

THE NEGRO QUESTION.

Opinion From Louis F. Post's Paper, The Public.

In an article in the Century, Mr. Jerome Dowd, a southerner, makes some "practical suggestions" regarding the negro. He declares, as most southerners do, when discussing this question, that "the southern people understand the negro."

One editor in a late issue of his paper takes exception to the phrase and says: "This expression is an ill-chosen one and should have no lodgment in the vocabulary of an American patriot and statesman."

The term, the common people, is properly used to describe the large majority of the people—those who earn their living and give to society a fair return for the benefits bestowed by society—those who in their daily lives recognize the ties which bind together the mass of the people who have a common lot and a common hope.

We could ask for no better proof of this than the Century article by Mr. Dowd, an article which is both intelligent and generous. Mr. Dowd complains of the negro's inferiority, but to regret this as evidence of race inferiority. It is a familiar ground of complaint in the south.

What is that if not an exhibition of class spirit. Can it be doubted that the negro's claim is his right to the same human nature that he develops the doctrine of white supremacy? Yet southerners whose views agree with Mr. Dowd's, claim to understand the negro. All through his article Mr. Dowd reveals the conviction he holds in common with his sectional compatriots, and which prevails also in the north, that the negro's characteristics are those of an inferior race.

But this does not describe race inferiority. It is an intellectual quality. The inability as white men suppose, of wild races to think except in the objective and concrete, is fully accounted for by the fact that their environment is too primitive to stimulate abstract thought. It does not prove inherent lack of capacity. And when so-called inferior races are civilized, their reasonings also exhibit defective powers of abstract reasoning, the all-sufficient explanation is that they are held down to lower intellectual levels by the spirit of caste. Though they come in contact with the advanced race, it is only casually and in a subordinate manner. Their thought, their tastes lie in the realm of the objective and the concrete. They cannot generalize. Their enjoyment is in the spectacular. So much so that "factories employing negroes generally find it necessary to suspend operations on "circus days!"

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they were applied, while they have been used in terms of reproach by those who counted themselves among the aristocratic classes. Within recent years there has been a growing tendency in some quarters to denounce as amagomic any reference to, or praise of, the common people.

One editor in a late issue of his paper takes exception to the phrase and says: "This expression is an ill-chosen one and should have no lodgment in the vocabulary of an American patriot and statesman. If we sought its origin, few would look for it in that species of demagoguery which has evolved the professional politicians, arrayed country against town, the farmer and his sons and daughters against the business and professional men and their sons and daughters, capital against labor, and built up against neighbors the impregnable barriers of prejudice and hate."

The quotation is reproduced because it fairly represents the views of those who criticize the expression. It has, however, an eminently respectable origin. In the same chapter in which Christ condensed man's duty to his fellow men into the commandment: Thou shalt love thy neighbor as thyself; in the same chapter in which the apostle pronounced those who "devour widows' houses" for a pretense make long prayers—in this same chapter it is said of Him: The common people heard Him gladly.

No higher compliment was ever paid to any class.

The term, the common people, is properly used to describe the large majority of the people—those who earn their living and give to society a fair return for the benefits bestowed by society—those who in their daily lives recognize the ties which bind together the mass of the people who have a common lot and a common hope.

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SUPREME COURT DECISIONS.

Prof. Bryce has called the supreme court of the United States "the living voice of the constitution." While we are waiting for its authoritative words on the Porto Rico cases a retrospect of some of its most important decisions—the landmarks of American constitutional law—has timely interest.

National supremacy: In the first period of its existence, while John Jay and John Marshall were justices, 1790-1830, the supreme court's leading decisions, taken in a body, all tend to establish one great constitutional doctrine—the supremacy of the federal government over the state governments in all matters in which a conflict could arise as to the limits of their respective authorities. Thus in Marbury vs. Madison the court held that the United States by treaty could annul a state law. In Chisholm vs. the state of Georgia it decided that a sovereign state could be sued in the federal courts by any citizen. The eleventh amendment to the constitution was adopted to counterpoise this decision.

In Marbury vs. Madison it declared its power to annul any act of congress to be null and void. It affirmed its power in the cases raised by Aaron Burr's staff (arrested for treason) to issue writs of habeas corpus, and proclaimed that no one could be guilty of treason by mere participation in a conspiracy by force the government of the country. In Fletcher vs. Peck it ruled that a legislative grant made by a state could not be revoked. In McCulloch vs. the state of Maryland, decided in 1819, the power of the federal government to create a bank was affirmed and the right of a state to tax any branch of a federal bank was denied. This famous decision was never reversed by the court but President Jackson closed up the United States bank in spite of it.

Dartmouth college case: More popularly celebrated than any of these decisions was that in the Dartmouth college case (1819). The state of New Hampshire claimed the right to amend the charter which it had previously granted to the college and transfer its property to a new corporation. The court decided that it could not do so; that the charter was a contract, and that the state had the right to impair. Daniel Webster's splendid fame as a lawyer and orator began with his argument in this case. But as counsel for Harvard college a few years later he had the mortification of hearing Chief Justice Taney deliver a decision reversing that which he won at Dartmouth college. This reversal was in the judgment on what is known as the Bridge case in which the court held that the state of Massachusetts had a right to nullify an old grant made to Harvard college in 1650.

Regulation of commerce: Again in Gibbons vs. Ogden the court decided that congress had exclusive authority to regulate commerce in all its forms on all the navigable waters of the United States without any monopoly, restraint or interference by state legislation. But this decision of Marshall's was reversed by a later one of Taney's in the case of the City of New York vs. Milin in which it was ruled that a state legislature could regulate commerce upon the masters of vessels arriving in their ports and collect penalties for their non-observance. And this reversal has since been reversed.

Again in the case of Craig vs. the state of Missouri the court decided that a state law establishing land offices and authorizing the issue of certificates of stock was unconstitutional because they were "bills of credit" which the constitution forbids the states to emit. Later in 1837 this ruling was completely reversed in the case of Briscoe vs. the Bank of Kentucky.

The Cherokee episode: Next in order of time among landmark decisions was that in the Cherokee case. When Georgia in 1792 ceded her western territory to the United States the federal government agreed to extinguish the Indian title to land in Georgia as soon as this could be peacefully done. As the United States had by treaties recognized the Cherokees as a nation having their own laws and had guaranteed to them all the lands not hitherto ceded it could not legally disturb them in their possessions. Georgia passed laws extending her laws and jurisdiction over the Cherokee people and dividing up their domain among the people of the state by law. This proceeding was finished in 1830. Appeals to the government by the Cherokees for protection under their treaty rights called out the response from President Jackson that "the state is sovereign in its own domain" and that the United States could not interfere. A Cherokee convicted of homicide in the Indian lands being sentenced to be hanged under the laws of Georgia the case went to the supreme court which in 1830 granted a writ of error requiring the state to show cause why the matter should not go to the Cherokee courts. President Jackson is quoted as saying: "John Marshall has made the decision now let him execute it." The writ was disregarded and the Cherokee was executed—the first instance of the nullification by a state of laws of the United States.

Taney's Dred Scott judgment: A case which created a far more profound impression was the Dred Scott case in 1857. In 1854 Dr. Emerson of the United States army took Dred Scott, one of his slaves, with him from Missouri to Illinois where slavery was prohibited by statute and thence to Fort Snelling in what is now Minnesota where it was prohibited by the Missouri compromise act of 1820. Later he returned to Missouri, learning that his residence in free territory gave him a claim to freedom. Dred Scott in 1848, having been whipped by his master's orders, brought suit in St. Louis against him for assault and battery. This action raised the question of his freedom. After many mutations in the case, during which Scott changed masters by being purchased by J. F. A. Sanford of New York, the matter got to the supreme court in 1855.

On March 6, 1857, Taney read the decision (Justices McLean and Curtis dissenting), which was that Scott was not a citizen of Missouri in the sense in which the word "citizen" is used in the constitution; that the lower court had no jurisdiction in the case; that the judgment of the lower court must be reversed and a mandate issued directing the suit to be dismissed for want of jurisdiction. The decision went further than this, however, touching on the slavery question in its broad political aspect, and here lies its historical importance. It denied the right of congress to control slavery in the territories and declared that the Missouri compromise of 1820, prohibiting slavery in the Louisiana territory north of 36 degrees 30 minutes, was unconstitutional and void. In passing, the popular fiction that Taney declared that negroes "had no rights which the white man was bound to respect" should be once more

GENERAL NEWS.

The legislature of Indiana has adopted electrocution as the mode of capital punishment. Lieutenant Taylor of the United States revenue launch Penrose was drowned at Pensacola, Florida, Wednesday night.

Li Hung Chang gives the United States credit for the relief to China caused by the signing of the joint note by the powers. An extra session of congress is probable, in view of the president's urgent recommendation of legislation concerning the Philippine islands.

The sultan of Turkey, who is much affected by the death of Queen Victoria, has wired King Edward VII. an expression of sympathy at his loss and felicitations on his accession.

Charles F. W. Neely, who is charged with embezzling the funds of the Cuban revolution, will sail for Havana on the 26th inst., on the steamship Mexico, to stand trial for his alleged crimes.

Premier Roblin at Winnipeg stated that the Manitoba government was making attempts to purchase the Northern Pacific railway in Manitoba, but so far, he said, nothing definite had been done.

Because her husband had sold her chickens and bought whiskey with the money, Mrs. William Towns, at Hartford, Ind., after having horsewhipped Towns in a crowded street, endeavored to wreck a saloon.

Wednesday was the anniversary of the battle of Rolling Prairie, near Little Rock, Arkansas, which was fought January 23, 1861, between the 11th Missouri cavalry and the Union forces. Eleven were killed.

A warrant of removal was granted at Los Angeles in the United States district court for the return to Indian Territory of Jeff Davis, an Indian, who is wanted for the murder of Henry Carlisle, December 15, 1900.

J. J. Hill and his party of guests are booked to leave St. Paul, on a special train, on March 1, for Seattle. It is said this train will represent more wealth than ever gathered on one train in the history of the world.

T. C. Chandler, aged 68 years, died at his home at Liberty, Missouri, from a stroke of apoplexy. He was born in Virginia. He served through the civil war in the confederate army, and was adjutant under Colonel E. W. Rucker.

Judge Clements at Sigourney, Iowa, overruled a motion for a new trial in the case of the state versus Sarah Kuhn and sentenced Sarah Kuhn to spend the remainder of her natural life at hard labor in the penitentiary at Anamosa for the killing of her husband by poison.

The Josiah Morris bank, at Montgomery, one of the oldest private banking institutions in Alabama, did not open its doors for business Saturday. The capital stock of the bank is \$100,000. Deposits are believed to be heavy. The assets and liabilities are not yet known.

At the instance of the attorney general, the war department today took steps for the preservation of law and order at Muskogee. The war department has telegraphed General Fitzhugh Lee, authorizing him to act in his own discretion in the matter of sending troops.

Dr. Blunt, Texas state health officer, has issued instructions for testing for the inspectors at the state line to enforce a rigid quarantine against Bakersfield, Calif., where a case of the plague is said to have appeared and to make the rules stringent as applying to San Francisco.

The Rio Grande freight depot in Colorado Springs, Colorado, was burned Saturday morning. Watchman L. C. Wells was found dead in the building, lying in a pool of blood with a revolver near his right hand. It is suspected that he was killed by burglars, who then fired the building.

Judge Bundy, in the Henry county circuit court at New Castle, Indiana, overruled a motion for a new trial in the case of John Diehl, the rich manufacturer of Akron, charged with the responsibility for the death of Miss Mary Farwin, a year ago, and the defendant was sentenced to 14 years in the Michigan city prison.

General MacArthur has ordered the deportation to the United States of George T. Rice, editor of the Daily Bulletin, a marine journal. Rice will sail on the Pennsylvania Monday. The order characterizes him as a dangerous incendiary and a menace to the military situation because he accused the officer of the port of Manila of grafting.

Estimates made by the best-informed persons in the financial field fix the value of Queen Victoria's private estate at something between \$50,000,000 and \$60,000,000. Parliament upon her accession granted her \$1,925,000 a year. This sum, if we estimate that she would maintain the royal establishment and leave the sovereign \$400,000 for private money, or personal expenses.

The destruction by bush fires in Australia, according to mail advices by the steamship Aorangi, have been appalling. While many people are dropping dead from heat apoplexy, the thermometer has risen to 120 and 120 in the shade, hundreds upon hundreds of families have been burned out, and many have made miraculous escapes.

A subcommittee of the house committee on banking and currency reported favorably as a substitute for the Overstreet currency bill, a bill providing that the treasury shall pay gold on demand for silver or other classes of money, in sums not less than \$50 and the silver and other forms of money thus received by the treasury shall be placed in the reserve fund.

Clark Bell, president of the Medical and Legal Aid society, has announced that his society has determined to take up the Maybrick case at once, and that the chances are now more favorable than ever for the pardon or acquittal, after fair trial of the American woman, accused of poisoning her husband in England charged with murdering her husband by poisoning.

Grace Anderson has brought suit against Charles J. Anderson in San Francisco for divorce on the ground of cruelty, and he brought suit against her to recover 40 United States government bonds of the par value of \$40,000, cash amounting to \$22,000, and gold dust and nuggets worth \$19,000. It is a romance of the Klondike where Anderson made his fortune and picked up his wife.

The report of Representative Overstreet of Indiana, upon the bill which was authorized by the banking committee to report to the house "to maintain the parity of the money of the United States" declares that the bill "reaffirms the declaration of the United States government to maintain the parity of all forms of money with the gold standard for value and makes provisions whereby the parity of silver dollars may be maintained by the exchange for gold at the treasury upon the demand of the holder."

PACIFIC NORTHWEST NEWS.

The tax levy in Portland this year for all purposes will reach 40 mills, or four per cent. Mrs. Minnie Page Hosmer died at her home in Silverton, aged 33 years. A husband survives her.

Monday fire caused a \$2000 loss in Edward's furniture store in Portland. A stove pipe was the cause. Mrs. George F. Elgin, aged 34 years, died, at Corvallis, of pneumonia. She leaves a husband and four children.

An automobile is to run between Portland to Sandy and on the Clackamas river. It will take a trip daily. A strong effort is being made to move the capital from Olympia to Tacoma. A constitutional amendment is necessary.

Traffic Manager S. W. Eccles will shortly leave the service of the Oregon Short Line to accept a position with the smelter trust. Thomas Dugan, aged 8 years, son of Mr. and Mrs. H. Dugan, of Walla Walla, died after a few days sickness at his home in that city.

The Idaho senate has acted favorably upon resolution on the initiative and referendum, submitting an amendment to the state constitution. A great many counterfeit silver dollars are in circulation in Portland. Street car conductors have collected several of the bogus issue.

John Wolf, the 18-year-old boy who killed Sheriff Summers, of Madison county, Montana, from ambush, has been captured, after an exciting chase. R. H. Bishop, of the Southern Pacific bridge builders, was struck on the head by a falling timber at the Harrisburg bridge Monday, and seriously injured.

The roundhouse of the Spokane Falls and Northern railway, at Spokane, was destroyed by fire Wednesday morning. Loss, \$150,000, fully insured. It will not be rebuilt.

Good promising ledges of gold ore have been discovered near Moro, Sherman county. One of them is within a few yards of the Columbia Southern depot at that place. James Chapin, one of Oregon's earliest miners, died at his home near Forest Grove of heart disease. Up to a short time before his death he was in his usual health.

Mrs. Sylvester Reeder, aged 40 years, died at her home near Greenville. She had been a resident of Washington county for 25 years. A husband and five children survive her. George Lang, formerly ticket agent for the Union Pacific at Salt Lake, and later at Portland, has been made general agent of the company's freight and passenger department at Los Angeles.

The secretary of the interior has approved the contract between the governor of Alaska and the state of Oregon for the care and treatment in the Oregon insane asylum of insane persons in the district of Alaska. John Bronti, reported as John Reen, was adjudged insane at Roseburg and put in jail, awaiting the taking of him to the asylum, where he committed suicide. He believed he was followed by detectives from the old county.

F. J. Smith, the junkdealer and second-hand man, was placed on trial in Portland Wednesday on a charge of buying stolen property from two boys, knowing or having good reason to know that the property had been stolen. Two hundred signatures were obtained in Walla Walla to a petition asking that county's representatives in the legislature to oppose the Preston railroad commission bill and to work for the passage of a rate bill instead.

Mrs. Anna Curry, wife of John W. Curry, a clerk in the census office at Walla Walla, W. C., died at Medford Tuesday. Mrs. Curry was a daughter of the late Francis Plymote, whose death occurred at the same place about a year ago. William Baskett, the rich London banker who died a few days ago, had relatives in Polk county, Oregon, the late Mrs. E. C. Cross being a Miss Baskett. Her brother, G. L. Baskett, formerly a Salem druggist, is now a resident of Idaho.

The Pacific Sheet Metal Works, at Astoria, has received orders from three Alaska canneries for 5,000,000 cans, sufficient for 100,000 cases. The cans are to be shipped during the month of March, and will go on vessels direct from here. The United States consul at Valparaiso, J. F. Caples, of Portland, Or., has resigned. The United States minister, Henry Wilson, of Spokane, Wash., is coming to the United States on leave of absence. Messrs. Caples and Wilson will both sail on the next steamer from Valparaiso.

James P. Finnican, who died Saturday, in Portland, was a well known railroad and mining man. He was born in New York in 1844, and came to Oregon 25 years ago. He was assistant superintendent of construction on the O. R. & N. when the road was built from The Dalles to Portland. Because he had wronged a young girl in Minneapolis some few years ago Frank H. Hanway of Seattle, and a bridegroom of but five hours, swallowed a dose of strychnine Sunday at his rooms in a lodging house and expired in the arms of his bride. With his last breath Hanley managed to gasp out to the terrified woman: "I am not worthy of you." Then he fell into her arms and life was extinct.

The shooting affray at Geiser, Baker county, was thoroughly investigated. First, Christian, the saloonkeeper who did the effective work, had a hearing, and was adjudged to have acted in self-defense and was discharged, and then Orwell, the "bad man" had his turn in court charged with assault with intent to kill, but he waived examination and was held for the circuit court with bonds fixed at \$300.

John Raper, a respected citizen of Garfield, Wash., lies at the point of death, and Frank Madden, who assisted in the execution of a man taken to the county jail at Colfax Monday night for safekeeping, feeling has never been as intense in Garfield as the murder of Lanford Scammers by Ed Hill, who was lynched by a mob. Madden wanted Raper to allow a friend of his, who was drunk, to sleep in his office, and Raper refused.

Cities and towns along the Ohio river have begun a crusade against the negroes. The entire trouble dates back to the lynching of a negro at Rockport and Booneville, a murder of the white barber, Simmons, at Rockport one night last month. Every strange negro who cannot give a satisfactory account of himself is to be sentenced to the rock pile. This action is taken to check an obnoxious class of negroes.

The president sent a message to congress recommending the appropriation of \$100,000 for the payment of the claim of Spain for Sibutu and Cagayan islands, in the Philippine archipelago, in accordance with the terms of the treaty recently ratified by the senate.

TAXABLE PROPERTY IN OREGON. Unmilitia County Stands Fourth in Taxable Wealth. Oregon has taxable property valued at about \$120,329,293, a slight increase over 1899. At the time this table was made up, Lane, Polk and Multnomah counties had not reported to the secretary of state, and estimates are made for the assessment of the final figures will not materially change the aggregate valuation here given:

County. 1900. 1899. Baker..... 2,860,256 2,776,700 Benton..... 2,924,782 2,628,272 Clatsop..... 2,854,844 2,897,960 Clatsop..... 2,856,616 2,866,168 Columbia..... 1,477,360 1,450,448 Coos..... 2,158,268 2,213,416 Crook..... 1,666,232 1,718,780 Grant..... 1,266,168 1,266,168 Douglas..... 4,228,216 4,067,928 Gilliam..... 1,062,192 1,056,344 Grant..... 1,266,168 1,266,168 Harney..... 2,241,456 2,338,788 Jackson..... 3,230,914 3,471,796 Jefferson..... 1,198,868 1,193,216 Klamath..... 1,188,248 1,477,972 Lake..... 1,540,254 1,405,617 Lincoln..... 1,266,168 1,266,168 Lincoln..... 684,976 701,841 Linn..... 6,084,056 6,726,190 Marion..... 1,266,168 1,266,168 Marion..... 7,213,018 7,213,018 Morrow..... 1,117,771 1,269,149 Polk..... 2,954,844 2,897,960 Polk..... 4,400,000 4,000,000 Sherman..... 1,266,168 1,266,168 Tillamook..... 1,266,168 1,266,168 Unmilitia..... 5,884,996 6,880,098 Union..... 3,872,702 3,874,340 Wagoner..... 1,266,168 1,266,168 Wasco..... 3,129,888 3,143,102 Washington..... 3,268,778 3,288,210 Wheeler..... 1,266,168 1,266,168 Yamhill..... 4,770,106 5,290,393 Totals..... \$120,329,293 \$120,282,875

City of Salem Woa. The suit of the Pacific States Telephone and Telegraph company against the city of Salem for an injunction restraining the officers of the city from collecting the tax due on telephones under an ordinance of the city council, was decided by Judge R. P. Boise of the equity department of the circuit court in Salem, in favor of the city. The ordinance referred to was passed last August, and levied a tax of 5 cents a month on each telephone instrument in use within the city. The tax became due on September 1, but the company refused to pay the amount or furnish the officers with a list of the instruments in use.

At a meeting of the Catholic club, of New York, an organization of like church Episcopalians, at which Rev. Harry Wilson, of London, and Clifford Kelway, of the Church Review, the organ of the Catholic party in the United States, were present, it was decided to publish an American edition of the English Catholic organ in Philadelphia, with an office in New York, and to join the Catholic parties in England and America for a war on Protestantism, and especially on the low church Episcopalians.

By a vote of 33