

# Champ Clark's Letter.

[Special Washington Letter.]

**S**O the Republican Solomons who are running the Washington administration are cooking up another juggle with Germany on the tariff question, and France is kicking on account of it. She is insisting on "the most favored nation clause" in the Franco-American treaty being carried out in good faith. The Republican bigwigs had to knock under to Germany, though they are trying to cover up their retreat with a sleight of hand performance, hoping thereby to hide their real backdown from the people, just as the ostrich pokes his head into the sand and thinks, poor silly bird, that nobody can see the rest of his anatomy. Not long since that double back acting simon pure stand patter, Hon. James T. Mc Cleary of Minnesota, then a representative in congress, now assistant postmaster general, demonstrated to his own satisfaction that Germany would have to yield to our desires or we would starve her out! That was a beautiful theory, but somehow or somehow else Germany didn't yield and didn't starve. On the contrary, we had to do the yielding. That Mc Cleary prophecy was like Beveridge's book proving that Russia was fixing to gobble all of Asia, winding up with India, but before the ink was dry on his pages Japan licked Russia clear out of her boots. All there is to this new arrangement with Germany is that we, to prevent Germany from putting her maximum tariff into effect against us, permit her to put such a low value on her goods—not the price at which they are sold, but on which the tariff is charged—as to amount to a lower tariff than other nations pay on the same class of goods coming into this country, which as certain as fate will involve us in all sorts of trouble, perhaps war, with other nations. Lovely statesmanship, isn't it? Germany ought to be treated fairly—so ought every other country—no more, no less. This government in its foreign policy ought to return at once to the Jeffersonian principle, "Peace, commerce and honest friendship with all nations, entangling alliances with none." The sooner that is done the better for us and for all concerned.

As to this middle with Germany, here is the situation: Our blessed Dingley tariff law shut out German products to a large extent, and Germany, concluding that that was a game at which two could play, got up a law which would shut about \$200,000,000 annually of our products out of Germany. Tit for tat; that's all. She shook that retaliatory law in the faces of the Washington powers that be till they were scared by the farmers and patched up a truce with Germany. So Mc Cleary's beautiful theory of starving the Germans into submission is "ausgespielt."

Why would not Mc Cleary's theory work? Simply because most products which Germany buys from us are agricultural products, and the German had sense enough to know what our American stand patters did not have sense enough to know—that if they could not swap German manufactures for our agricultural products they could swap them for South American agricultural products and leave ours to rot on our hands.

If our stand patters could get some German brains into their heads, the aforesaid stand patters would be greatly improved.

**The Higher Law.**

In the fifties William Henry Seward, then senator from the state of New York, imbittered American politics and helped shut himself out of the presidency by inventing the phrase "the higher law." Seward, unfortunately for himself, was a phrase maker. "The irrepressible conflict" was also of his coining. Those two phrases and the speeches bottomed on them—great, brilliant, far resounding speeches—made him a White House impossibility. Of course my readers do not have to be told that Seward's "higher law" appertained to slavery. Now, that question having been settled, his phrase is resurrected in another connection, this time with reference to homicide in connection with certain sins, and the arguments pro and con are voluminous, sometimes bitter. This so called higher law was pleaded successfully at Culpeper, Va., last winter in the Strother cases. It caused a hung jury in the Thaw case and had been properly defended would have cleared him. Last week in St. Louis it was pleaded in defense of Policeman McNamara, who had killed his wife and her paramour, and he was sentenced to fifteen years in the penitentiary, but that sentence was the result of cast iron instructions from Judge Saxe which precluded any verdict except that of murder in the first or second degree. It's dollars to doughnuts that that verdict will not stand in the supreme court and that McNamara will finally go free or receive a light sentence for manslaughter.

Now, what is this higher law? It is simply and boldly this: That if A wrongs the wife, sister, mother or daughter of B, and B kills him for so doing, B goes free. That's the higher law, and it is right, founded in wisdom, justice and human nature. It will never be repealed until God changes the human heart. According to the majority opinion, and in this country the whole fabric of our gov-

ernment rests on the idea that majority opinion is correct. B not only has the right to kill A under the circumstances, but it is his duty not only to himself, but to society, so to do. Some folks think that the higher law ought to be made a part of our statute law, and the only reason it is not done is the fear that it might be abused.

Of course certain more or less estimable persons will hold up their hands in holy horror at the foregoing remarks and declaim about the sanctity of human life. Nobody questions the sanctity of human life, but the American home, the unit of our civilization, is also sacred. And how much is the seducer of wife, sister, mother or daughter thinking about the sanctity of human life when he is really rendering the condition of some woman worse than death? Before perpetrating his crime he should take a few minutes off and reflect upon the sanctity of that human life and human home which he is about to destroy. Then nobody will ever have cause to orate about the sanctity of human life above his shot riddled body.

**No Senator.**

The Rhode Island legislature has adjourned sine die without electing a United States senator to succeed Mr. Wetmore. The Republicans had a good working majority—good in numbers if not in character. Consequently the Democrats could not elect, and so far as the Republicans were concerned, it was simply a war of money bags. When congress meets in December, there will be only eighty-nine senators instead of the full membership of ninety.

It may be of public interest to note that Missouri was the first state to have only one United States senator for two years, but money had nothing to do with her failure to elect a senator in 1855. Hate was the cause. In 1849 the Missouri Democracy split into two warring factions, Bentonites and anti-Bentonites. Their bitter contentions defeated Benton in 1851 and sent Henry S. Geyer, Missouri's one Whig senator, to Washington. He was elected by a coalition of Whigs and anti-Benton Democrats. In 1855 the Whigs, the Bentonites and the anti-Bentonites showed up in about equal numbers in the legislature. No faction had a majority, no coalition could be formed, therefore no senator was elected.

Since then many states have failed to elect. Rhode Island is the last and smallest in the procession. There is a sovereign remedy for this disease of the body politic, which disease is spreading, and that is to elect United States senators by popular vote. Then ambitious multimillionaires like Wetmore and Colt of Rhode Island cannot tie up a legislature and prevent an election.

Let us hope that this performance will so disgust decent people in little Rhode Island that a Democratic legislature will be elected which will choose a Democratic United States senator.

**The Rest Cure.**

Last week I referred to the fact that those eminent Republican physicians, Dr. Perkins of California and Dr. Draper of Massachusetts, had prescribed "the rest cure" for President Roosevelt. True, Perkins is a United States senator and Draper a lieutenant governor, but nevertheless they are prescribing for the president. The following dispatch shows that my old friend, ex-Congressman H. Kirk Porter, a staunch Republican, prescribes the same remedy. Here is the dispatch:

New York, April 27.—A special dispatch from Pittsburgh to the Press says that in an interview published here today former Representative in Congress H. Kirk Porter of this city pointedly attacked President Roosevelt, asserting that he thought "the White House should not be made a political headquarters," that the president's continued fight against the railroads was injurious to business and that the country would be greatly benefited if Mr. Roosevelt took a rest of a month or six weeks. Porter returned here today from Washington, where he saw the chief magistrate. He said he told the president he was nervous from overwork, but that his opinion was resented.

"I dislike exceedingly," said Mr. Porter, "to see the White House being made a political headquarters and the administration appearing before the people of the country engaged in an effort to control the convention of next year." Mr. Porter explained he was talking as a legitimate business man, and, after saying there were many things he did not like, he continued:

"For another example, I dislike the use of the words 'mischief makers' in connection with the policies of the president. It is a fact that he is such an agitator that legitimate business interests are unable to gauge affairs so as to make it safe to undertake extensive enterprises. For instance, railroad corporations that have not been accused of fears of high finance must suffer and are suffering from the stringency in the money market created by declarations at the White House that the president will ask for further railroad legislation.

"Railroad corporations which before the agitation was begun were able to get money at 4 and 4½ per cent are now issuing short time notes at 6 and 6½ per cent and even higher rates of interest. Regardless of whether the president is right or wrong, the fact is that such an increase in the rate for money has had a bad effect upon the industries of the country. That there is a very hopeful feeling in business affairs so as to make it safe to undertake extensive enterprises. For instance, railroad corporations that have not been accused of fears of high finance must suffer and are suffering from the stringency in the money market created by declarations at the White House that the president will ask for further railroad legislation.

"Porter took pains to emphasize his statement that he said all these things in the kindest way and even in an apologetic tone. Talking further along this line, he explained the impression he wished to convey was that it pained him very much to be compelled to recognize that the president had carried his campaign against

## Idaho's Trial

William D. Haywood, One of the Alleged Murderers of Ex-Governor Steunenberg and His Career as a Labor Leader—How He Became a Socialist.

**S**ELDOM has a criminal trial attracted such interest as has been aroused all over the country in the case of Moyer, Haywood and Pettibone. Charles H. Moyer is the president of the Western Federation of Miners, William D. Haywood is the secretary-treasurer of the organization, and George A. Pettibone was formerly a member of the executive committee. It is charged that the three men conspired to bring about the death of ex-Governor Frank Steunenberg of Idaho and employ Harry Orchard to do the work. An alleged confession was obtained from Orchard that he had committed the crime under the direction of these officials of the miners' federation, and he is also said to have confessed to twenty-six other murders, many of which he said were inspired by them.

Governor Steunenberg was killed on Dec. 30, 1905, by the explosion of a dynamite bomb which had been planted beneath the gate at the entrance to the grounds of his home. A large number of deaths have occurred in consequence of the warfare between labor and capital in the mining regions of Idaho and Colorado. One estimate places the number at 100. Haywood, Moyer and Pettibone have been indicted on the charge of being accessory to the murder of Steunenberg, and Haywood is the first of the three to be tried.

Haywood is said to be the brains and master spirit of the federation. He is thirty-eight years old, is self educated, and wherever he went before his arrest he was said to have carried with him the Bible, Shakespeare and a dictionary. A Socialist first of all, his dream had been to bring the mines under state control, so that the workers might get a greater return for their toil. He once told how he became a Socialist:

"I was working in the Trade Dollar mine in Idaho," he said, "my slope was 220 feet above the main level and



WILLIAM D. HAYWOOD.

was reached by climbing a ladder straight up the shaft. One day two of the owners of the mine came in, and one said to the other:

"Jim, suppose you go up to where Maywood is working."

"I wouldn't climb that ladder for \$3 a day. I couldn't see why they there should be a difference of \$10,000 and \$3 between him and me. So I was set thinking, and in time I became a Socialist."

Haywood is said to possess great courage. When Moyer was brought to Denver charged with complicity in the murder of Barney McGee, who was killed in the Victor riot of 1904, Haywood was at the depot to meet him. The platform was flanked by militiamen, and when Haywood stepped forward to greet Moyer the captain of the guard ordered him back, using both force and epithets to emphasize the order. Haywood replied by knocking the officer down. The militiamen sprang at him, and he fought them until they beat him into insensibility.

Haywood has several noted attorneys working in his defense, and the chief of counsel is Clarence S. Darrow of Chicago. Darrow is an author as well as a lawyer and some years ago wrote a book entitled "Resist Not Evil," in which he espoused the doctrine of nonresistance advocated by Count Leo Tolstoy. A few days ago it was announced that Tolstoy had practically abandoned this theory by coming out in favor of the use of force by the Russian revolutionists and in taking the position that in no other way can they obtain their rights. Mr. Darrow, who was counsel for Eugene V. Debs when the latter was prosecuted for his actions during the big railroad strike of about ten years ago, has often been retained by labor organizations and received a fee of \$15,000 for advising the miners during the arbitration of the anthracite coal strike in 1902. He is fifty years old and a native of Ohio. At the beginning of his practice he was an attorney for corporations.

CHARTER OF THE BURT CONSTRUCTION COMPANY.

Personally came and appeared, the parties whose names are hereto subscribed, all of full age, who declared that, availing themselves of the provisions of the laws of the State of Louisiana, and especially Art. 78 of 1904, they have covenanted and agreed, and by these presents covenant and agree and bind themselves, as well as such other persons who may hereafter become associated with them, to form and constitute a corporation and a body politic in law for the purposes, objects, articles and conditions following, to-wit:

**ARTICLE I.**

The nature and title of the said corporation shall be THE BURT CONSTRUCTION COMPANY, and its domicile is hereby established in the City of Shreveport and State of Louisiana, and under its said corporate name, the said corporation shall have the power and authority to contract; sue and be sued; to make and use a corporate seal, and the same to break and alter at pleasure; hold, receive, convey, purchase, improve, alienate, convey, sell, borrow, pledge, mortgage and hypothecate, under its said corporate name, property, real, personal and mixed; to name and appoint such officers, directors, agents, managers, or employees as the interests and convenience of the said corporation may require; to make and establish by-laws, rules and regulations for the proper management of its affairs, and to change and alter same at pleasure, and to do all acts and things permitted by law, or shall be necessary and proper to carry out the objects and purposes of the said corporation. The said corporation, unless sooner dissolved, in accordance with its charter, shall exist and continue for a period of twenty-five years, from and after date hereof.

The president, or, in his absence, secretary, shall be the proper person upon whom all citation and other legal processes shall be served.

**ARTICLE II.**

The object and purposes for which this corporation is organized and the business to be carried on by it are declared to be as follows, to-wit: To contract, to build, to erect, and to construct levees, embankments, railroad embankments, and do any and all other work usually done with teams and scrapers.

**ARTICLE III.**

The capital stock of the said corporation shall be ten thousand (\$10,000.00) dollars, divided into and represented by one hundred (100) shares of the sum of one hundred (\$100.00) dollars each, which said stock shall be paid for in cash at the time of subscription, or the same may be issued for not less than par in payment, or exchanged for property, or rights, actually received or purchased by the said corporation, or the same may be issued fully paid for money advanced, or for such other valuable consideration or services, as the board of directors of the said corporation may determine, provided that no stock shall be issued until the consideration therefor has been received by the said corporation. Any stockholder may sell, assign, or transfer his stock in this corporation, provided, thirty (30) days' prior notice of such intention to sell, assign or transfer same be given the company, and the other stockholders thereof shall have the first privilege of purchasing same, after which thirty (30) days' notice the said stock may be sold in open market. The stock of the said corporation may be transferred under the above conditions, provided the said transfer thereof be made on the books of the said company in its office on the surrender of the certificate therefor. No transfer of any fractional part of a share shall be made. This corporation shall commence doing business as soon as seventy-five hundred (\$7,500.00) dollars of the capital stock has been subscribed for and paid in. The board of directors shall have the right to determine how much stock shall be issued.

**ARTICLE IV.**

The corporate powers of this company shall be vested in, and exercised by, a board of three directors, consisting of the president, vice president and secretary-treasurer. Two of the said board shall constitute a quorum for the transaction of business, and their decisions shall be valid corporate acts. The following persons shall constitute the first board of directors: S. B. Hicks, W. C. Burt, and R. E. Comegys. No person shall be eligible as a director or officer who is not a stockholder of this company. During the absence of the president, the vice president shall act and preside. The said board shall continue in office until the first Tuesday in April 1908, on which date, and thereafter annually, the board of directors shall be elected on the first Tuesday in April of each year, unless same should be a holiday, when the election shall be held on the next legal date thereafter. Notice of the said election shall be given by ten (10) days' publication in a newspaper published in the City of Shreveport. The board of directors shall appoint one or more stockholders to preside at such election as commissioners. Any failure from any cause whatever to elect directors on the date named for that purpose shall not dissolve the corporation, but the directors then in office, as well as the officers of the said company, shall hold

over until their successors are chosen. In such event, the president shall call an election to be held within thirty (30) days and shall give notice thereof as hereinbefore provided. At every election or meeting, each stockholder shall be entitled to vote for each share of stock registered in his name, and may vote by proxy. Election of directors shall be by ballot, and the majority of votes cast, counting each share voted as one vote, shall elect a person or persons for whom they have been cast. After each election, the board of directors shall elect from their own number the officers of the said company.

**ARTICLE V.**

The board of directors shall have full power to fill vacancies in the board caused by death or otherwise, from among the stockholders of the corporation. The said board shall have full control of the property of this company, and shall so conduct, manage and use the same as in their discretion they deem fit, and that is consistent with the objects of this company, or the welfare of the same.

**ARTICLE VI.**

This charter may be changed, modified or amended; the capital stock increased or decreased; this corporation may be dissolved at a general meeting of the stockholders convened for the purpose, with the consent of three-fourths of the capital stock, whether present or represented at such meeting. Ten (10) days' prior notice shall be given by publication in a daily newspaper in the city of Shreveport. In case of dissolution or termination of this corporation, either by limitation of its charter or from any cause, the liquidation of its affairs shall be conducted by three commissioners, selected from the stockholders with like assent and at a meeting called for that purpose, as above set forth in this article. The said commissioners shall remain in office until the affairs of the said corporation shall have been liquidated.

**ARTICLE VII.**

No stockholder of this corporation shall ever be held liable or responsible for the contracts or faults thereof in any further sum than the unpaid balance due the company on shares of stock subscribed for and owned by him, nor shall any informality in organization have the effect of rendering this charter null or exposing a stockholder to any liability beyond the unpaid balance on any of his stock.

This done and passed in my office, on this eighteenth day of April 1907, in the presence of H. L. Heilperin and G. G. Nesbitt, competent witnesses of lawful age and residents of this city, who hereto sign their names, together with the said parties, and me, notary, after the reading of the whole.

S. B. HICKS, 37 shares.  
W. C. BURT, 37 shares.  
R. E. COMEGYS, 1 share.

Attest:  
H. L. HEILPERIN.  
G. G. NESBITT.

H. B. ERNDON,  
Notary Public.

Having examined this charter and finding nothing therein in violation thereof or contrary to law, I approve the same, April 19, 1907.

J. M. FOSTER,  
District Attorney for the First Judicial District of Louisiana.

Endorsed: Filed and recorded April 19, 1907.

F. A. LEONARD,  
Clerk and ex-Officio Recorder.

State of Louisiana, Parish of Caddo: I hereby certify that the above and foregoing is a true and correct copy of the original act, as the same now appears on file and of record in my office.

Given under my hand and seal of office this 19th day of April 1907.

F. A. LEONARD,  
Clerk and ex-Officio Recorder.

April 21, 1907.

**MARSHAL'S SALE.**

No. 675—In the City Court of Shreveport, La.: Fred Hettler vs. Gus Logan.

By virtue of a writ of fieri facias, issued in the above entitled and numbered suit, by the Honorable R. D. Webb, judge of the City Court, Shreveport, La., and to me directed, I have seized and will sell at public auction, at the Texas street front door of the courthouse of Caddo Parish, between the legal hours for sales, on

WEDNESDAY, MAY 22, 1907.

Two counters, 1 National cash register, 2 show cases, 2 tables, 1 range, 1 cook range and utensils, 1 kitchen safe, 1 pair scales, 1 sideboard, 6 chairs, 1 lot crockeryware, knives and forks, 8 lamps, 1 ice box.

Terms of sale cash, with benefit of appraisement.

O. P. OGILVIE,  
City Marshal.

**BIDS INVITED.**

Bids are hereby invited for building a pile-driven bridge on Clear Lake on west side of Pine Island, about 175 to 200 feet long, on road from Belcher to Vivian.

Bids to be opened at next meeting of the Jury on June 13, 1907, the Jury reserving the right to reject any and all bids.

JULES DREYFUSS,  
President Pro Tem.  
A. L. DURINGER, Clerk.

*Champ Clark*