

EVOLUTION OF THE SUPREME COURT

Interesting History of the Nation's August Body

Some Sidelights on Its Organization and Personnel—A Peculiar Case.

WASHINGTON, April 7.—Perhaps no institution of the American Government has so interesting though brief a history as the Supreme Court of the United States. Very few people outside the members of the legal profession know much of the organization of that august body or of the personnel of the court and the ways of its workings. It is hardly possible to acquire this knowledge except by long study and research or by close intimacy with members of the highest tribunal in the land.

William Henry Dennis, a prominent member of the District bar, who for a long time was a "stenographic clerk" for Justice Blatchford of the Supreme Court of the United States, in discussing the subject of the organization of the court, and its members and their work said:

Four Periods.

"The evolution of the Supreme Court of the United States might be divided into four periods. First, that of its beginning at the close of the eighteenth century, from 1789 to 1799, when there were four Chief Justices appointed; second, the distinct era, the long terms of Chief Justice Marshall and Taney; third, from the time of the death of Justice Taney to the close of the civil war, and fourth, from that time to the present. "At the October term, 1888, the court was headed by Chief Justice Waite, a man of the most rugged honesty and transparent sincerity of purpose, and a thoroughly sound jurist. He was appointed, as you know, by President Grant as a third choice after the selection first of Attorney General Williams and then of Caleb Cushing, who were unacceptable to the Senate. "President Grant, with all due respect to his greatness, was considered by many lawyers a little peculiar in regard to his feelings toward the profession and the bench. I have heard an eminent judge, now in retirement, relate that the victor of Appomattox in early life had some experience with the law or lawyers which left him with a feeling amounting almost to a violent prejudice.

A Peculiar Case.

"In one case, this judge said, when General Grant was remonstrated with for nominating a man to a judgeship who was not even a lawyer he replied, with some appearance of surprise at this information, that he had been informed that the man had studied law for several months. This may have been an exaggeration. Certainly the selection of Chief Justice Waite did credit to President Grant's discernment.

The senior Associate Justice was Samuel F. Miller, a man of remarkable mental strength and ability, and with a remarkable career. He began life as a farmer, then studied medicine and practiced it successfully before he decided to change his profession and study for the bar, to which he was admitted at the age of thirty-six. It was a disappointment to many that he was not promoted to the Chief Justiceship upon the death of Chase, but such a promotion seems to be one of the most unlikely things to happen.

"Next to him in seniority was Justice Field, destined to live out the longest term of service of any of the court, and noted for his independence in regard to dissent from the majority of the court. In his later years upon the bench, if it is allowable to speak of physical infirmity when no disrespect is intended, he gave an unintended and delusive encouragement to counsel who were not accustomed to the personalities of the Supreme Court.

"Justice Field's Peculiarity. "They would observe that Justice Field appeared to be agreeably nodding assent to their successive assertions in their argument and were encouraged to address themselves particularly to him. As a matter of fact, a slight nervous affection of the muscles of the neck was the cause of this Jove-like encouragement.

"Justice Bradley was one of the oldest in years, but not in term of service. Though small in physique, he was a giant in mind and in energy. Attorney General Garland, who had every cause to criticize him closely, said: "It is doubtful if ever a man sat in that tribunal who knew more law and more sorts of law than he."

"He certainly did an enormous amount of the solid work of the court. He was followed by nature with a temper that might fairly be called peevish. And I do not think it was any more unjust to mention this fact than to say of a man short or tall that his eyesight is keen or imperfect, or anything of the kind. It expressed part of the energy of his nature, and he is entitled to credit on the occasions when it blazed out in spite of him.

"He was one of those men who seemed fated not to be popular in spite of merit and hard work. Some people still believe that he was appointed to the bench along with Justice Strong for the purpose of reversing the decision of the court upon the legal tender act, although their nominations were prepared and sent in before the first decision on that act was announced.

"Afterward his services on the Electoral Commission was criticized, though he accepted the unthankful office very much against his will.

The Only Survivor.

"Justice Harlan is now the only survivor of the court as then constituted. Justice Woods became invalid in 1888, and passed away in April, 1887. "Justice Matthews, or Stanley Matthews, as it seems more natural to call him, was, perhaps, even then beginning to fall in health. He died two years later, in March, 1889.

"He is said to have attributed the stomach disorder that chiefly caused his death to his irregularity about a midday repast, caused by the hours the court then observed. It met, as it does now, at noon exactly, but it then sat until 4 o'clock, without a recess. "Justice Gray was then one of the 'end men' of the court, having been appointed in December, 1881, by President Arthur, from the supreme court bench of Massachusetts. It seems but yesterday that his giant form, overtopping even that of Justice Harlan, dis-

GETTING READY



JOHN A. SCHLEICHER.

Republicans Preparing Editorially for the Campaign.

(Journal Special Service.) NEW YORK, April 7.—Following a custom that has existed for many years, the leaders of the Republican party are preparing for the newspaper end of the forthcoming campaign. They have engaged editorial talent of a high order, and the men who are to do the writing are already getting their data into shape for the Republican newspapers of the country.

The portrait shows John A. Schleicher, president of the National Editorial Association, the Republican literary bureau. Mr. Schleicher is the editor of Leslie's Weekly. He is a personal friend of President Roosevelt.

peared from among us, and the speeches in praise of his prodigious learning, his dignity as a judge, and his lifetime of public service, are still in our ears.

"Mother nature, in a perverse mood, gave him a rather high-pitched voice in contrast with his great stature, and impressive brow and face. His own mental quickness made him a little impatient of any slowness in others, and his temper verged on the petulant.

"This combination at times furnished a little quiet fun to others, as when in court an attorney was earnestly exhibiting a map of certain localities, and exclaimed that it was a 'bird's-eye view.' Mr. Justice Gray remarked that he hoped it was printed in the record, for he was not a bird, and could not see like a bird.

"Justice Blatchford. "Justice Blatchford was the junior of all, having been appointed first to the District Court at New York, then to the Circuit Court and then to the Supreme Bench.

"I would not wish for a moment to lose sight of the real and inherent dignity of the Supreme Court of the United States and its members. That dignity is of the true kind, which is free from all pomp or arrogance. The rules of the court, both for procedure and for its external ceremonies, impose the least restraint comparable with good order and justice.

"The prevailing tone through the court and all the officers attached to it is that of courtesy and kindness, to the humblest and least known as much as to the highest and most noted. A true democracy prevails there, fatal to humbugs, but generous to merit."

GREAT STRIKE IS THREATENED

Textile Workers of New England May Go Out.

(Journal Special Service.) BOSTON, Mass., April 7.—Unless a settlement is speedily reached, the present week will see the inauguration of the greatest textile strike ever attempted in New England. It will involve thousands of operatives in the mills of Lowell, New Bedford, Taunton and other centers of the textile industry where the 10 per cent increase in wages was not granted last year. The local unions in these cities have already voted to strike, but the final decision rests with the National Spinners' Association, which began a meeting here today. The United Textile Workers, supported by the spinners, which is the wealthiest labor union in America, feels that it is in a position to wage a fight to a finish with the mill owners. The strike once started would in all probability spread throughout New England and develop into one of the fiercest labor contentions that has ever taken place in this section.

UNION COLLEGE CONVENTION

(Journal Special Service.) GRINNELL, Ia., April 7.—A convention of representatives of all the Congregational colleges and seminaries of the interior began here today and will continue through tomorrow. The purpose of the convention is to consider the common interests of the colleges as affected on the one hand by the universities and on the other by the development of the secondary schools. The questions of how best to manage these institutions, maintain discipline, look after athletics and promote religious life are among those scheduled for consideration.

Prominent among the participants at the conference are President W. H. Callmon of Carlton College, President C. A. Blanchard of Wheaton College, President H. T. Fuller of Drury College, President J. H. Morley of Fargo, President D. E. Perry of Doane, Dean E. G. Smith of Beloit, President W. P. Slocum of Colorado College, President W. E. Sperry of Olivet College, President A. T. Perry of Marietta College, and President H. C. King of Oberlin.

Preferred Shock Canned Goods, Allen & Lewis' Best Brand

WOMEN WHO GAMBLE IN NEW YORK

Craze Afflicts Society—Heavy Wagers.

Flush Times Make the Rich Reckless—Astonishing Result of Recent Raids.

(Journal Special Service.) NEW YORK, April 7.—It is now patent to every observer that the triumphant classes of New York are infected with the gambling craze as never in any previous period of flush times. Those opposed to gambling—thrifty shopkeepers, owners of apartments, date and renting residences, and the like—make their conscience-evading bets by buying stocks outright and selling them when the market advances—or drops dangerously. Racing has been reinvigorated by the rich, and bookmakers are multiplying—a bookmaker's "roll" found in a raided gambling house a few weeks ago contained \$75,000 in paper money! Gambling houses, of which there were always a few, are now numerous; and two—one for the fashionable rich, the other for the merely rich—are Trimachian palaces in costly gaudiness. Recently the manager of the fashionable place, when asked how much money they kept on hand for daily business, drew out a pocketbook and showed five \$10,000 bills—"and," said he, "there's \$40,000 more in the safe and at the tables upstairs."

Poolrooms are seen by all but the police every few blocks in the business district. Their clerks and messengers, and of late many women—wives of retail shopkeepers and of the better-paid clerks—play races far and near. And the race tracks themselves were never so prosperous or so fashionable. Next summer there will be one more—the most ambitious of all. At these tracks every racing day there is literally a crowd that plunges heavily; and part of it is women—not as formerly the race-track element's women only, but women of the conservative classes, sending help from grand old money bags. By one of the dozen busy "ladies' messengers." Hundreds of the men stake large sums, scores stake thousands; there is a score or more who frequently make such winnings—and losses—as \$25,000 on a single race.

Policy shops and policy writers infest the tenement districts, robbing laborers and artisans, and their wives and children, of quarters, dimes, nickels and pennies through alleged lottery drawings that are in reality cunning assignments of small "prizes" where they will loom the fraud. It is estimated that the income from policy has now mounted to \$15,000 a day. Think how many gamblers that means, even if the average bet is so high as 25 cents!

Then there are the women of more or less social pretensions. The Wall street woman is no new phenomenon in New York. But she was as a rule a sexless-looking creature, skin tough and sal-low, toilet careless and dowdy; she sat about the "ladies' department" of the uptown branches of big bucket shops, making her bets and winning or losing with perfect self-possession, as if of tricks as a fox was she, but not facilitating to behold, or in any way a measurable factor in public morals. The new Wall street woman is not of kin to the old, does not suggest her except as all human beings suggest each other through the possession of universal traits. She comes in carriage or cab to the "ladies' department" of those brokerage firms that have the courage to take the extra risks of feminine trade; she spends an hour or so there, her eye on the tape, her hand on her smelling salts, having won or lost all she cares or dares to risk that day, she goes her way.

At Saratoga in summer, at Palm Beach in winter, and at Aiken also, the more or less public gaming table—the private club or the private room in the gambling house—is not only permitted, but fashionable.

Stock gambling, of course, as yet attracts fewer of these fashionable women with the gambling fad. It calls for study, for a long and tedious education; and women of fashion have too many drafts upon their time already. There are some who intrust money to men friends to bet for them; but that is not gambling for the woman. The "gamble" is altogether for the trusted man, who would hardly be so ungracious and even cruel—not to say imprudent, for that would sound cynical—as to let a confident and helpless woman lose through his lack of luck or wit. The real stock gambling woman of fashion, doing the gambling herself, using her own judgment reinforced or confused by "tips" gathered at random, staking her own income or her father's or husband's allowance to her, is as yet a rarity. But she is an interesting rarity, as she lies abed with her telephone at her indolent elbow and with smiles or frowns—in great crises in the "street," tears—upon her petulant face. Thanks to the telephone, she gambles at her ease, in the seclusion of her home, of her bedroom. And apparently she is the heralding swallow of the oncoming flock. There are still few husbands with tales of how scantily they are fed because "my wife came a cropper on steel last month, and dropped her house money as well as her personal allowance." But those few, unless all signs fail, also are heralds of a flock—a mournful flock.

This gambling craze is the latest phase and extreme of an extraordinary, incredible development—the transformation of New York from a rich, rather sober city into a world-capital, within less than 15 years.

HANGED FOR ROBBERY.

BIRMINGHAM, Ala., April 7.—Will Dorsey, colored, was hanged here today at 11:59 a. m. for highway robbery, it being the first instance in the state's history where the death penalty has been imposed for this crime. Dorsey was convicted for entering the home of David McNamara, a mine operator near Pratt mines, three years ago and shooting down McNamara and robbing the place. McNamara, though badly wounded, recovered. Dorsey claimed that the shooting was done by another negro, but did not deny complicity in the crime. He met death stoically.

The reduced homeseekers' rates, effective February 15, apply via the Denver & Rio Grande. Have your friends come through Salt Lake City, over the scenic line of the world.

DO YOU KNOW

WHAT YOUR POWER COSTS?

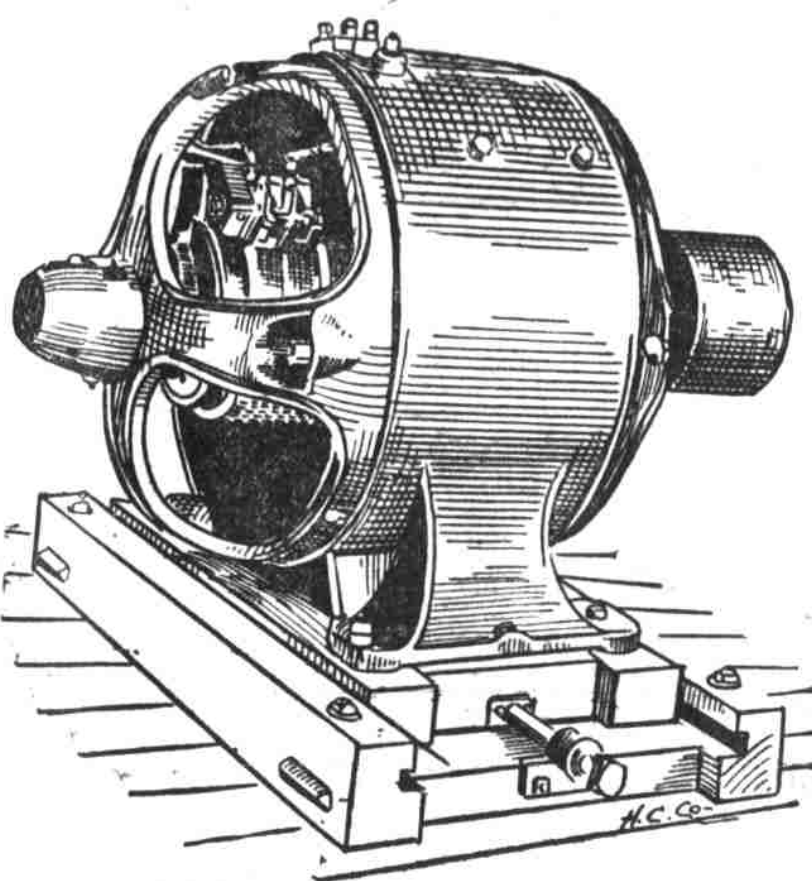
You probably use Less than you think, at a cost Higher than you thought.

That is--of useful power. Belts and shafting are inseparable from FRICTION and FRICTION means loss of power--which means Loss of Money. Old methods do not recognize this loss as wasteful extravagance. Present business necessities reduce this loss to a minimum, or obliterate it entirely by the use of direct-connected Electric motors.

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