

The Daily Astorian.

ASTORIA, OREGON:

FRIDAY, JANUARY 21, 1887

PASSING NOTICE.

THOUGH the most of us cannot agree with our worthy governor in his assumption that the courts have no right to pass upon the constitutionality of laws, it must not be supposed that his excellency's idea is wholly absurd. The absurdity of the idea lies in the direction that his reasoning took in the celebrated message that is occasioning so much comment. The idea itself has been iterated and reiterated several times since our *esto perpetua* government began revolving on its axis in 1789, and has a good deal in it.

Pope says "Whatever is, is well." This does not mean that whatever was, was bad, but apart from the implication of a governing Providence, suggests that whatever is, is, because the fact of its being is a reason for its existence. It is its own excuse for being.

If an exact reason for the existence of anything is demanded it is not always an easy task to furnish it. Suffice it to say in this particular, that all things being considered, it was found least objectionable, at the time our federal government was organized to divide it into the executive, judicial and legislative branches, and give the judiciary the highest determining authority.

But such reasoners as Gov. Penneyer may ask, "Why, then, should our laws, previously to being executed, be made valid, not by the signature of a governor, or a president, but by that of the chief justice of the supreme court?"

The only reply that can be given is that there is no precedent; that the existing way is the way that was arranged and has worked well, probably better than another untried way would have worked.

It may be that our forefathers erred when they framed the constitution. It may be that better procedure would have been to submit the question of the constitutionality of the laws passed by national and state legislatures to the courts immediately after their passage. But that the way they did adopt was a good one, experience abundantly shows. It does look cumbersome, and occasionally ridiculous, to maintain expensive judicial machinery to determine the validity of laws after they have been enforced for years, but till a better scheme is devised, the present way is to be followed, and any iconoclasm which is purely destructive and not substitutory, is out of place on the part of the commonwealth's chief executive.

In the April Century an article appeared purporting to be from the pen of one of the crew of the Alabama. The article attracted the attention of the Semmes family, who, so the story goes, noticed some strange inaccuracies in the statement, and so advised the Century editors. The Century company traced the writer by means of the check, and ascertained that his name is James Young; that he was never on the Alabama in any capacity, nor had he ever seen the ship. His story was, or rather is supposed to be, made up from the various accounts by Semmes and others, and put together as printed. Young is also known as having offered to the government, for a consideration, important evidence, during the Star Route trial, and upon investigation the papers furnished by him were discovered to be forgeries. The Century people feel rather cheap over the fraud. They are preparing a book to include all the war articles, and this story had been printed in its proper place in order; it will therefore cost them something to take it out and make new plates.

THE Rev. Dr. Talmage is emphatic in his remarks. In a recent sermon he thus alludes to the "dishonest dollar." "You put one dishonest dollar in an estate, but

it will not stand. You may take a dishonest dollar and put it down into the very depths of the earth and you may roll on top of it rocks and mountains, and on top of those rocks and mountains you may put all the banks and moneyed institutions, piling them up heavens high; but that one dishonest dollar down in the depths of the earth will begin to rock and heave, and upturn itself until it comes to the resurrection of damnation. You can not hide a dishonest dollar."

MEN THAT PEOPLE TALK ABOUT.

Jas. G. Blaine is one of the largest ice dealers in America.

John Ericsson is now eighty-four, and knows all he ever learned.

It is said that the best swordsman in Washington is Secretary Lamar.

Ferdinand Ward is thin and haggard and shuns the eyes of all visitors at Sing Sing.

Gen. Sherman is said to have a fear that he will be the next of the war heroes to die.

Lord Randolph Churchill declares that at sixty years of age he expects to lead Europe.

Governor Lee, of Virginia, is credited with being the champion checker-player of the south.

M. Bartholdi has been raised to the rank of a Commander of the Legion of Honor in France.

It is said that Roscoe Conkling was instrumental in causing John L. Sullivan to stop drinking.

Spurgeon's health is failing, but he continues to preach every Sunday to overwhelming congregations.

Whitelaw Reid of the New York Tribune is reported to have accumulated \$1,000,000 in the last ten years.

It was Gen. Grant who described his friend Logan in the paradox: "Logan is never at peace except in war."

Gen. Logan went into the first battle of Bull Run in citizen's dress and a silk hat. He left his seat in congress to take the field.

It is said that Senator Mahone will go back to railroad building and management when he retires from public life on March 4th.

The largest legal fee ever obtained by Abraham Lincoln and his partner, Herndon, was one of \$5,000 from the Illinois Central railroad.

M. Dauphin, the new French minister of finance, stands six feet six inches in his stockings, and is said to have marched to fame by this.

The man who framed the original legal tender act is still living. His name is E. G. Spaulding, of Buffalo. He is nearly eighty years old.

Gov. Curtin of Pennsylvania will retire from congress at the close of this session, and after that he will devote himself to preparing data for a war history of Pennsylvania.

Senator Logan once lost a chance to become a millionaire by throwing up a Leadville mining interest which he owned. Two million dollars were afterward taken out of the mine.

Gen. Butler, who figured so prominently in the Colin Campbell scandal, is the author of several books of travel, two of which deal with life in Canada and the northwest, where he went with the Wolsley expedition in 1870, and another with life in Ashantee Land.

Current Press Opinions.

New York World (Dem.): With Judge Gresham sitting down on the railroad wreckers, and Judge Daniels denouncing the engineers of gambling "corners" in universal necessities, and Recorder Smyth dealing out justice to the Broadway boodlers, it looks as though the remote judiciary were more responsive to the needs and the will of the people than is either the legislative or the executive department of government.

Chicago Mail (Rep.): The country suffers in her councils from the effects of that toadyism which has bowed before great wealth and whose motto is: "Nothing succeeds like success."

Boston Globe (Dem.): Nine and a half millions more of the public debt wiped out last month. How it must make the European finance ministers stare to see the leaps and bounds with which this rollicking republic of ours sponges off its big war score, while they go groaning on unable to lift war debts created centuries ago.

Memphis Appeal (Dem.): We are destined to live together; that is inevitable—that was the verdict of the war. The magnificent history of the north and south pitted against each other on the deadly battlefield is the common property of all. If we had not fought as we did the north would have been ashamed of us, as we are of the same race and nationality. But the war is ended, the south is loyal to the Union, and to make the whole country great and prosperous should be the aim of all sections.

Philadelphia Press (Rep.): The revelation that the late Senator Logan, after thirty years spent in the service of his country, died poor, is calling serious attention to the return the American people make to the men who devote the best part of their lives to the public good. No more disinterested service was probably ever given to any people than that which the senator from Illinois rendered.

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