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## WHO IS THE BOSS ?

Who is the boss? The legislature passes a law, which by its passing it declares constitutional, but some one takes the matter before the courts, and the judicial branch of government says it is unconstitutional. By what authority does it override the legislature? The people themselves by the initiative or referendum pass a law. The judicial branch of government tells them it is unconstitutional and they had no right to make such a law. Who is the boss? The congress of the United States many years ago in order to assist in providing railroad communication between California and Oregon granted certain lands under stated conditions to the Oregon and California railroad company. The road was built, or partly so, and the grant along with the road turned over to the Southern Pacific, which completed it and thus became entitled to the benefits of the grant. So far there is no dispute as to the grant.

Congress, however, in order to facilitate the settling of the granted lands provided in the granting act that the grantee should sell them in quantities of not to exceed 160 acres to one person and at a price not exceeding \$2.50 per acre. The Southern Pacific accepted the conditions when it put itself in the place of the original grantee. It however refused to comply with the terms under which the lands were given it, and refused to sell them to actual settlers applying to purchase. It violated the terms under which it took the lands by selling them in violation of the granting act in quantities greater than 160 acres. It further violated the terms of the grant refusing to sell the lands to those applying.

When it was undertaken to compel the Southern Pacific to comply with the terms of the grant, it at once appealed to the judicial branch of the government which has always hovered the rich and powerful as does a hen her chickens.

The railroad's faith in the motherly protection of the judiciary was not misplaced. The lower court, the pullet so to speak, decided the railroad had not complied with the terms of the grant and declared it forfeited. The roads at once appealed to the older hens comprising the United States supreme court, and their faith was abundantly rewarded. That wise bunch, of whom by the way Mr. Hughes was one, made the most asinine decision ever handed down by any court in christendom. It stultified itself, usurped the powers of congress and insulted the intelligence of the people, but it hovered its chicken, the Southern Pacific railroad all right.

The bewigged and befogged justices solemnly held that under the granting act the railroad was compelled to sell the lands at not to exceed \$2.50 per acre and in quantities not to exceed 160 acres. Then it added, that as congress had not fixed a time within which the lands should be sold that the railroad need not sell them until it was ready. In other words that it need not sell them at all.

On top of this it tells congress that it will give it so long a time in which to straighten the matter out to the satisfaction of the roads or it would get in and straighten it out itself. Who is the boss?

Then congress arranges to take the lands back, and place them at the disposal of those who would settle upon and use them. It provides for paying the railroad as much as it could have sold the lands for under the terms of the grant, but the Southern Pacific is not satisfied with this, but has again sought the protecting wings of the supreme court of the United States. It sets up that the acts of congress in asserting ownership of the lands is unconstitutional.

It asks the court to tell congress that it can not deal with the road and conduct the people's business? Who's the boss?

The executive, legislative and judicial branches of our government are supposed to be co-ordinate. By what authority does the judicial branch assume to dictate to the others? Why, where and when was it made the supreme dictator over an otherwise reasonably free people? Who is the boss?

The sharks of the ocean have done what those of the beach resorts have never accomplished, driven the patrons away by bad treatment. Not only have the patrons of the beach resorts quit them but with the cause of their quitting removed it will be a long time before the surf will seem so alluring as it has heretofore done. While a fleet of boats is engaged in fishing for them it is announced that there is a genuine school of man eaters and numbers of them are seen daily. The first idea was that there was only one of the man-eating fishes, but this it seems was wrong, and there is enough to make bathers who have a decent regard for the shapely limbs they show on the beaches, keep them at a safe distance from the water.

In Portland yesterday a woman pleaded with Judge Langguth to be permitted to serve out the sentence of her husband, who was convicted of violating the prohibition law. Moved by her pleading the jail sentence was cut out and a fine of \$50 substituted. It would seem from this that prohibition as well as booze takes the money that should go toward the support of the family, away from it. Would it not have been better if the law must vindicated to grant the woman's plea? If the knowledge that his wife was in jail serving his sentence would not break the man of drinking nothing would. The state taking his money will not cure him. May be the state needs the money.

It is stated that the next move of the United States in the war game will be the demand made on England by Lansing that English interference and supervision of American trade cease. Secretary Lansing cannot make the demand too strong, nor can he make it too quick. England has been getting more and more arrogant for the past year, and now she imagines she owns the oceans. It is time she be disabused of this idea and made to understand that if she interferes with American mails and neutral shipping as she has been doing that there will be something doing and doing suddenly.

The Germans now promise a freight airship that will cross the Atlantic, but this is probably only a dig at Johnny Bull. The undersea boat seems to have solved the problem of dodging the blockade so much better than the airship route would permit, that the latter is not likely to come into competition with it. Besides the allies have plenty of airships too, that would make freighting through the atmosphere extremely dangerous.

The British admiralty is still busy sinking ships in the battle on the North sea. If the English had done half as well at the time, and been as destructive at sea as in the office in London, there would have been little left of the German fleet. The Admiralty department keeps on sinking dreadnaughts every day or two in that fight until she has about the whole German navy sunk or chased off the earth.

The hot wave in the east and middle west has been temporarily broken by heavy rains. While the end of the cooking spell is not reached the rains gave relief, shortened the duration of the torridity and better than all else were the salvation of crops that were on the verge of burning up.

Roosevelt has concluded to drop the raising of a division, of which he would be commander, to take part in the Mexican war. Maybe he has a hunch that there is likely to be war after all.

Maybe those sharks that are feeding on the bathers of the eastern beaches are simply the latest evolution of the Wall Street broker—just a submarine type.



## Rippling Rhymes

By Walt Mason

### THE AUTO

The auto fills a long-felt want, for it enables us to jaunt far from the city streets, and we can breathe the country air, and hear the toil-worn farmer swear, and watch him husking beets. Before the auto made its bow, we seldom looked upon a cow, or saw a setting hen; and all we knew of babbling brooks, and sylvan dells, we learned from books, writ by some weary pen. The country seemed so far away! And when we'd toiled, the long, sad day, we could not journey there; we stifled in our dismal rooms, amid the city's smells and fumes, and longed for country air. The auto's brought the country near; and from our foreheads disappear the furrow and the frown; and we can take our wilting wives, and put some sunshine in their lives, by jogging out of town. Oh, we can seek the rural vales, and see the cattle wag their tails, and hear the roosters crow; and we can drink the country breeze, and wind our car around the trees, and chortle as we go. The auto is a boon to men; it's making old gents young again, it keeps us all enthused; it makes each day a holiday, it drives the cares of life away—when it is sanely used.

## Governor Sees Things In Eastern Oregon

Resources that if developed would be worth millions were seen on the trip of the state officials through Harney county, declared Governor Withycombe on his return to Salem today. The governor, Attorney General Brown and Percy Cupper, assistant to the state engineer, are back in the city; State Treasurer Kay, Secretary Oleott and Engineer Lewis remained in Bend to inspect the Tunnah irrigation project.

On Buzzard, Rawhide, Wagon Tire and Sneaker creeks, the governor stated, are deposits of various nitrates of almost incalculable value. Nitrate of potash, widely used in the manufacture of explosives and one of the most important fertilizers known, exists in huge quantities.

"Whole mountains of nitrates are visible," said the governor. "Nitrates are worth from \$400 to \$800 a ton so that a gigantic industry could be maintained with the deposits along these creeks in the canyons."

The official party also visited Malheur lake which it has been proposed at various times to drain. It is estimated that 35,000 acres of splendid farming land could be reclaimed by letting the water out of the marshes. In this case the water could be diverted into Harney lake.

There is some dispute as to whether the matter would come within the jurisdiction of the state or the federal government. A way that has been suggested to settle all claims to the land would be for the state to go ahead and drain the lake and then, if the federal authorities saw fit, they could start action to establish title.

## HAMMOND BUYS INTO OLD PORTLAND FIRM

The purchase of a large interest in the Buffum & Pendleton store 311 Morrison street, by Winthrop Hammond, has been followed by reorganization of the company which has just been completed.

Under the new management Mr. Pendleton retains the presidency and Mr. Hammond becomes vice president. Both will give their active attention to the business.

Since the retirement of Mr. Buffum a year ago Mr. Pendleton has directed the business alone. The new board of directors include Mr. Pendleton, Mr. Hammond, his son, J. W. Hammond, and J. M. Pendleton.

Mr. Hammond occupies a high place in merchandising circles, both in Oregon and in the New England states, where he formerly resided. Prior to coming to Oregon, six years ago, in search of health, he operated several stores in Massachusetts, including one at Woburn, Mass., which had been established by his father in 1851.

Mr. Hammond still retains an interest in the store which is in a flourishing condition. He has operated several stores in Portland and other Oregon cities, including the "Toggerie" at Salem, which he owned for two years. He is also president of the Hammond Mortgage company.

Buffum & Pendleton's is one of Portland pioneer stores. It was established 32 years ago, and for the last 12 years has occupied its present location on Morrison street.—Portland Journal.

## Acetylene Explosion Kills One, Hurts Two

San Francisco, July 14.—One man was killed, one probably fatally injured and two others badly hurt this afternoon when an acetylene tank exploded at the California Artistic Metal and Wire works here.

Samuel Greenberg, workman, aged 25, was blown to bits. Michael Seliger, workman, is at the Central Emergency hospital believed to be near death. A great hole was torn in his body.

Two other men are in the hospital. The roof of the shop was wrecked and the interior demolished.

## KILLED BY AUTO ACCIDENT

Oregon City, Ore., July 14.—One is dead and two severely injured today as the result of an automobile accident near the Gladstone chaletauqua late last night.

Mrs. Eva Myers, of Portland, was thrown into a barbed wire fence and strangled to death when the automobile driven by Mrs. F. W. Orpin over-turned. Mrs. G. Kent was badly cut over the eyes in striking the fence and Edward Wells, aged four, was bruised. Three others in the machine were unharmed.

## If Too Fat Get More Fresh Air

Be Moderate in Your Diet And Reduce Your Weight. Take Oil of Koraen.

## Backache? Run Down? Tired? Clean the Kidneys With Hot Water and "Anuric"

When run-down after a hard winter—when life indoors has brought about a stagnant condition in the circulation—most everyone is filled with uric acid—especially in this so of people past middle age. This uric acid in the blood often causes rheumatism, lumbago, swelling of hands and feet, or a bag-like condition under the eyes. Backache, frequent urination, or the pains and stiffness of the joints are also often noticed. Dr. Pierce says that everyone should have a good sweat every day—should drink plenty of pure water and exercise in the open air as much as possible. This helps to throw out the poisonous uric acid thru the skin and the "water". But for such persons as are past middle age it is often impossible to do this and lime salts are deposited in the arteries, veins and joints, causing all kinds of distressing conditions. An antidote for this uric acid poison is to take hot water before meals and "Anuric." Ask your druggist for Doctor Pierce's Anuric, or send Doctor Pierce's Lavalin's Hotel and Surgical Institute in Buffalo, N. Y., a dollar bill for a full treatment, or ten cents for a trial package.

"Anuric" is a recent scientific discovery by Dr. Pierce. "Anuric" drives the uric acid out of your body. It is a uric acid solvent so effective that it eliminates these poisons, cleanses the system, allows your over-worked kidneys to resume their normal functions, and just a few days' treatment with "Anuric" will convince you because it brings lasting relief to your painful, aching rheumatic joints—no more backache or dizzy spells. Try it now and be convinced!

## WANT YOUNG BOYS HOME

Portland, Ore., July 14.—Fathers of boys under 18 years old who enlisted in the machine gun corps of the Third Oregon infantry, will meet tonight to devise a scheme to get their sons away from the Mexican border. The mothers held their indignation meeting two weeks ago. The purpose of the fathers' meeting is to get the boys out of the militia before the fall term of school starts. Most of the youths concerned were students in the Jefferson high school.

## WHOLE FAMILY DIED

Chicago, July 14.—Theodore Wasserman, aged 46, a cement contractor, killed his wife, his twenty months old baby and himself today. Their bodies were found in the Wasserman apartments.

## OLD STAGE FAVORITE DYING

San Francisco, July 14.—A stage favorite of the San Francisco of the early days is dying at a local hospital friendless and penniless.

## San Francisco, July 14.—A stage favorite of the days of Mark Twain and Bret Harte. She is 87 years old and has been an object of charity for several years, after having lost her fortune in an effort to restore her health.

### Newport Excursion

ON  
SUNDAY, JULY 16

### Salem Street Car Employees and Band

Special Train--  
Leave Salem ..... 6:30 A. M.  
Leave Albany ..... 7:30 A. M.  
Arrive Newport ..... 12:15 P. M.

Returning--  
Leave Newport ..... 6:30 P. M.  
Leave Albany ..... 10:55 P. M.  
Arrive Salem ..... 11:49 P. M.

## \$2.50

IS THE ROUND TRIP FARE  
Lots of music--A big time is assured.  
Secure Tickets from street car employees or at S. P. Station.

John M. Scott, General Passenger Agent,  
Portland, Oregon  
SOUTHERN PACIFIC

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