

# The Washington Times

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FRANK A. MUNSEY.

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HAVE THE TIMES MAILED TO YOU.

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TUESDAY, AUGUST 6, 1907.

## Enforcing the Whole Law.

All who go to the bench are not retired. The week's news from Chicago proves it. In one day Kenesaw Mountain Landis—a judge alive to the opportunities of his post—adds to his lasting fame with these three sensational decisions:

Assessing against the greatest American corporation, the Standard Oil, the greatest fine in the history of courts.

Dissolving the Church Pew trust. Eliminating Overseer Wilbur Glenn Voliva as a factor in the management of Zion City.

Some there are who pretend to scorn these judgments as theatrical. Stuff and nonsense! So were the Dartmouth College, Dred Scott and Income Tax decisions theatrical. Judge Landis did not institute these actions. He only presided over them, and—here is the unusual thing—had the courage in all three instances to enforce the whole law. It may be none of us will profit directly through the payment of that \$29,000,000 fine, or the dissolution of the Church Pew trust, or the adjustment of Dowie's involved finances. But we will all be the gainers through the more circumspect conduct of large operators in consequence of these decisions.

## Farmers, Too?

According to Governor Floyd, of New Hampshire, there is a species of race suicide among the families of the Granite State, and it is that cause that bears the responsibility for the marked decrease in agriculture. In a speech to the grangers the other day, the governor asserted that farming had so declined that it was now but 21 per cent of the State's industries. "What is the matter?" he asked, and then answered his own question thus:

First, the shortage in the cradles. Large families were once the rule on New England farms, and when the children grew to manhood and womanhood there were enough to supply the demands of the cities and villages and occupy the land. How is it now? Suppose you had a provision that, whereas a man with less than four children is an undesirable citizen, one of this class shall be eligible to the governorship, senatorship, membership of Congress, or the State Legislature, how many could qualify? Why, just think of it, not a governor, Senator, or a member of Congress who has been elected in the last twenty-five years could have been a candidate, and your country towns could hardly have found men enough to send to the general court. No wonder there is a lack of Yankees on the farms.

The absolute impossibility of securing competent and faithful farm help is another drawback.

The summer business has become a fad in New Hampshire, and naturally, for it has done a great deal for this State. I doubt whether it has added to the number of our farmers or the profits of a majority of them, because it has helped create the unrest and discontent which has led to the grangering by spreading the idea that the summer boarder business is an easier and more genteel way to get a living than by raising crops or cattle.

While there is some virtue in Governor Floyd's reasoning, it is not wholly conclusive. Farms need not decline if there is but a single son to inherit the place and is willing to stay on it for life. There's the rub. Any observer in the country realizes that farms are abandoned not so much because of lack of large families as because the children are discontented and leave. Eliminate the allurements of the city and there would be little trouble as to the maintenance of agriculture.

## Our Monotonous Originality.

All our houses are unconventional in precisely the same way. We have the drawing room done in green; the library in red and mahogany; with an imitation Rockwood lamp on the table, and the dining-room in Flemish oak. We set apart our stuffiest room for a den, with a cozy corner made up of "something Oriental," and two chairs and a table, and a picture on the wall; the Queen Louise, Countess Potockas, and Gibson Girls have been replaced by "Sargent's 'Houses,' Rembrandt, and 'The Golden Stairs.'" In specific cases certain of these details may vary, but I think I have drawn truthfully a type of those houses which we call well-furnished and original.

In so incisive and keen-eyed a fashion does a certain Benjamin Esten display our modern home-making foibles in "The House Beautiful." We are all strivers after a monotonous originality. As heads of households we are doing in this more lasting manner exactly as our daughters do when they borrow the "English stride," or the "Ethel Barrymore droop."

The reasons are many. We would make a life-time habitation in a day. We put our dealer to the im-

possible task of supplying genuine distinction for all his customers, and he fails through no fault of his. We have neither good home-made ideas for him to execute, nor the time to wait while he develops some for us. So we must take what is in the furnishing season—golden oak, imitation mission, early Rathskeller or late Pullman.

All this will change in a little. It is changing now. Even our monotonous reaches from Cape Cod to the Orient. Seeing the need to choose between many styles and fashions and aspects of dwellings, we shall choose in true American manner—according to the use of furniture, its comfort, its beauty to our eyes. Our children will choose better, their appreciation being better trained. We shall come as a people into ideas of our own. When we do it will be a glad day for the cabinet maker, for it will mean a mighty slim demand for the factory piece and an ever-widening market for that which is made by hand to express an individual taste.

## Not a Matter of State Rights.

Alabama and Arkansas have not squarely drawn the line between State and Federal rights in their fight with the railroads, as it generally supposed. What they have undertaken to do is a very different thing, indeed. It is an attempt to punish litigants in State courts for using advantages conferred upon them by the Constitution of the United States.

Briefly, these two commonwealths have decided to prevent the transfer of railroad cases from their own to national courts. For that purpose they have provided penalties—in the State first named, a revocation of charter, and in the second practically the same forfeiture, with a fine of \$1,000 a day for continuing to do business—against any railway corporation which shall so involve the Federal jurisdiction.

Both these States have produced and now enjoy the counsel of great lawyers. That these laws should have been seriously considered, much less written on the statute books, without weighing deliberately the right of the States to enforce such regulations, is inconceivable. Yet a study of the Constitution fails to reveal any sufficient basis for such legislation.

"The Judicial Power," says Clause 1, of Section 2, Article III, "shall extend to all cases, in Law and Equity . . . between a State and Citizens of another State; . . . between Citizens of different States." This power, according to the preceding section, "shall be vested in one supreme court and such inferior courts as the Congress may from time to time ordain and establish." And the only modification of these two provisions is that offered by the Eleventh Amendment, which says:

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

Finally, in Clause 2, of Article VI, are these words familiar to every schoolboy:

This Constitution and the laws of the United States which shall be made in pursuance thereof . . . shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

In Alabama, the Southern railway's suppositional offense is the transfer to the Federal courts of a civil suit instituted by it against a citizen; in Arkansas the charge against the Rock Island is that it has similarly transferred a civil suit entered against it by a citizen. In neither case was the State originally a party to the action. Both would, therefore, appear to be explicitly covered by definite grants of power to the Federal courts, and to citizens, by the Constitution. Wherefore, the controversy has not the character of a trial of State rights at all, but rather that of an attempt by two of the States to prevent citizens of other States from enjoying rights explicitly conferred by "the supreme law of the land."

Dr. Long has one of Rameas II. Dead fakers have no books to sell.

Very few of us will notice any reduction in prices as a consequence of the church pew trust's dissolution.

For one day, we guess, the Czar felt safe.

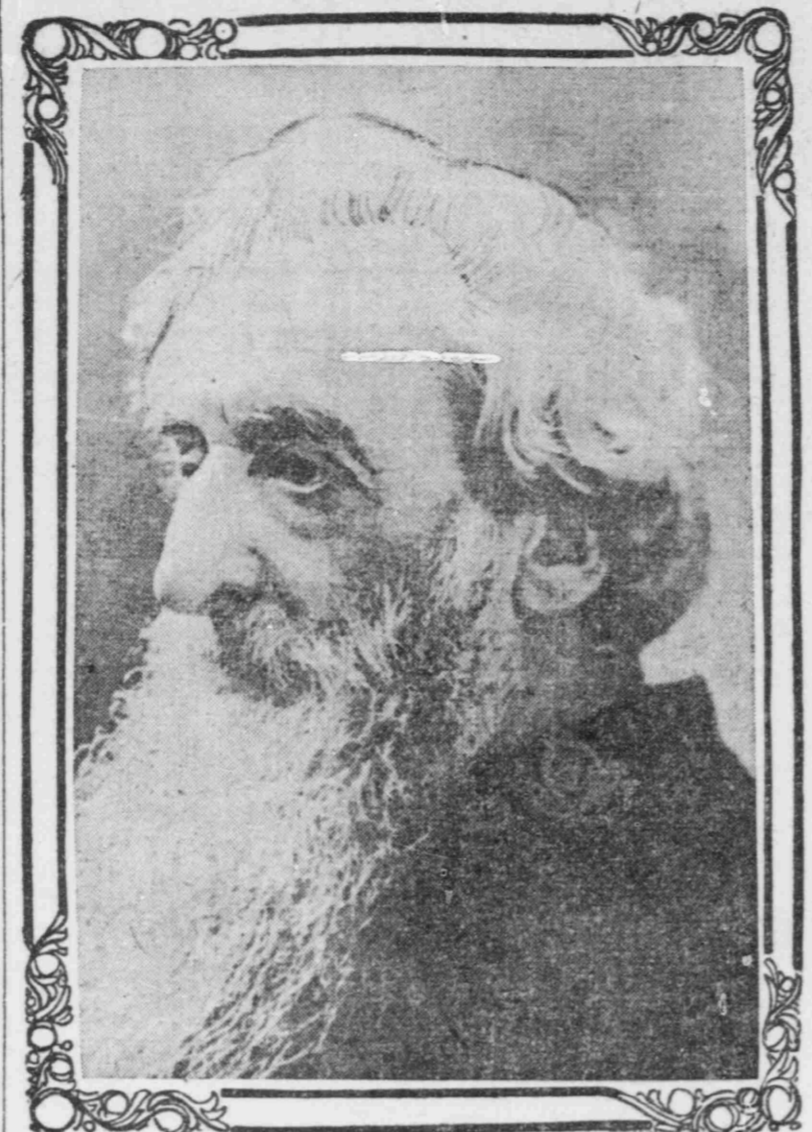
Chicago is greatly disturbed because her women are outliving her men. Goodness gracious, what are the life insurance companies for, anyway?

"Hearst planning to play part in next national campaign," reads a headline. The Duke of Richmond or the noble Brutus?

## KEEPING IT GOING.

A little hammock now and then is relished by the sleepy men.  
But if she's there a place to take, you bet they're pretty wide awake.  
—Indianapolis News.  
Especially, we rise to about, if her old dad should wander out.  
—Milwaukee Sentinel.  
But father won't put in his car; you bet that dad's been there before!  
—Buffalo News.  
And ma, of course, will never care while all they do is swing out there.  
—Chicago Record-Herald.  
A duplex thud! A thrilling scream! Oh, the delicious rope! Flees love's young dream.  
—New York Tribune.  
A helping hand, a courtly bow, and Cupid's victor anyhow.

# Booth to Say Good-bye To U. S. Salvation Army; Reaches Here Sept. 27



GEN. WILLIAM BOOTH,  
Founder of the Salvation Army, Who Is Coming Here From England.

## He Will Speak in Washington on October 29.

NEW YORK, Aug. 6.—There is general speculation in the ranks of the Salvation Army as to what will develop from the coming visit of Gen. William Booth, the founder and commander of the army, to this country next month.

General Booth will arrive in Boston on September 27, and will make a quick tour and inspection of the most important posts. His itinerary covers sixteen cities, in which are located the most important posts of the army. That matters of unusual importance will be decided by General Booth is admitted at the New York headquarters, but the officers there do not feel at liberty to discuss them at this time. It is announced, however, that there will be a general change in the provincial officers, the leaders of the army in this country, which of itself will cause quite a stir. The army will practically be reorganized.

## Regarded as Farewell.

It was said today at headquarters that the visit of General Booth to America is regarded as his farewell to the American branch.

When he returns to England he will undoubtedly stay there for the rest of his life. He is now seventy-eight years old.

There are many who place great significance on the coming visit of the commander. They see in it the desire to readjust army affairs and have everything in the order planned by his ambition carried out before his advanced age brings incapacity and death.

General Booth will be accompanied by Mr. Nichol, the editor-in-chief of the army publications; Colonel Lawley, who leads the singing; and Brigadier Cox, his secretary.

Because of the recent clash between the syndicate and independent theatrical forces, some difficulty has been encountered in securing halls for the meetings to be addressed by General Booth. Theaters are always preferred because they most demands of neutrality, over-coming as they do all religious prejudice. Where theaters are not obtainable, other halls will be selected.

General Booth and his party will cover the following itinerary:  
Boston, September 27-30; Schenectady, October 1; Syracuse, October 2; Rochester, October 3; Cleveland, October 4-5; Columbus, Ohio, October 6; St. Louis, October 7-12; Des Moines, October 13; Minneapolis, October 14; Milwaukee, October 15; Chicago, October 16-24; Pittsburgh, October 25-27; Washington, 28; Baltimore, 29; Philadelphia, October 31; New York, November 1 to 5.

He will sail for England on November 9.

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## Selecting Meeting Places.

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# President Urges Southron's Views ABOUT THE NEGRO

South Demands Education, Mississippian Says.

## Executive Sends Author's Article to Magazine For Publication.

NEW YORK, Aug. 6.—President Roosevelt has sent a magazine article on the negro problem by Leroy Percy, a prominent Mississippian, with the suggestion that it be printed, because it seems to him to be so important, and because he firmly believes that the effective way to help both races in the South is by following just such a course as Mr. Percy advocates.

Mr. Percy protests against the theory that the education of the negro should be stopped. He says there is not enough of the negro in the South, and what there is of him is not good enough. He says:

## South Demands Education.

"The negro must be educated to the extent necessary to enable him to know whether he is being rightfully or wrongfully treated. Any other idea is harmful and cruel, because of its harshness and cruelty. The industrial development of the South demands that he be educated. One of the common results of education is that the negro wishes to separate himself from the ignorant mass of his own race, and to go where he can be judged as a man on his individual merits; and when he goes, he takes just that much of the race problem with him, and leaves the problem for us just that infinitely small step nearer solution. To drive the negro from the South in a mass would mean industrial revolution; to rest the development of the South upon the negro alone means industrial paralysis."

Mr. Percy then referred to the development of the West by immigrants, and draws the contrast between the magnificent commonwealth built by the immigrants while the people of the South are feebly reaching with "lame hands" for higher things.

## Don't Drive Negro Out.

"Don't drive the negro out," he says, "but educate him, equip him and let him go as he wills, taking his troubles to other climes, filling his place with the best immigrants you can get, but filling it with white men, possessing the potentialities of citizenship, whose children or children's children, some day in the future, will help us bear the burden, help us solve the problems of government. This the negro can never do. I do not ignore the industrial development which has been going on in the South, but it has not been through or by reason of the negro. The negro has despite him. We have developed just where the white man has done the work, and just in proportion to the work done by him. The negro must not be dependent for its prosperity on the negro."

"There is no quick nostrum to be used in solving the negro problem. It can and will be worked out, but it will be through time. It must be worked out by infinite patience, with absolute honesty and fair dealing, and with that steadfast courage with which Southern men have met every danger with which they have been confronted."

## TRACES MORTALITY TO LOSS OF PUMPS

To the Editor of The Washington Times: The summer of this year has furnished pure water for fifty and 100 years without disease of any kind being traceable to their cool depths is the experience of many of our people, while the result of drinking water from the troughs provided for animals, for comparatively a few days, is evident in the deaths of thousands of humans of our population, and a marked increase in the mortality in the vicinity of the closed pumps, indicating the fallacy of the healthful character of the water.

Is this decision regarding the wells a move, as has been declared, in the interest of the ice man and saloonkeeper? Every professional and business man in the city should raise his voice against this most unjust and arbitrary ruling.

ELIZABETH JACQUES.

## FORMER GOV. BROWN OUT FOR SENATORSHIP

BALTIMORE, Aug. 6.—Former Gov. Frank Brown declared himself out of the gubernatorial race. He publicly stated he would not accept the Democratic nomination if it was tendered. He had previously said he did not want the honor, but this is the first time he has declared he will not accept.

There is no doubt Mr. Brown was prompted to take this course because of the avowed opposition of the State leaders. Mr. Brown would have accepted had he been unanimously supported, but at least three of the objectors are candidates for United States Senator, and these feared Brown would use his office to elect himself.

Now that he is free, he will make his fight for Senatorship as free as the open, and if the Legislature is Democratic he may make things interesting for those who fought him.

## TRAIN HE ONCE DROVE KILLS OLD ENGINEER

CHICAGO, Aug. 6.—James H. Banta, the oldest engineer on the Illinois Central railroad, was struck by an engine and instantly killed while crossing the tracks of that railroad. For forty-four years Banta had driven or stoked engines across the tracks on which he met his death, and had survived four wrecks without injury.

Banta, who was sixty-two years old, was struck by the engine of the 6:00 o'clock limited, a train which he had himself driven for ten years. The force of the blow threw him twenty feet, death being instantaneous.

The tragic fate of Banta is further intensified by the fact that he was about to retire on a well-earned pension.

# Oscar Wilde Comedy Pleasingly Presented

Charlotte Walker's Lady Windermere is a delightful impersonation. As presented at the Belasco last night the Oscar Wilde comedy, a satire on modern society and at the same time a dramatic story of wifely devotion, but impulsive and lack of confidence, afforded the audience an evening's entertainment of rare merit.

"Lady Windermere's Fan" has been known to the American stage for a number of years, but a play constructed upon genuinely artistic lines never grows old. Its climaxes are worked out with a precision and ingenuity that have been closely followed by the more recent dramatists.

Miss Walker's support this week is unusually good. Evelyn Mather, though not at all the convincing and sympathetic figure of the role of Lord Windermere. His characterizations, while always interesting, lack genuine variety and individuality. In his work this week he does not allow his audience to forget that he has also appeared in the role of Helmer in "A Doll's House."

To Miss Alice Butler has been intrusted the difficult and important role of Mrs. Erynn. She essays the part with earnestness and certain phases of her work are admirably done. At times, however, her mannerisms get the better of her judgment.

Samuel Klawns makes an excellent Cecil Graham, while Guy Coombs is again seen in the role of the disappointed lover.

Edwin Fowler gave a pleasing bit of character work as Mr. Roper of Australia. Laura Moore, as the Duchess of Berwick, received merited applause for her artistic interpretation, while Fannie Hartz made a most attractive ingenu.

Lyceum Opens Season.

Kernan's New Lyceum opened its 1907-8 season successfully last night before an audience which taxed the capacity of the theater.

William's Imperials is the attraction for the initial week.

In the opening burlesque, "A Night in Paris," Larry McCabe, Joe Opp and Harry Bentley did some clever work, especially in a laughable burlesque on a French duel.

A number of novel songs, with the usual accompaniment of girls and dazzling dresses, formed an important feature of the evening's entertainment.

Bert Wiggins' "celebrated juggling act" proved to be a distinct disappointment.

During the summer the management of the New Lyceum has been busy adding various improvements for the further beautification of the theater. All of the seats have been recovered and repainted, a carpet has been run in the aisles, and the decorative artist's handiwork is noticed throughout the auditorium.

"Dolly Varden" at National.

There were more crudities than usual in the first performance of the week's offering at the National last night, "Dolly Varden." In spite of this fact the opera as a whole was well presented and favorably received.

## CHINESE SCARED BY THREATENED TONG INVASION

BOSTON, Aug. 6.—Wild rumors that twenty emissaries of the dread Hop Sing Long are on their way here to wipe out the Boston branch have set all Chinatown in a furor. As soon as the police learned of the threatened invasion forty bluecoats were hurried to Chinatown and plainclothes men patrol the streets.

The eighth arrest for the murders in Chinatown Friday night was made at Chinatown. N. H. last night when Boston officers captured Yee Chung, of New York, said to be a leader of the Hop Sing Long. He will fight extradition.

As he ran after his weapon she slammed the parlor door and locked it. The man burst the door and again attacked Mrs. Cooper, who, exhausted, told the robber she had no more money.

While hunting for it the woman secured a double barreled shot gun and forced the burglar to flee.

## ADVERTISING PLANT BURNS, LOSS IS \$100,000

CHICAGO, Aug. 6.—Fire, supposed to have originated by spontaneous combustion, destroyed the plant of the Meyer-Cord Company, West Lake street and Willow avenue. The loss is estimated at \$100,000. The building, which was valued at \$200,000, was partly insured. The contents, valued at \$90,000, consisted of advertising signs and lithographing work partly completed.

## THIS EVENING'S CONCERT AT GARFIELD PARK

7:30 P. M.

## U. S. ENGINEER BAND

Julius Kamper, Bandmaster

March....."Garde du Corps".....Chambers  
Overture....."Poet and Peasant".....Suppe  
Paraphrase....."My Maryland".....Heinemann  
Cornet duet....."Short and Sweet".....Short  
Principal Musicians Wintermyer and Corporal Hess.

"Reminiscences of Meyerbeer".....Heinicke  
Waltz....."My Queen".....Buccalosi  
Patrol....."The Blue and the Gray".....Dalbey  
Selection....."Dolly Varden".....Clark  
"The Star-Spangled Banner."

## STANDARD OIL SHIP DAMAGED IN WRECK

Carrying Coal to Mare Island it Collides With Norwegian Vessel.

Aside from its troubles in the Federal courts in Chicago, the Standard Oil Company is having difficulty in delivering an important cargo of coal from Baltimore to the Government for use of the navy at Mare Island, California.

The ship in which the coal was dispatched more than four months ago has returned to Rio Janeiro for repairs, after having been in collision with another ship off Cape Horn, in which two lives were lost, and after being buffeted about by the seas and unfavorable winds, in her disabled condition.

News of the accident has reached the Navy Department in a mail report from Com. Nathaniel R. Usher, in command of the cruiser St. Louis, under date of July 2, at Rio, as follows:

"It is respectfully reported that the American four-masted bark, Atlas, loaded with coal for Mare Island, Cal., from Baltimore, arrived in this port July 1, for repairs, having been in collision off Cape Horn with the Norwegian bark, Viking, from which the Atlas took the crew, after the collision, with the exception of the master and his wife, who were lost. Such repairs as are necessary, it is expected, will be made in this port after winter repairs are completed, and will proceed on her voyage to Mare Island."

## IVINS WILL NOT CALL A. BELMONT OR T. F. RYAN

NEW YORK, Aug. 6.—William M. Ivins, who is conducting the public-service commission's investigation into the city's railroads, does not contemplate calling either August Belmont or Thomas F. Ryan.

The reason for this, it was learned, is that the commission believes that if the inquiry should lead to developments which might warrant the indictment of Belmont or Ryan, the two individuals, they would not be able to reach Mr. Belmont or Mr. Ryan. The determination not to call Belmont or Ryan on the stand is due to the immunity given by the public-service act to persons giving evidence at investigations held by the commission.