10

THE MORNING OREGONIAN, WEDNEEDAY, FEBRUARY 6, 1901.

tensional attainments, in view of

Strathgyle Clears With a Mammoth Cargo.

matt

NEAR FIFTY THOUSAND BARRELS

HONG KONG DIRECT

New Year Starting in With a Fine Record-September Ships Made Good Passages-Steamers From Europe by Way of the Suca.

It has only been three or four years since Portland established a big cargo record by sending out over 40,000 barrels

goes going from this port continued to in-creas until at the close of the last year and the last century we had to our credit 20 cargoes which had averaged nearly 55000 harrels each, and out of the lot nearly a dozen could be selected which hearly a doten could be selected which would average very close to 46,00 harrels. The new year is starting out with 50,000-harrel cargoes, and within the past two weaks two steamblips have cleared from Fortland with a total of 100.75 barrels of four for the Orient. The second vessel of this pair of big carriers, the British steamship Strainayle, cleared yeasterday for Hong Kong direct with 49,813 barrels ur, 100 bales of hny, 100 sacks of bran

00 sacks of onts. Portland Flouring Mills Company of this city, supplied the full cargo for the Strathgyle, 15,000 barrels of it being and the steamer at its mill in Tacoms, and the remainder at the Albin mills in this city. The Strathgyle has n freight for the Japanese ports, and will go direct to Hong Kong. Another wheat cargo was cleared yesterday at the same time as the Strategyle. The Province, which was loaded by G. W. McNear, which was loaden by G. W. McNell, cleared for Queenstawn or Falmouth for orders with 50,171 bushels of wheat, valued at \$6528. She went out into the stream yesterday, and will leave down the river today or tomorrow. The Strathgyle will leave down this morning.

BY THE SUEZ ROUTE.

Dodwell & Co. Will Dispatch a Steamer From London for Victoria,

Having the experiment of shipping Pa Having the experiment of shipping Pa-clific Coast freight to Europe by way of the Suez well in hand by dispatching four steamers from Paget Sound by that route, Dedwell & Co. will now itry the business from the other end of the line. They have placed the British steamship Glenroy on berth at London for Victoria and Paget Sound ports by way of the Suez and Oriental ports. The Victoria Colonist, in discussing the matter sava:

in discussing the matter, says: "Hitherto the greater part of the freight received by the merchants of this bity from the United Kingdom has come by sailing vessels—there are now five on the way and two on berth—and now by arrangement with the Glen line. Dodwel & Co. have established a line of pasenger and freight steamers between Lon don and Victoria, the Glenroy being the first of the floet to leave London. Orders are now being taken for freight space on the vessel, and the prospects are that she will have a good cargo. She is ex-pected to arrive here in the middle of

"It is expected that the sailing of the Glenroy Glenroy will be the first of monthly or perhaps more frequent sallings, some five, six or more vessels of the Glen line be-ing pinced in the trade. Already there have been three sailings from this side the Glenshiel, Glenfarg and Glenturrei having sailed from Tacoma for England via the Orient. These will all be placed the service, sailing to Victoria and

'Already arrangements are being cor sidered for the shipping of some of next sensors is salmon pack by these steamers, for it may be, in course of time, that, al-though the freight rates are lower by salling vessel, much of the salmon pack will be shipped to the United Kingdom by this new steamship line, the time gained by sending the salmon home by steamer often counterbalancing the difference in rates. On inward-bound freights on inward the will greatly

sistance. The porthwest wind, which was blowing 45 miles an hour at 8 A. M., dropped to 35, and the vessel may hold on, although she is in danger of striking when the tide ebbs. Transport Charters Canceled. SEATTLE, Wash., Feb. 5.-By order of the Quartermaster-General, the charters of the Army transports Port Stephens and Arab were canceled today. This action indicates that in the future shipments from Seattle to Manila will be made by large ocean carriers owned by the Gov

Excelsior Arrives From Copper River SEATTLE, Wash., Feb. 5.-The steame Excelsior arrived from Copper River Alaska, today. Contrary to expectations, she brought neither Nome passengers hor mail. The Excelsior reports that the steamer Bertha was at Port Valdes Jan-

Contract for Moving Lightship.

and Seatack stations have gone to her as

WASHINGTON, Feb. 5 .- The contrac was awarded to Allen & Roberts, at \$17. 500, for moving lightship 50, to Baker's

Domestic and Foreign Ports.

ASTORIA, Feb. 5.-Arrived at 9 A. M. nd left up at 12:30 P. M.-British steam left up Condor Condor, from San Francisco for Cal Sailed at 12:30 P. M.-British ship Dora, for Queenstown or Falmouth for orders. Condition of the bar at 5 P. M., smooth; wind northeast; weather haxy. San Prancisco, Feb. 5.—Arrived-Steam-Santa State St Willamette, from Oyster Harbor, Sailed Steamer Umatilla, for Victoria; steame Argo, for Coquille River; schooner Henry Wilson, for Gray's Harbor. Seattle-Sailed February 3-Steamer San.

ta Ana, for Honolulu; steamer Toza, Maru Port Townsend, Feb. 5 .- Passed in-

teamer Cottage City, from Alaska. Seattle-Sailed February 4-Ship Colum da, for monolulu. Santa Rosalla-In port January II-Ship

Crown of Denmark, from Newcastle. Seattle-Arrived February 4-Steamer, Farallon, from Alaska. Port Los Angeles-Sailed February 4-

Steamer Mateo, for Nanaimo, Senttle-Sailed February 4-Steamer Al-

Ki, for Skngway, Hamburg-Salied February 2-British ship Ballachullah, for Santa Rosalla, Hong Kong, Feb. 5. -Salied-Monmouth-

shire, for Portland, Or. Pymouth, Feb. 5.-Salled-Pretoria, from Hamburg for New York. New York, Feb. 5.-Salled-Tauric, for

Liverpool: Anchoria, for Glasgow. St. Thomas, Feb. 5.—Arrived—Cruising yacht Prinzessen Victoria Luis, from New

York, etc. Gibraltar-Arrived February 4-Hohen-ollern, from New York for Naples and

Glasgow, Feb. 5 .- Arrived-Sarmatian,

from Bostor

CUBA'S LOAD OF DEBT.

Frye Says Some Means Should Be Found to Repudinte It.

NEW YORK, Feb. 5 .- Senator Frye, of Maine, president pro tem, of the Senate, ranking member of the committee on for-eign relations, and a member of the American Peace Commission which negotiated the Paris treaty, is quoted in a Washing-ton special to the Tribune as saying of the more weighty issues involved in the Cuban situation:

"First and foremost, I place that stu-endous bonded debt which Spain fast-ned upon the revenues of Cuba just be fore Spanish sovereignty was destroyed in the island by this country's armed in-tervention. That debt, as I recollect, was between \$500,000,000 and \$700,000,000, and not \$300,000,000, as generally stated by the newspapers. I recall distinctly the efforts that were made while we were negotiating the peace treaty at Parts to have us make provisions for the payment of that debt. This we had neither the desire nor the power to do. I do not hes-itate to say that we now owe it to Cuba to get into the constitution by some means a clause plainly, positively and unequivocally repudiating the debt. If this is not done Cuba will start with a burden that will crush her. Cuba never can pay the stupendous sum that was apsessed against her revenues, though I feel certain that Spain and France, whose citizens own nearly all the bonds, which the mischievous tendencies of the time, in my judgment, is to make the general they purchased for the most part at a the ml very low figure, will demand full pay-ment just as soon as Cuba has declared independent sovgreignty.

SPEECH OF JUDGE WILLIAMS AT SALEM. Eloquent Eulogy on the Character of the Great Jurist and Statesman -Nation's Debt to Him.

PRAISE

SALEM, Peb. 5.—Pollowing is the full text of Judge George H. Williams' speech delivered last night at the Jobn Marshall contennial ceremony in the State Capitol: Hon. George H. Willinms' Address. Daniel Webster, in one of his great speeches, said: "By ascending to an as-

IN MARSHALL'S

octation with our ancestors, by con-empiating their example and studying heir character; by partaking their sentinents and imbibing their spirits by acputhizing in their sufferings and rejolding in their successes and triumphs, we min-gle our existence with theirs and seem to belong to their age." Today we com-

nemorate the appointment 100 years ago of John Marshall as Chief Justice of the supreme Court of the United States and ascend with hearts full of pride and gratitude to an association with the men and events of that day. Washington, Madison, Hamilton, Jefferson and many others not less worthy were working out the problem of self-government, but in this constellation of patriots and states-men none shone with a clearer, steadler and stronger light than John Marshall. Whatever may have been the shortcom-ings of Virginia in modern times, when she was a colony, she was Gid enough and good enough to produce men whose deeds shed imperishable lister upon the his-tory of our country. Washington deserv-edly and by universal consent holds the first place in the hearts of his country-

men, but if merit is to be determined by the value of his services, then next to Washington among Virginians John Marshall "leads all the rest." To say this is not to disparage the great abilities or merits of Madison, Jef-ferson or others, but to say that Marhall had greater opportunity than his compeers to render valuable services to vis country. And I may add that Jef-ferson and Madison made some serious mistakes as to matters of government. but none of any consequence was ever made by Marshall. Thomas Jefferson

devoted his great talents and influence to the cause of his country in the War of the Revolution, but when the Independence of the colonies was achieved, he differed from Washington, Hamilton, Jay and others as to the nature of the gen-eral Government and the rights of the states, and his resolutions of 1798 Inubated by slavery finally broke out into bloody war for the dissolution of the inion. Madison was infected with the same ideas as indicated in his Virginia resolutions of 1799, but in his old age

he became m servative and r able to the supremacy of the Federal Government Marshall, from the beginning of his

public career to the end of his life, builded, supported and defended an in-destructible Union under a Government within its Constitutional limits, of abso lute sovereignty over the states. Wash-ington, Hamilton and Adams, with their followers, called "the Federal party." farored a broad and liberal construction of the Constitution adequate to the growing necessities of the country. Jef-ferson, Madison and their followers, called "the Anti-Federalists," held to a

strict and narrow construction of the Constitution. Though the Federal party, on account of its views on the Constitution, went down, the drift of all political parties of the present day is in favor of the Federal theory of the Government. I can remember the time when the dominant party of the country heid that appropriations by Congress for a system of internal improvements were unconstitutional, but now all parties hold otherwise, and the statesmanship of a Senator or Representative in Congress s measured by the amount of money he an extract from the public treasury to mprove the locality in which he lives, One of the main issues in the late Presdential election was as to which party had gone, or would go farthest, through Congressional legislation to regulate and control the business affairs of the country, which formerly were supposed to ng exclusively to the states. One of

reasional attainments, in view of his limited opportunities for an early edu-cation. His parents were his only teach-ers until he was by years of age. When he had icarned to read, Shakespeare, Mil-ton and Pope were about the only books to which he had access. To study books like these, away from the alluré-ments of social life and where unsulled Nature 'slows in the stars and block Nature 'glows in the stars and blos soms in the trees' opens the youthful mind to grand conceptions of a future career. Between the sage of 14 and 18 years he was favored with instruction

his

by a private tutor, and with quaufications acquired in this way, he determined to enter upon the practice of the law. He commenced to read Blackstone, but the premonitory convulsion of the approach-ing Revolution drew him away from his books to a field of excitement, turmoil and dangeh. Patrick Henry's ringing words, "Give

me liberty or give me death!" spread like wildfire through the settlements of Vir-ginia, and military companies were formed to emphasize this sentiment. formed to emphasize this sentiment. When Marshail was 19 years of age he was made a Lieutenant of one of these companies, and thenceforward for five reats devoted all the energies of his mind and body to the military service of his country. He was subsequently ap-pointed General by the Legislature of Virginia, and thereafter, until he became Chief Justice, was known as General Marshall. Few men have been fortunate enough to be distinguished as soldier, statesman and jurist, but distinction as to all these justly belongs to Marshall. Not to mention minor engagements, Mar-shall commanded a company in the bloody battles of Brandywine, Germantown and Monmouth and was h commended by Washington for his highly and gallantry. But more than elsewhere his sterling and soldierly qualities were displayed at Valley Forge. Washington, after his defeat at Germantown, with-drew his exhausted troops to this place for Winter quarters. Here offloers and nen allke were exposed to the rigors and

men alike were exposed to the rigors and hardships of an unusually severe win-ter. The weather was extremely cold and the snow knee-deep. Hastily and rudely constructed huts were the only protection from the pitiless storm. Many of the men were half naked; few had blankets or shoes, and frequently were without anything to get Workback without anything to est. Washington referring to Valley Forge, truly said that "no history now extant can furnish an instance of an army suffering such mmon hardships as ours has don and bearing them with the same pa tience and fortitude." Marshall was un lience and fortitude." Marshall was un-daunted under these trying circum-stances. Hè devoted himself to the care of the men, comforted the suffering. Visited the sick, encouraged the despond-ent and was a Hight and joy to that dreary and dismal camp. When he was 24 years of age, after attending a course of law herizer him

attending a course of law lociures by Chancellor Wythe, he commenced the practice of the law in Richmond. He rose rapidly to the front rank of his

conciseness and force. Marshall was a Federalist and believed that govern-ments were made to govern, and his po-litical friends soon put him forward as their candidate, and in 1782 he was elected to the Legislature of Virginia and twice re-elected. Local matters were largely absorbed in

the great and burning questions concern-ing the character and powers of a general Government; the deplorable condition of he finances of the country, and the claims of the poor and unpaid soldiers of the Revolutionary Army. Whether or not there were those in that Legislature who favored a dissolution of the confederacy is a question, but it is an undisputed fact that there was a powerful party opposed to any essential change in the articles of confederation, and who ravored the prac-tical sovereignty of the several colonies lical sovereignty of the several colonies within their respective jurisdictions. Mar-shall from the beginning was fearless and determined in his contention that the ar-ticles of confederation were inadequate to a seriest under set in the several sector. to a perfect union, and that there ought to be a better organized and more efficient general government. To Marshall more than to any other man is due the decision of Virginia to hold a convention to deter-mine whether or not she would accept or reject the Constitution. Patrick Henry, James Madison, James Monroe, John Mar-shall, Edmund Randolph and many of the most distinguished men of Virginia were Government too much the guardian and members of that convention.

\$250,000 and arranged for a loan by United States to France. Marshall's the posidence with Talleyrand as to these matters is highly creditable to his head and heart, and though dignified and mod-erate in tone, was very pointed, that not a moment's consideration would be given to these mercenary proposals. Nothing came from this embassy and the envoys urned home to be honored by their fellow-citizens for the stand they had taken for the dignity and honor of their country. I have had some little insight into European diplomacy, and where venality does not control, it is little more than a refined system of lying and fraud. False professions of friendship and amity are constantly put forward to conceal sel-fish schemes or ulterior designs upon the integrity and peace of the country to

tions before they had paid the directory

which the professions are made. Washington was anxious to have Mar-shall enter Congress, and with reluctance but in deference to the wishes of the ex-President, in 1739, he became a candidate for that office. He was attacked in the nost venomous manner, and with all our admiration for our Revolutionary fathers, it must be admitted that the vituperation and acurrility of party warfare in those days were equal at least to anything of the sort we have in modern times. He was elected by a small majority, and one of the first duties he had to perform after taking his seat was to announce the death of Washington and introduce suitable resolutions, prepared by General Lee, which appear for the first time those fa-mous words, "First in war, first in peace and first in the hearts of his country; His speech upon that occasion was tender and touching tribute to his disinguished and departed friend. On the 13th of June, 1800, he was appointed Sec-retary of State by John Adams, but his administration of that office was brief, as the Presidential term of Adams expired on the 4th of March, 1801, and Marshall was confirmed as Chief Justice on the 4th of February, 1801.

When the Jay treaty was made, France assumed an attitude of hostility to the United States, and afterward, when we made a treaty with France, England as-sumed a similar attitude, each power presuming to thrust its own interests into our affairs. Touching these matters, Marshall, as Secretary of State, sent a dispatch to Mr. King, our Minister in London, in which he said: "The United States do not hold themselves in any degree responsible to France or to Great Britain for their negotiations with one or the other of these powers. We have re-pelled and will continue to repel injuries not doubtful in their nature, and hostili-tles not to be misunderstood." It is in-teresting to note the difference between between the supercilious treatment of us by these countries, when we were weak and ex-hausted by the Revolutionary War, and the distinguished consideration they hasten to give us at the present time

Marshall was 46 years of age when he was appointed Chief Justice. Several rose rapidly to the front rank of his profession. He was no orator like Pat-rick Henry, but what he lacked in bril-liancy he made up in strength. He was tall, lean and angular, ungraceful in his gestures, slovenly in his dress, much like Lincoln in these respects, but his mind was active and vigorous and his speeches remarkable for their clearness, concleaness and force. Muschall was 46 years of age when he was appointed Chief Justice. Several pen pictures were made of him at the time. One writer describes him as a per-son tall, meager, emaciated, his muscles relaxed, his joints so loosely connected as not only to disqualify him apparently for stroy everything like harmony in his air stroy everything like harmony in his air Another said of him: and movements. "He is of a tall, slender frame, not grace-ful or impressing, but erect and steady. His hair is black, his eyes small and twinkling, his forehead rather low, but his features are in general harmonious. His manners are plain, yet dignified, and an unaffected modesty diffuses itself through all his actions." Daniel Webster spoke of him as a plain man, and further said: "I have never seen a man of whose In intellect I had a higher opinion." Accord- he d ing to these descriptions I have been er" struck with the resemblance between Mar-shall and his eminent successor, Chief Justice Taney, whom I had the pleasure of meeting in 1882. Taney was tall, thin and meager in person, with a remarkably low forehead, black, piercing eyes, and sharp, strong features; but he was the personation of dignity and a typical scimen of an old-fashioned courtiy gentieman. Taney's opinion in the Dred Scott case will compare favorably with the opin-ions of Marshall as an intellectual effort; but the difference is this: Taney's opinon is an ingenious framework of logic, standing, or trying to stand, upon its apex, while the opinions of Marshall are solid structures of reasoning, standing

sind structures of reasoning, standing upon a broad, deep and permanent foun-dation. On the 28th of September, 1789, the Su-preme Court was organized, with John Jay as Chief Justice, who held the office for one year, and then Elisworth until 1801, so that when Marshall was appointed, the court bad hear is existing a pointed, the

EVERY MAN, WOMAN AND CHILD

Who is obliged to be on his or her feet certainly is in danger of kidney trouble.

The military man, the shop girl, the car man, the housewife, the clerk, all feel the strain upon the kidneys caused by standing occupations.

First comes lassitude, then pains in the back, then stomach trouble, then urinary disturbances, then biliousness, then gloomy spells-and other troubles. They multiply.

The kidneys are breaking down-graver troubles ahead-Bright's Disease threatens.

WARNER'S SAFE CURE

Will cure all the symptoms and disorders described, because it strengthens the kidneys and makes them purify the blood of the poisonous acids and waste matter. It enlivens the liver, cures sick headache, and charges the system with new life and vigor.

CASHIER STANDARD OIL CO., CURED.

CASHIER STANDARS OIL CO., CURED. Mee N. Robey Street, Chicago, III, Oct. 24, 1900. WARNER'S SAFE CURE CO., Rochester, N. Y.: Gentlemen: While it is a generally accepted fact that Warner's Safe Cure is the world's standard remedy for liver and kidney trouble. It means so much more to any one who has really been cured through its use. I suffered with the trouble for eight months, and it upset my entire system, and made me unfit for work. The doctors finally advised me to take Warner's Safe Cure. I took it six times daily, and within a week the burning sensation had partially disappeared. In two weeks more I considered myself cured, and I have been in perfect health ever since. (Cashier, Standard Oil Co.)

DF Send for a Free Sample. If in doubt, our physicians will diagnose your aliments free.

ROCHESTER, N. Y.

Congress void upon the ground that it was | shall were among the greatest, if not the question was decided by Chief Justice Marshall, delivering the opinion of the court in the celebrated case of Marbury vs. Madison, in which it was held that an act of Congress conferring original jur-isdiction upon the Supreme Court, in a the case of McCollector of Marching question was decided by Chief Junice duest. Pinckney, H of this decision, but its correctness cannot be successfully challenged.

WARNER'S SAFE CURE CO.

No decision of Marshall's has been more severely criticised than his decision in the Dartmouth College case. The court held in that case that a charter granted to the college was a contract, and that an act of the legislature of New Hampshire changing it was vold, under that clause of the Constitution providing that no state shall pass any law impairing the obligation of contracts. Much has been said about the protection this decision gives to corporations, but be that as it may, it stands like a glearning rock to support the supremacy of the Constitu-tion and the inviolability of contracts. Marshall delivered the opinion of the court in Fletcher vs. Peck, in which it was held that a grant of land by the State of Georgia was an executed contract and that an act of its legislature revoking the grant was unconstitutional and vold. In the case of McCulloch vs. Maryland he defined the words "necessary and prop-er" in that clause of the Constitution providing that Congress shall have power to make all laws necessary and proper to carry into execution the powers grant-ed, giving to them a broad and liberal import so that the general Government might provide for the varying exigencies of its administration. In the case of Gib-bons vs. Ogden he decided, delivering the opinion of the court, that Congress had the right to exercise exclusive jurisdiction over the navigation of the navigable waters of the United States. I have referred to these decisions not so much to uss or defend them as to show that John Marshall was a firm and consistent protector and defender of the Consti-tution and of a strong, efficient and successful general government,

adiction upon the Supreme Court in a the case of McCullock vs. Maryland is be-mandamus case was unconstitutional and fore the court. Sitting on the right of the void. Some politicians have complained of the decision but its correctment on the second value of the decision but its correctment on the second value of the decision but its correctment on the second value of the decision but its correctment on the second value of the decision but its correctment on the second value of the decision but its correctment on the second value of the decision but its correctment on the second value of the decision but its correctment on the second value of the second val Duval and Story. All are clad in black slik robes. No sound disturbs the impressive slience. All eyes are fixed upon and all ears open to hear the great lawyers. Webster, Wert and Pinckney are on one side and Martin, Hopkinson and Jones on the other. The question is, whether Maryland has a right to tax a branch of the United States hank located in that state. Webster opens for the bank. Slowly and clearly he states the issues of the case and then as he proceeds to expound the Constitution he becomes more animated. His swarthy com-plexion lightens up, his big, black eyes glow in their deep sockets, and with argument dovetailed into argument he seems to build an impregnable fortress around his client. Attorney-General Wert follows on the same side with a speech interesting and attractive for its rhetorical excellence. Hopkinson and Jones, both emi-nent in their profession, each make an able argument for the state, and then omes Luther Martin, who stands at the head of the Maryland bar. He denounces the encroachments of the Federal Gov-ernment and pleads with all the earnestn'ess of his ardent nature and all the force of his great abilitise for the rights of his native state. Expectation is now on tiptoe to hear the eloquent Pinck-ney. He times with an air of perfect confidence. He attacks the states' rights doctrine with tremendous energy. He makes the corridors of the courtroom echo with his resonant voice. All are charmed with the forcefulness of his logic and the splendor of his language. Judge Story said of this effort by Pinckney that he had never heard a greater speech in

his life. The court held unanimously that the bank was a proper fiscal agent of the Government and not subject to the taxing power of a state. Marshall's opinions are quite elaborate but they contain no pedantic display of learning or useless giltter of words, but move on in simplicity and strength like the current of a deep river refragible conclusions. I can judge of the merits of Marshall as a public man by his official acts and opinions, but I have to depend upon his blographers for any account of his private life. According to these he was attentive, patient and courteous upon the bench, amiable and affable in society, simple and unpretentious in his manners, and exemplary in his habits. His home, when not occupied with the courts, was a farmhouse, where he was accustomed to lay aside his judicial dignity and pitch quoits with his farmer friends, an amusement in which ha delighted and in which he exce HA was & loving and lovely man in his fan and when his wife died, with whom he had lived happily for 48 years, he was overwheimed with grief and would not be comforted. I hold that the true value of a man is determined by his family and social relations. Men in public life intent upon notoriety may be heartless and unscropulous, and under false colors win favor and applause, but in the home and at the fireside no such disguise can be assumed and the man really is what he appears to be. The hearthstone is the touchatone of real worth. Most men in the religious, professional and political world have an ideal-an em-bodiment of what he would like to be. Though without doubt Marshall had pas-sions and feelings like other men. I have discovered no serious flaw in his char-acter, and know of no reason why he should not stand as an ideal for the legal profession. All lawyers can not be as great as Marshall was, but all lawyers can be as great as he was in all that con-stitutes the beauty of a character. Mar-shall was an author as well as a soldier, statesman and jurist, and wrote an exhaustive and accurate life of Washing-ton. He was also a member of the constitutional convention of Virginia in 1830 when he was 75 years old and was treated by that body with all the vener-ation and respect due to his great age and experience. I was admitted to practice in the Supreme Court of the United States 35 years ago and have learned to look upon that court as a great tribunal, the greatest in the world. Forty-five states with 76,000,000 of people submit to its jurisdiction and abide by its decisions, and upon this fact we may anchor our hopes for the future preservation and domestic peace of the preservation and consists peaks of the American Union. Constitutions and creeds, churches and courts are more or less responsive to public opinion, but the Supreme Court of the United States is as far removed from the influence of passion and prejudice as it is possible for a numan tribunal to be. Sitting in the Capitol, midway between the two houses of Congress and Independent of both, this exaited and serene tribunal holds the bal-ances of the Government with a firm and equal hand. Anniversaries like these are instructive and salutary and appeal to us from the sacred precincts of the tomb to avoid the mistakes and emulate the virtues of the great and good men who have adorned our history. John Marshall, at the ripe old age of 86, and after he had been Chief Justice 24 years, to borrow from the liturgy of the Episcopal church, to which onged, "was gathered to his fathers, having the testimony of a good conscience, in the communion of the catholic church, in the confidence of a certain faith; in the comfort of a reasonable religious and holy hope, in favor with God and in per-fect charity with the world."

facilitate business, for merchandine will be received months quicker than it could come by sailing vessel."

SEPTEMBER'S FAST FLEET.

Portland Vessels Sailing That Month

Beat Those From Other Ports. The British ship Riversdale arrived out at Falmouth last Saturday after a passage of 127 days from this port. She was the last vessel to sall in September, get-ting away on the 29th, and her arrival leaves but one other September ship. the Australia, still on the way. Th other ships sailing in that month which have reported out were the Semantha, in the fast time of 117 days, and the Juniter, in 125 days. The best time made by any of the San Francisco September hips was 120 days, and of the other three which have reported out from that por all were more than 140 days on the way. Two of the Tacoms September fleet have ved out in 127 and 129 days. All of the August fleet of seven vessels have re-ported cut in passages of from 105 to 146 dave. Puget Sound had three August ships, and but one of them has arrived The Italian ship Elisa, which left here in October for South Africa, arrived out January 6, after a passage of 90 days.

FOUND PLENTY OF WATER.

Pilot Johnson, Who Took Out the Eva, Has Valuable Testimonials.

Captain Eric Johnson, one of the oldes bar pilots on the Columbia River, was in the city yesterday. Captain Johnson has been in the service at the mouth of the river either tugboating or plioting for 30 years, and has never had a serious accitent with a vessel in his charge. By a coincidence, it happened to be his "furn' to take out each of the three hig steam ships, Ching Wo, Kalsow and Eva, which have left here within the past 30 days. They drew 25 feet 6 inches, 24 feet 9 inches and 25 feet 9 inches respectively, and Captain Johnson received a statement from each of the capitains that they found plenty of water in crossing out. One o these statements, signed by the captain of the Eyr, is of special value at the esent time, as it will forestall the usua Puget Sound lie about the vessel being damaged while crossing the Columbia bar

Perils of a Bottomless Harbor. TACOMA, Feb. 5 .- During the high winds which prevailed Sunday, the Brit ish bark Dunsiaffnage dragged her moor-lings and came near fouling several ves-sels moored in the stream. That she did no great damage was remarkable, as she was drifting around the bay for severa rs, and at times was near rubl oing u several vessels. As she drifted Agraînst. towards Old Town, she bumped against British ship Andromeda, der plate or two. She also touched the Ger-man ship Alsterdamm, but fortunately did no damage. She was eventually picked up by the harbor tugs and taken the bay to a safe anchorage. pains.

Schooner in Danger.

CAPE HENRY Va., Feb. 5 .- The chooner John F. Kr. z. of Boston, which anchored inside the capes yesterday, dragged her anchor during the northwest gale that sprung up during the night, and now iles dangerously near shore, three miles inside the capes. Tugs from woman priso Norfolk and lifesavers from Cape Henry through a window

By what method we can get an out

right repudiation of this enormous debt in the Cuban constitution I am not now prepared to say. This will have to be decided by future events. I am certain that Congress cannot approve, reject or in any way amend or modify the Cuban consti-tution. The Teller resolution in letter and apirit prevents that, but I see nothing in the way of Congress discussing the Cuban constitution at the proper time and advising the Cubans what to do with that instrument for their own good." Senator Gallinger, of New Hampshire quoted after some comment by him

on the Teller resolution, as follows: "We freed Cuba, and therefore are re sponsible for her welfare. But the Cubans have not had the graciousness of gratitude to put into their constitution a single word indicating that they owe any thing to this country. At the same time, if Cuba should be attacked, the Cubans would look to us to save them, and who doubts that we would do this with our money and blood if necessary?

"Suppose, for example, that France or Spain, one or both, whose citizens own that enormous bonded debt put upon Cu-ba, should send warships into the harof Havana the capital of free, independent and sovereign Cuba, to enforce payment of these bonds. Would not Cu-ba send up to us a pitiful wall for help, and would we not have to go to her res and would be warships and our armies? This is in no sense an impossibility, as long as there is nothing in the constitu-tion-the organic law of Cuba-recognizing the right of the United States to exercise general supervision over Cuban af-fairs and destiny. "But this is too big a question to be dis-

ussed off hand. It involves some very serious and extremely delicate matters, and calls for caution, calm judgment and far-sightedness. I do not know what the outcome will be, but I do know that this Governm ent should not be hurrled into a final determination of the status of Cuba.'

Says He Is Charlie Ross.

CHICAGO, Feb. 5.-Eugene I. Gowell visited police headquarters today and an-nounced that he was the long-sought-for Charlie Ross, who was kidnaped from Germantown, Pa., in 1874, "I remembered nothing of the kidnaping,

scause I believe I was drugged, and this left my mind temporarily a blank," said Gowell. "I have a dim recollection of comfortable surroundings and a home by a running brook. However, I was brought up in Los Angeles, Cal., by Carrie Rob bins, who I belleved to be my mother She married one John or William Gowell and I took her husband's name. The fact that I was only an adopted child was told me by my half-brother Clarence. Some years ago I left home, and have since traveled about the country. Mr. and Mrs. Gowell still live in Los Angeles. Some time ago I told my story in Logansport, Ind., and was adjudged insane for my

Prisoners Burned to Death.

COLUMBIA, Mo., Feb. 5.-Henry Arthur and Clifford Christian, two young men who had been arrested for interfering with a dance, were burned to death in the jail last night. They were intoxicated. Not realizing what they were doing, the men set fire to the jail and perished. A ter ensuged by breaking

benefactor of individual and local inter-Great men are born and not made by ducation or opportunity, but opportunity is as necessary to the display of greatness as sunshine is to the growth of vegetation. No doubt multitudes of men as great as any named in history have lived and died in obscurity for the want of an opportunity to exploit their greatness. Washington, without the Rev-olution, might have continued a respect-able planter of Virginia, Lincoln, withut the slavery agitation, might have continued a lawyer of local fame in Illinois, and Grant might have remained a hum-ble tanner at Galena, without the War of the Rebellion. But great men come with great opportunities and the world resounds with their fame. Marshall was a great man, and he had greater opporities than his contemporaries to show his greatness. He was appointed Chief Justice in 1801, when our Government was in a chrysalls state, and long after Washington, Adams, Jefferson, Madisor

and Hamilton had retired to private life he was placing pillars of strength and stability under the Constitution of the Inited States. I do not underestimate the value of schools in saying that, while they may cultivate, they cannot create, greatness. No man can be a great poet, painter or judge, whether his learning be little or much, without an inborn apti-tude for his business. I have seen bril-liant inwyers elevated to the bench who made poor judges. I have seen others with little repute at the bar make good judicial officers, because they possessed by nature a strong and intuitive sense of right and wrong. Theoretically, courts are organized to administer justice between man and man, and he whose mind is so constituted that, out of the conflicts of litigation, he can make a righteous judgment, has the first qualifications of a good Judge. I doubt very much wheth er the multitude of law books and the wilderness of judicial decisions we now have are of much, if any, advantage to our courts, and my reason for this impression is, that 75 and 100 years ago, when Marshall and Kent were Judges and law books were comparatively scarce, the decisions of the arts in those days at least were as rood as they are at the present time, founded, as the decisions now are, more upon precedents than upon principles. On the 24th of September, 1755, just as the sheen of Summer was passing into the gold and russet of Autumn, a man child was born in Fauquier County, in he colony of Virginia. His name was John Marshall. Virginia was then a new country, sparsely settled with white people, and most of her mountains, streams and forests had never been disturbed by the land of civilization. Na-ture in her primordial freshness and beauty was the primary department in the education of Marshall. Like Washington and Lincoin, he was a scholar without the benefit of schools. Parental instruction and his own resources were his sole dependence in his early boyhood. To acquire learning under such circumstances is to learn to be indus-trious, courageous and self-reliant. Men who are educated in this way are apt to

make their mark in the world. Ambi-tion with native vigor of intellect is the key to success and it makes little differ-ence in the end to a Lincoln whether he

Such was the state of affairs that upon the decision of this convention depended the creation of a natural unity or a relapse by the colonies into independent and rival communities. Patrick Henry, James Monroe and George Mason were the leaders of those opposed to the Constitution, and John Marshall, James Madison and mund Randolph were the leaders of those who favored its ratification.

Patrick Henry opposed the Constitution with all the fervor and force of his elomence, especially upon three grounds, First, he argued that it was dangerous to dge the power of taxation in Congress, as that body would be likely to oppress and rob the people; and contended that the General Government should depend for its revenues upon the voluntary contribution of the states; second he cla that Congress ought not to have the power to declare war, and contended that the exercise of this power would end in a military despotism and that the military forces of the Government would overrun and subjugate the people, arguments with which we became quite familiar in the late Presidential campaign; third, he opposed the establishment of a Suprem Court because, as he said, it would usurp powers not delegated to it, and destroy the governments of the states. It is easy to see that if these views had obtained

the Union would have been little stronger than a rope of sand. Marshall confronted Henry upon all these points with great power and success, and the convention ratified the Constitution by a majority of 10 votes. It is impossible to speak to highly of the services of Marshall in this

In 1788 he became a member of the State Legislature of Virginia. Washington was then President, and his administration Washington was was bitterly opposed by a majority of this body, and to such an extent was their hostility carried that when a resolution was offered expressing confidence in the virtue, patience and wisdom of Wash-ington, a motion to strike out the word "wisdom" was lost by a bare majority. Marshall here, as elsewhere, was a stead-fast friend and supporter of Washington's administration. John Jay had made a treaty with Great Britain, containing provisions regarding the commerce of the two countries, which the President had approved. This treaty intensified the aniosity of the anti-Federalists to the Administration. They denounced it as unconstitutional, insulting to the dignity and injurious to the interests of the American people. Marshall defended the treaty in a speech that gave him a National reputa tion. President Washington had a pro-found respect for the abilities and character of Marshall, and offered to make him Attorney-General and send him Min-ister to France, but, desirous of devoting himself to his profession, he declined these appointments. France, at this time in the hands of a directory with the able and unscrupulous Talleyrand as its master spirit, had seized and confiscated our ships, upon the pretext that Washington had said something in one of his messages offensive to that country, and that the Jay treaty was inimical to its interests. Washington, anxious to avoid war, appointed Marshall, Pinckney and Gerry tion with native vigor of intellect is the key to success and it makes little differ-ence in the end to a Lincoln whether he goes through college or reads his books in a log cablin by the light of a blazing phne knot. One of the surprising things about Marshall was his literary and pro-

court had been in existence about 11 years and was just upon the threshold of its great responsibilities. We can have but a feeble conception of the difficulties cor conting this new form of law and just Here was a court without any precedent In history, with powers never before con-ferred on any judicial tribunal, starting out on a career very much like the experiment of Columbus in sailing out upor an unknown ocean, without knowing what he would discover or where he would land, or whether or not his voyage would be a disastrous failure. Many, perhaps a ma-jority, of the people of that time looked upon this court as a disguised enemy to the libertles of the people. Its most san-guine friends had doubts and fears as to its harmonious working with the other departments of the Government. While may be true, as Gladstone said, that the American Constitution is the most conderful work ever struck off at a given ime by the brain and purpose of man,' s also true that without a tribunal inal resort to interpret, construe and enforce its provisions, if not a dead letter would be the subject of unhappy and ndless disputation.

Primarily, and as applicable to all its paris, was the great question, whether r not it should be strictly or liberally construed; or, in other words, whether it should be construed according to the letter that killeth, or the spirit that giveth life. All those opposed to the adoption of the Constitution, and the Republicans, as the anti-Federalists were then called, with

Jefferson at their head, contended for a strictly literal construction, because they were jealous of the jurisdiction of the Federal Government and sensitive to the rights of the states; but Marshall with the wisdom of a seer, and the prevision of a prophet, was of a contrary opinion. Referring to this subject in the case of Gibbons vs. Ogúen, he smid: "If counsei contend for that narrow construction which, in support of some theory not to be found in the Constitution, would deny

to the Government those powers which the words of the grant, as usually mder stood, impart and which are con with the general views and objects of the instrument-for that narrow construction that would cripple the Government and render it unequal to the objects for which it is declared to be instituted and to which the powers given as fairly understood render it competent, then we cannot perceive the propriety of this strict Con-stitution, nor adopt it as a rule by which the Constitution is expounded."

Taking all his opinions together, his idea of the Constitution seems to have been that expressly or by implication it been that extra definition of the General Government all know better, the second to the General Government all know better, the second to the intelligence, integrity and courses as to the intelligence, integrity and courses as to the intelligence, integrity and courses and promote the general welfare, and that will compare favorably with the clergy-men of our country, Bishop Potter not excented. Moral more than physical courses used the excented for the physical courses of the second of but at the same time he recognized the doctrine that the General Government was doctrine that to draw the line of de-easy to see that to draw the line of de-markation between what was granted and what was withheld by the Constitution iargely upon their fearless support by the pupits, press and courts of our coun-try.

lion would have triumphed through the Supreme Court. Suppose instead of Lin-coln, when the rebeilion broke out, the President had been of those who held that the general Government had no power to coerce a sovereign state, it is highly probable that instead of the joyousness of this day we should be sor-rowing over the "broken and disjointed fragments of a ence glorious Union." I do not know whether the "Father of Mercles" interfere in a special manner for the protection of men and nations or not, but when I consider how near our Union has been to destruction and how wonderfully we have been preserved as a Notion I am sure that faith can find nowhere better evidence of the spcial fav-or of Divine Providence to a people than in the history of our country for the last 100 years. An interesting episode in the life of

Marshall was the trial of Aaron Burr. Burr in respect to his abilities stood in the fourth rank of the men of his day, but if what is said of him is true he was much like Milton's Belial:

He seemed

He seemed For dignity composed and high exploit. But all was false and hollow. He was indicted for treason and his trial came on at the Richmond circuit, Chief Justice Marshall presiding. No man ever in the United States, with perhaps the exception of Benedict Arnold, was so inmensely hated as Burr was at this time. He had killed Hamilton in a duel and be He had almest Hamilton in a over and out trayed and abused the confidence of Jef-ferson and his friends. All the influence of the Administration, with Jefferson as President, was thrown in favor of the osecution, and there was a hurricane of spular clamor for his conviction, notpopular clamor for his conviction, not-withstanding which Marshall decided that the evidence was insufficient to support the indictment and Burr was acpuitted. Shafts of indignation, envenomed by party rancor, were hurled at the head of the Chief Justice for this decision, but

No fire, nor foe nor fate, nor right This Trojan hero did affright. Music and banners, the shouting of captains and the surrounding excitement inspire the soldiers on the field of battle to deeds of daring, but the real heroes of the world are men, who, with nothing to encourage them but their own convictions of duty, stand like a stone wall between the friendless and forsaken and the fury of the mad and unreasoning multitude. I am proud and happy to say, after more than 50 years of experience at the bar, with few exceptions our Judges have been men of this description. Bishop Potter is reported as having said that a majority of the people are of the opinion that the Judges of our courts are purchasable. I do not believe a word of it and in fact I know better, and will venture to say that

doctrine that the General Government was one of delegated and limited power. It is easy to see that to draw the line of de-easy to see that to draw the line of de-easy to see that to draw the line of de-