deal with territory acquired by treaty; may administer its government as it does that of the District of Columbia; it may organize a local territorial government; it may admit it as a State upon an equality with other States; it may sell its public lands to individual citizens, or may donate them as homesteads to actual settlers. In short, when once acquired by treaty, it belongs to the United States and is subject to the disposition of Congress.

Territory thus acquired can remain a foreign country under the tariff laws only upon one of two theories: Either that the word "foreign" applies to such countries as were foreign at the time the statute was enacted, notwithstanding any subsequent change in their condition; or that they remain foreign under the tariff laws until Congress has formally embraced them within the customs union of the States. The first theory is obviously untenable. While a statute is presumed to speak from the time of its enactment, it embraces all such persons or things as subsequently fall within its scope. Thus, a statute forbidding the sale of liquors to minors applies not only to minors in existence at the time the statute was enacted, but to all who are subsequently born, and ceases to apply to such as thereafter reach their majority. So, when the constitution of the United States declares in article I section 10 that the States shall not do certain things, this declaration operates not only upon the thirteen original States but upon all which subsequently become such; and when Congress places certain restrictions upon the powers of a Territorial Legislature, such restrictions cease to operate the moment such Territory is admitted as a State. By parity of reasoning a country ceases to be foreign the instant it becomes domestic. So, too, if Congress sees fit to cede one of its newly acquired Territories (even assuming that it had the right to do so) to a foreign power there could be no doubt that from the day of such cession and the delivery of possession, such Territory would become a foreign country and be reinstated as such under the tariff laws. Certainly no act of Congress would be necessary in such case to declare that the laws of the United States had ceased to apply to it.

Cession Makes It Domestic.

The theory that a country remains foreign with respect to the tariff laws until Congress has acted by embracing it within the customs union presupposes that a country may be domestic for one purpose and foreign for another. It may undoubtedly become necessary for the adequate administration of a domestic territory to pass a special act providing the proper machinery and officers, as the President would have no authority except under the war power to administer it himself, but no act is necessary to make it domestic territory if once it has been ceded to the United States. We express no opinion as to whether Congress is bound to appropriate the money to pay for it. This has been much discussed by writers upon constitutional law, but it is not necessary to consider in this case, as Congress made prompt appropriation of the money stipulated in the treaty. This theory also presupposes that territory may be held indefinitely by the United States; that it may be treated in every particular except for tariff purposes as domestic territory; that laws may be enacted and enforced by officers of the United States sent there for that purpose; that insurrections may be suppressed, wars carried on, revenues collected, taxes imposed; in short, that everything may be done which a government can do within its own boundaries, and yet that the territory shall remain a foreign country; that this state of things may continue for years, for a century even, but that unless Congress enacts otherwise it still remains a foreign country. To hold that this can be done as a matter of law we deem to be pure judicial legislation. We find no warrant for it in the constitution or in the powers conferred upon this court. It is true the non-action of Congress may occasion a temporary inconvenience, but it does not follow that courts of justice are authorized to remedy it by inverting the ordinary meaning of words.

If an act of Congress be necessary to convert a foreign country into domestic territory the question at once suggests itself, what is the character of the legislation demanded for this purpose? Will an act appropriating money for its purchase be sufficient? Apparently not. Will an act appropriating the duties collected upon imports to and from such country for the benefit of its government be sufficient? Apparently not. Will acts making appropriations for its postal service, for the establishment of lighthouses, for maintenance of quarantine stations, for erecting public buildings have that effect? Will an act establishing a complete local government, but with the reservation of a right to collect duties upon commerce, be adequate for that purpose? None of these, nor all together, will be sufficient if the contention of the Government be sound, since acts embracing all these provisions have been passed in connection with Porto Rico, and it is insisted that it is still a foreign country within the meaning of the tariff laws. We are unable to acquiesce in this assumption that a territory may be at the same time both foreign and domestic.

Lower Court Is Reversed.

A single further point remains to be considered.

It is insisted that an act of Congress passed March 24, 1900 (31 Stat. 151), applying for the benefit of Porto Rico the amount of customs revenue received on importations by the United States from Porto Rico since the evacuation of Porto Rico by Spanish forces October 18, 1898, to January 1, 1900, together with any further customs revenues collected on importations from Porto Rico since January 1, 1900, or shall hereafter be collected under existing law, is a recognition by Congress of the right to collect such duties as upon importations from a foreign country, and a recognition of the fact that Porto Rico continued to be a foreign country until Congress embraced it within customs union. It may be seriously questioned whether this is anything more than a recognition of the fact that there were moneys in the territory not subject to existing appropriation law. Perhaps we may go further and say that so far as those duties were paid, voluntarily and without protest, the legality of the payment was intended to be recognized, but it can clearly have no retroactive effect as to moneys thereafter paid under protest for which an action to recover back has already been brought. As this action in this case was brought March 13, 1900, eleven days before the act was passed, the right to recover the money sued for could not be taken away by any subsequent act of Congress. Plaintiff sues in assumpsit for money which the collector has in his hands, justly and equitably belonging to them. To say that Congress could by a subsequent act deprive them of the right to prosecute this action would be beyond its powers. In any event, it should not be interpreted so as to make it retroactive.

We are, therefore, of the opinion that at the time these duties were levied Porto Rico was not a foreign country within the meaning of the tariff laws, but a Territory of the United States; that the duties were illegally exacted and that the plaintiffs are entitled to recover them back.

The judgment of the Circuit Court for the Southern District of New York is, therefore, reversed and the case remanded to that court for further proceedings in consonance with this opinion.

REVERSE JUDGMENTS OF THE COURT BELOW

Additional Decisions in Line With the De Lima Case.

WASHINGTON, May 27.—Justice Brown announced that the court, following the authority of the De Lima case, reversed the judgments of the court below in the cases of Goetz vs. the United States and Crossman vs. the United States, both brought here from the United States Court of the Southern District of New York.

In the Goetz case a duty levied on an importation of tobacco from Porto Rico into the United States on June 6, 1899, after the ratification of the peace treaty and before the passage of the Porto Rican act, was involved, and also in the Crossman case the levy of a duty on an importation of liquor from Hawaii into the United States, in April, 1900, after the passage of the Hawaiian annexation resolution and before the taking effect of the act providing a government for Hawaii. In each case the board of general appraisers held the importation dutiable, and in each case the decision was reversed.

The court then passed on the case of Dooley vs. The United States, being an action brought to recover duties paid under protest at San Juan, on importations from New York between July 25, 1898, and May 1, 1900. The first question was whether this action, being to recover back money from the United States, should not have been brought in the Court of Claims, but the court held that it was properly brought before the United States District Court for Southern New York. The court said the duties assessed were of three classes, those levied under General Miles' order extending the Spanish regulations pending further action; those prescribed by the commander in chief, the President, until the cession of the island, and, third, those subsequently levied. The court said there could be no doubt as to the lawful exaction of duty under the war power. While the treaty of peace was signed December 12, 1898, it did not take effect until ratification. The authority of the Spanish Government was superseded, but the necessity for the revenue did not cease. The Government must be carried on and there was no authority left but the military authority. The most natural method of raising revenue was by continuing the Spanish duties. General Miles, in adopting this method, was fully justified by laws of war. Different considerations apply from the date of notice of ratification of the treaty of peace. Porto Rico then ceased to be foreign country, and the right of the Collector to exact duties ceased with the exchange of ratifications, though the right to administer the government, of course, continued.

From the moment the United States ceased to be foreign country with respect to Porto Rico and until Congress acted importations were free from levy of duty, whether from one place to the other or vice versa. In our opinion the authority of the commander in chief ceased with the ratification of the treaty of peace, and the right to free entry of goods continued until Congress constitutionally acted. The decision for this reason will be reversed.

Justices Gray, Shiras, White and McKenna dissented. The dissent was based on the ground that Porto Rico does not ipso facto become a part of the United States so far as the tariff laws are concerned the moment the treaty of peace was ratified.

The case of Armstrong vs. the United States, involving the validity of a duty assessed on goods shipped to Porto Rico during military occupation, especially before and partially after the ratification of the treaty, was decided on the lines of the Dooley case, the court dividing as in the latter case.

SAYS THE DECISION IS HISTORY-MAKING

Coudert Says Government Cannot Have Colonies Like England.

NEW YORK, May 27.—Frederick R. Coudert Jr., who argued the cases of De Lima and Downes before the Supreme Court, said:

"This De Lima decision affects only the duties collected on Porto Rican products previous to the passage of the Foraker act. We have covered the question of duties collected since the passage of that act by what is called the Downes case. This is an issue which we created to test the constitutionality of the law."

Speaking of the De Lima decision Mr. Coudert said:

"This case, I think I can say, is a history making decision. It will have a bearing upon the position not only of Porto Rico but of the Philippines and Hawaii as well. It practically means that this Government can have no such thing as colonies in the sense that Great Britain has them. Every inch of territory over which the flag floats must hereafter be considered an integral part of the Union."

Charles Frederick Adams, of the law firm of Coudert Bros., who prepared the case of De Lima, said:

"If the court says the Foraker act is right, then the constitutional question is against us, for Congress has the power to discriminate against ceded countries. In that act a duty of 15 per cent of the Dingley tax was regarded as legal on goods shipped from Porto Rico; but in the case of Downes it was brought up as a test case, their duty being levied after the passage of the Foraker act."

Naturally members of the firm of D. A. de Lima were elated by the decisions. Said Mr. de Lima:

"Our contention that Porto Rico sugar was American sugar, and therefore not dutiable, has been sustained."

Another member of the firm said:

"We are much gratified to learn that a great national question has finally been settled. Since Porto Rico came under the American flag the firm has paid under protest duties amounting to a large sum, which, we understand, under the Supreme Court's ruling, will have to be refunded."

W. J. Bryan's Opinion.

LINCOLN, Neb., May 27.—W. J. Bryan's only opinion on the decision in the insular cases was that it upheld the contention of the Republicans in some respects and that of the Democrats in others. He said he would not commit himself further on the effect of the opinion until he had read the full text. He hoped the constitution would follow the flag.

Engaged in Coasting Trade.

WASHINGTON, May 27.—The Supreme Court to-day decided what is known as the Huus case, involving the question whether vessels plying between Porto Rico and New York were engaged in the coasting trade. The court's decision held that they were so engaged.

There are 16,000 policemen in London.

The man who is afraid to think for himself should acquire a wife.

MORAL ELEMENT OF THE DRAMA

Methodists Discuss Subject at Very Great Length.

They Believe That the Play Is Detrimental to Christian Work.

The old controversy between the ministry and the stage has cropped up again. It was brought up this time at the weekly meeting of the Methodist Episcopal Ministers' Union, which was held yesterday, and the discussion was based on the "Moral Influence of the Drama." After a long discussion of the subject it was the consensus of opinion that attendance at the theaters was not conducive to Christianity.

A week ago Rev. J. N. Beard and Rev. S. D. Hutsinpiller, two well known ministers of this city, brought up the subject at the ministers' meeting. Their remarks were directly in point. Other business intervening, it was decided to postpone discussion until yesterday.

Rev. John Thompson expressed his opinion that there was no redeeming feature in the drama. Rev. S. M. Woodward said that people engaged in Christian work should not attend the drama, as it was detrimental to them.

Rev. A. H. Briggs delivered a long talk on the subject. He discussed it from the standpoint of the influence on the actor, and, secondly, its influence on the audience. He said a man cannot act without being a hypocrite and hurting himself, as he is acting the sentiments which belong to another. He stated that a man will act in the pulpit, and to explain this statement said that eloquence is nothing but good acting. Mr. Briggs expressed his opinion that there was a dramatic element in all protestations of truth. He admitted that there were a number of stock companies on the stage, the lives of whose members were irreproachable, but added that in a majority of cases he could not express the same opinion. Mr. Briggs, in concluding his talk, said that had he been asked his opinion of the stage two years ago he would have condemned it, but since then he has changed his views.

"We ought to review our conclusions," he said, "and there ought to be an open mind in reference to the drama as to other questions."

Rev. F. D. Bovard also spoke at length and in part said:

"It is a profession that exercises and protects dissipation. It has a deleterious effect on the moral character of the party acting, because the fundamental elements of his profession are dominated with an atmosphere of dissipation. It also has a deleterious effect on those who listen on account of the overestimation of the sensational element in their nature, and it produces a superficial conviction on all questions of character. The good element in the drama can never be the predominating influence. Taken as a whole, in my opinion the drama can never be an auxiliary to the church."

ADVERTISEMENTS.

THE TRICK.

A TRICK may involve deceit or it may be a display of peculiar skill. There is deceit in some soaps, but there is none in Ivory Soap; it is a display of peculiar skill. It will stand any test and can be relied upon to do all that is claimed for it.

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CUTTER GRANT OFF THE REEF

Disabled Vessel Towed to Victoria for Repairs.

Special Dispatch to The Call.

VICTORIA, B. C., May 27.—The United States revenue cutter U. S. Grant has been floated. She was lifted off the rocks in Saanich Inlet yesterday afternoon and taken in tow by the cutter Perry and the tug Mystery. She was hauled out this afternoon on the ways here for repairs. Her injuries are confined to her hull, but, there being a number of holes, many new plates will be placed in her.

On the arrival of the Grant here to-day it was learned that it was due to the desire on the part of Captain Tozier to add to his collection of Indian curios that the Grant went into Saanich Inlet, a body of water seldom frequented and not more than fifteen miles from Victoria. There is a deserted village of the Malahath Indians there, and a few days before the Grant started on her cruise word was sent to an officer of one of the ships at Esquimalt, a collector of Indian totems and other curios, that there was a fine collection at the Malahath village for sale.

Captain Tozier learned of this and when the Grant left here she proceeded to Saanich Inlet, where Captain Tozier hoped to procure the collection. Unfortunately, the Grant ran upon the rocks which lie opposite the village and was almost lost. Had she slipped but five feet farther forward she would have glided right over the rock and foundered. She was lifted from the rock at high tide on Saturday and towed here by the Perry.

Amendment to Be Accepted.

HAVANA, May 27.—By unanimous agreement the Cuban Constitutional Convention has decided to take a final vote on the acceptance of the Platt amendment tomorrow. The conservatives claim that the Platt amendment will be accepted by the convention by a vote of 17 to 11.

Boers Capture a British Post.

LONDON, May 28.—The Times publishes the following from Cradock, dated May 27: "Kritzsinger's invaders of Cape Colony captured a British post of forty-one men near Maraisburg after a stout resistance."

Order of Americus.

Berkeley Council of the Order of Americus at its last held meeting tendered a reception to the members of San Francisco Council and presented a class of candidates for the degree team of the visiting council to initiate. After the degree had been conferred there was a programme of entertainment that included vocal selections by the Golden State Quartet of male voices, selections by the Mandolin Club under direction of Walter Clarkson, recitations, and at half past 10 a supper in honor of the visiting members of the order, who greatly appreciated the hospitality of the entertaining council.

Friends of the Forest.

America Council of the Friends of the Forest has arranged for an apron and necktie party for the 15th of June in Occidental Hall, in the building on Larkin street formerly occupied by the Supreme Court.

Lincoln Lodge had a pleasant "at home" in its hall last week. The unpleasant weather kept away a number who usually attend the functions of this lodge, but those who did attend had an enjoyable evening.

The Supreme Lodge of this order will meet on the 4th of June in annual session.

Daughters of Liberty.

The grabbag party given by California Council of the Daughters of Liberty last week was a great success and one of the most enjoyable of the many social functions this very much alive organization has given. After the grabs there was dancing till 11 o'clock. The function was managed by Laura Cantus, Minnie Sproul, Etta Crawford, Marguerite Thomas and George Little.

Two new councils are to be instituted during the first week of June—one in Oakland and the other in Pasadena.

The output of coal in Washington State for 1900 was about 2,200,000 tons.

A WISE OLD DOCTOR

This Is a Story With a Moral.

Once a young man met a wise old doctor. The doctor was rich, as doctors often get to be. The young man was poor, as young men often are; but he had studied hard and had invented an electric belt which he thought was better than anything else in the world as a strength-builder. He hoped some day to prove its value.

And then he hoped to be as rich as the wise old doctor.

The wise old doctor and the young man had known each other as fellow-travelers for two whole days, and they were rather inclined to be sociable, as fellow-travelers often are.

"I would like to ask you, Doctor," said the young man, "why it is that doctors as a rule are so bitter against my electric belt; why you always condemn it, and discourage your patients from using it? Do you mind giving me an honest answer to that question?"

"Why, my dear boy," said the wise old doctor with a fatherly smile, "that is a ridiculous question. Let us suppose that you and I owned grocery stores on opposite corners; that I had a good customer whom I wished to keep, and that he asked me if I thought you sold better groceries than I did, and at lower prices, do you think I would tell him you did and advise him to trade with you? No, my son; you don't think me such a fool.

"Doctors, my boy, are doctors because it brings them a living, and they are not going to lose a good customer if they can help it."

He Wasn't Losing Any Patients If He Could Help It.

"But," ventured the young man, "do you not know that my plan of treatment has merit and that it has made some remarkable cures even after doctors have tried their best and failed? Do you not acknowledge that my belt gives a great force of electricity into the body, and that after my years of careful study I should know how it ought to be applied? Based on its actual merit, ought not the doctors to recommend it for the good of humanity?"

"Yes, yes, yes. I concede all that, my son, but you forget that if we acknowledge all this to our patients we would be taking the bread out of our own mouths, and that we are not willing to do. I know of two cases of my own patients who have used your belt, and they have spoken very highly of it; but you don't get any more of my patients if I can help it."

So said the wise old doctor, and the young man agreed that he was "up against it."

All of which suggests the moral: If you expect the people to recognize the merit of your remedy you must "blow your own horn."

That's what I'm doing. I will take any case of Rheumatism, Lame Back, Wasting Vitality, Nervous Debility, Varicocele, or any weakness in men or women under a guarantee to cure or no pay. My Electric Belt is the best in the world. I take the old style, turning kind in part payment. Call or send for my free book.

DR. M. C. McLAUGHLIN,
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