DAILY CAPITAL JOURNAL

BY HOFER BROS.

The Leap-Year Leap.

He's been her steady company for six
or seven years;
He seemed to like to linger at her
side,
But he had never asked her if she'd
share the name he wears,
Nor mentioned her as his prospective bride.
Of course he always took her out to
parties and to shows;
He gave her all the pleasures that
he could,
But still, his conversation never turned to wedding clothes,
Nor did it seem as if they ever
would.

Her girlhood friends had married off
and left her by herself;
She often sighed because she was
alone;
She trembled when she thought about
reposing on the shelf,
Like lots of other spinsters she
had known.
So straightway she proposed to him,
in leap year's early days,
She told him something had to come
to pass;
She said they'd taken lots of time to
learn each other's ways
And burned enough of papa's precious gas.

Of course he was surprised at her,
but what was he to say?
He saw his situation at a glance;
He plainly understood that he must
either name the day
Or let some other fellow have a
chance.
He pleaded for a little time; he asked
her for a week—
She gave him twenty minutes to
decide;
He said that it was sudden, but as he
was forced to speak,
He'd always wanted her to be his
bride.

They seemed to be contented in the
in the flat they occupy;
He says she makes a model little
wife;
She says they never disagree, because they always try
To make each other satisfied with
life.
But there is just one secret they will
always try to keep,
And they've agreed to keep the subject closed—
He'd hate to have his friends suspect
what made him take the leap—
She'd hate for hers to know that
she proposed.

THE FLAT SALARY ISSUE.

Is it not wonderful that in the course of human events the blight of evanescence has not struck the flat salary issue? But it won't down.

That live issue has been repeatedly sent to the drydock for repairs but it is soon afloat again on the high political seas.

The Oregonian of July 11th discusses this dreadful nightmare called up by the proposition to have state officials receive an exact ascertained amount of compensation, **"AND NO MORE."** (See Const., debates.)

Like many others who have treated flat salary reform in an offhand manner, it solves this most difficult problem of statesmanship with a whoop-de-doo.

The Oregonian should remember that flat salary reform was the hoodoo of the last state election. It was the issue that defeated Wm. J. Furnish for governor, and the man who defeated him is still alive and has not gone back on Flat Salary Reform.

WHAT GUARANTY HAS THE OREGONIAN TO OFFER THE REPUBLICAN PARTY THAT THE OREGON POLITICAL HOODO WILL NOT PRESENT ITSELF IN 1906?

The Journal wishes to remind all good Republicans that the last Republican state platform distinctly pledged the party to enact a flat salary law.

The Republican party cannot in justice to itself nor in fairness to the people endorse the present system of paying some state officials three or four times what they should receive, and others not enough.

To get at the truth and the facts of this matter of flat salary reform more than to score against the present system, The Journal will print the law as it now stands and the court decisions and **LET THE PEOPLE JUDGE FOR THEMSELVES.**

The old section of the Oregon constitution, which all the opponents of Flat Salary cannot overcome or set

ARTICLE XIII. The governor shall

ARTICLE XIII. The governor shall receive an annual salary of $1500. The secretary of state shall receive an annual salary of $1900. The treasurer of state shall receive an annual salary of $800. The judges of the supreme court shall receive an annual salary of $2000. THEY SHALL RECEIVE NO FEES OR PERQUISITES WHATEVER FOR THE PERFORMANCE OF ANY DUTIES CONNECTED WITH THEIR RESPECTIVE OFFICES; and the compensation of officers, if not fixed by this constitution, **SHALL BE PROVIDED BY LAW.**

Article XII. of the constitution, preceding this, defines the duties of the state printer, and defines his compensation thus: "The rates to be paid him for such printing shall be fixed by law, and shall neither be increased nor diminished during the term for which he shall have been elected."

The only decision of the supreme court of these salary clauses of the constitution was in the case where a governor of Oregon had resigned and the secretary performed his duties, when the court held:

"The secretary of state, while performing the duties of governor, as provided in sec. 8 of art. 5, is entitled to the salary of governor. Chadwick vs. Earhart, 11 Ore. 399.

In case of the death of the governor, the constitution provides that the secretary of state shall perform his duties, and if one official held the two offices today, the emoluments have so increased that the income of the two offices would be over twenty thousand dollars per year.

The fact that the legal salary of the state officials must be appropriated biennially by the legislature is proof that the constitution in itself makes no compensation, **BUT ONLY AUTHORIZES THAT THE SALARIES SHALL BE PROVIDED BY LAW BY THE LEGISLATURE.**

The legislature must **PROVIDE BY LAW** every dollar of salary that any official receives and officials are strictly forbidden to receive **ANY FEES OR PERQUISITES WHATEVER.** They are not provided by law and cannot be under the constitution, and state officials can not lawfully draw a dollar of pay unless it is as salary and has been specifically provided by law **BY THE LEGISLATURE.**

(Oregonian editorial of July 11, 1904.)

The Salem Capital Journal has been printing long articles in favor of "flat salaries" for state officers. That is, it would have the legislature allow, say, $5000 a year each to the governor, the secretary and the treasurer, and require all fees for service to be turned into the treasury.

But the highest law of the state already fixes the salaries of these officials and they ought not to have more than the constitution distinctly allows. There are "flat salaries" now. For the governor, $1500; for the secretary, $1800; for the treasurer $800. The limitation of these salaries is as specific as the law—the fundamental law of the state—can make it.

Of course, it is said that these salaries are not large enough. But the framers of the constitution thought they were; and the people, by express vote, ratified their action.

The only proper way to increase these salaries is by amendment of the constitution. Or, by a constitutional convention, which may revise the instrument. Many, and an increasing number, year by year, think the time is growing ripe for such a convention. Hitherto the legislature has hesitated to violate the letter of the constitution, openly and directly, by an act to raise the salaries above the constitutional limit, but has resorted to the expedient of paying fees or allowing emoluments on the fiction of special services. This is indefensible too—though an old abuse.

The proper way would be to pay only the "flat salaries" authorized now by the constitution—until the constitution can be changed. If individuals are unwilling to serve for these salaries they are at liberty to go into other business than that of seeking office.

The above is largely political window dressing for the passing crowd who do not go beneath the surface of things.

One exclamation of the Oregonian we wish to discuss. Its exclamation "The present limitation of these salaries is as specific as the constitution can make it." Now is that true?

It is well known that the constitutional convention voted down the amendments **AND NO MORE,** that the Populists in that convention wished to add on after each salary that is named in figures.

It is true that the language of the constitution at the end of the salary clause **"SHALL BE PROVIDED BY LAW,"** is not very clear.

The supreme court could however not read a meaning into those words that was not in them.

There is the implication that in some undefined contingency salaries may be provided by law.

As the supreme court is receiving **ADDITIONAL LEGISLATIVE SALARY** besides that named in the constitution, **HOW COULD IT DECIDE AGAINST ITS OWN PRACTICE?**

It is a well known principle of construing constitutions, that a state legislature has all the powers it is not specifically inhibited from exercising.

The Oregonian says the only proper way to increase these salaries is by amendment of the constitution.

They have been outrageously and IMPROPERLY increased at almost every session of the legislature but the legislature is powerless to increase them **PROPERLY.**

The Oregonian knows that to hold a constitutional convention would make the present system go over another four years, and cost the people over $200,000 additional taxes.

The Oregonian keeps talking about the "constitutional limit," but it is very careful to not quote the constitution in full, for when you read it over yourself, you will realize that the words "and no more" were stricken out of the constitution and **THE IMPLIED POWER OF FIXING SALARIES IN FUTURE DIRECTLY VESTED IN THE LEGISLATURE.**

The Oregonian finally admits that the present subterfuge of paying fees and allowing emoluments is indefensible, but says the only way is to endure the evil until the constitution can be changed, and the people refuse to do that.

In spite of the beneficiaries of the fee system bulldozing the legislature out of passing a fair flat salary law, in spite of violation of platform pledges by both the Republicans and the Democrats in the legislature there are a few things the people do understand and understand plainly about this matter.

They know that constitution as it stands absolutely forbids taking fees and perquisites as part of the emoluments of any official, but in spite of that state officials take unknown amounts.

The people do know and understand these things:

1. The old constitutional salary is too small and is a dead letter—just as dead as the proslavery section.

2. The legislature has increased salaries by fees and perquisites in direct violation of the fundamental law of the state.

3. As it is merely a matter of Dollars and Democracy, why can't the constitution be made to stand for **BUSINESS** and the **TAXPAYER** and the **COMMON PEOPLE** as well as for officials only?

4. The legislature has directly increased **THE SALARIES OF THE SUPREME COURT JUSTICES,** from $2000 a year to $400 a year which is paid on no indefensible pretense that it is fees or perquisites.

5. The legislature can fix the salaries of the other state officials named in Art. XIII just as well as it can the salaries of the justices of the supreme court.

6. As the legislature now orders part of the fees of state officials put in the state treasury **IT CAN JUST AS WELL ORDER ALL THE FEES PUT IN THERE.**

By political skullduggery the people have been cheated out of this reform, promised them in the state platforms of all the parties in 1902, for four years, and the present plan is to cheat them out of it for four years more.

What the people of Oregon need and are going to demand is not a new constitution but a little **DISINTERESTED INTERPRETATION OF THE ONE THEY NOW HAVE.**

FOR YOUNG MEN.

Did you ever hear of John Henry Broadribb?

Few persons have.

You know him as Sir Henry Irving, the greatest living actor.

There is comfort and hope for struggling young men in the career of this man who came up from a junior clerkship in a London shop to be the foremost tragedian of the Victorian era.

He was born John Henry Broadribb and poor. It was only after he had made a great name for himself that Queen Victoria made him the first actor-knight.

Here is the encouragement to young men in the life of this illustrious actor and scholar:

When he made his first attempt to act a part in a local lyceum he funked. Stage fright prevented him from opening his mouth. He retired in disgrace without speaking a word.

Worst still:

When he engaged to play a part in "The Winter's Tale" he was literally hissed off the stage.

That would have settled it with most young men.

But this young man knew what was in him and he was bound to give it expression. He studied constantly and spouted in his room before a mirror. He drenched himself in Shakespeare. And he would take any part, however low, in the cast to get a chance on the stage. Finally Dion Boucicault discovered the genius that was in him and the rest was easy.

The story is the story—with variations—of every man who has got on in the world.

Men make themselves great by persistence.

X-RADIUMS

The moral wave is like any other wave, comes and goes, and runs on an ebb and rip tide.

* * *

When there is any news in the air The Journal has it. But then it is useless to tell the people this for they all know that it is a fact.

* * *

Just now the Democrats are consoling themselves with the thought that Parker will carry the East. When the votes are counted in November they will forget that they ever made such a rank assertion.

* * *

The people of Idaho are fighting the Mormon question. The Democratic state convention will be asked to insert an anti-Mormon plank in the platform. Just where the warfare will end is hard to tell.

* * *

Presidential years are always productive of great strikes. Strikes, however, are not signs of hard times. When the workingman cannot get another job, he will look a long time before he walks out. Under Republican rule he usually knows that prosperity is broadcast.

International Chess.

Berlin, July 25.—The international chess tournament which opened at Coburg today has among its participants nearly all of the most famous European experts. Included in the list are L. Fleischmann of Budapest, G. Marco of Vienna, O. S. Bernstein, H. Caro, M. Lange and R. Speilman of Berlin, Dr. H. von Gottschall of Goerlitz, and R. Swidersgi of Leipsic.

Wife Was Cruel.

August Klinger has commenced a suit for a divorce from his wife, Rose, alleging cruel and inhuman treatment. The parties were married in this county in January, 1900, and now reside at Hubbard. Kaiser & Slater represent the plaintiff.

DISCRIMINATING LADIES.

Enjoy Using Herpicide on Account of Its Distinctiveness.

The ladies who have used Newbro's Herpicide speak of it in the highest terms, for its quick effect in cleansing the scalp of dandruff and also for its excellence as a general hair-dressing. It makes the scalp feel fresh and it allays that itching which dandruff will cause. Newbro's Herpicide effectively cures dandruff, as it destroys the germ that causes it. The same germ causes hair to fall out, and later baldness; in killing it, Herpicide stops falling hair and prevents baldness. It is also an ideal hair dressing, for it lends an aristocratic charm to the hair that is quite distinctive. Sold by leading druggists. Send 10c. in stamps for sample to The Herpicide Co., Detroit, Mich.

Daniel J. Fry, Special Agent.

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Bad Blood the results of impure blood. Pimples, rashes, eczema, boils, headache, nervousness, debility—these are some of the results of impure blood. Your doctor will tell you how Ayer's Sarsaparilla makes the blood rich and pure. J. C. Ayer Co., Lowell, Mass.

Grand Army Programme.

Boston, Mass., July 25.—The preparations for the Grand Army national encampment in Boston next month are practically completed with the exception of a few minor details connected with the plans for entertainment of the veterans. The official programme as finally arranged is as follows:

Monday, August 15.—The parade of United States sailors and marines, naval brigade, and prisoners of war in the forenoon. Reception to commander-in-chief by the Women's Relief Corps at Hotel Vendome in the evening.

Tuesday, August 16.—The annual Grand Army of the Republic parade; 30,0000 civil war veterans expected to be in line. In the evening there will be a great campfire in Mechanics' building.

Wednesday, August 17.—The convention will open. In the evening the entire delegations and invited guests will go to Waltham to witness a river carnival.

Thursday, August 18.—The convention will be in session during the forenoon. In the afternoon the veterans will be taken on an automobile trip to Concord and Lexington. An electrical parade and campfire of the Womens' Relief Corps will be the feature of the evening.

Friday, August 18, and Sautrday, August 20.—Both days will be devoted to harbor and coastwise excursions, with opportunities to partake of fish dinners and view the United States warships in Boston harbor.

Miss Lillian Sherwood went to Newport Saturday, where she will join her sister, Mrs. Reuben Patty, who is spending the summer there.

Chittim Bark

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Parties desiring to hold their bark for higher prices, will be given **Free Storage** at our warehouse.

We are the largest buyers of Chittim Bark, Oregon Grape Root, Oregon Balsam of Fir and Bees Wax. We will buy for cash, sell on commission, or give you free storage. Write or call upon us before you sell. **DANIEL J. FRY,** Wholesale and Retail Druggist, Salem, Oregon.

Judge Magoon Goes to Panama.

Washington, D. C., July 25.—Judge Charles E. Magoon, recently appointed general counsel and law officer of the Panama canal commission, left Washington today enroute for the isthmus. He will remain at Panama until about the middle of September for the purpose of familiarizing himself with the duties of his position. As general counsel for the canal commission Judge Magoon will be confronted with the necessity of solving many intricate and delicate problems which will be likely to have a far reaching influence on domestic and international affairs connected with the canal zone. There will be questions concerning the transfer of sovereignty over the canal zone; others will arise from the division of governmental authority by which the United States is given absolute authority over the middle of the isthmus yet which provides for divided jurisdiction at each terminus of the great inter-oceanic highway; and such other complications are expected to develop from the operation of the Panama railroad.

Eastern Tennis Champions.

Boston Mass., July 25.—A number of the most prominent tennis players of the country are taking part in the eastern championship tournament and the fourteenth annual tourney in singles, which began today on the courts of the Longwood Cricket club. The winner of the event will be called upon to contest for the national championship at the Newport tournament next month.

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