

EMINENT DOMAIN

Mr. Anthony Comments on the Principles Involved in Exercising This Sovereign Right

Editor Independent: The right of way, the land and the fixtures of all corporations controlling public utilities are owned by the people.

The natural law seems to be that all things the individual creates belong to the individual, for his individual use and all the utilities that society creates belong to the public for public uses. The constitution of our union is a record of the natural rights of individuals surrendered to create for the general welfare a legislative, judicial and executive department, each independent of each. The congress enacts laws within the sphere of the power granted. The judiciary confines the laws within the powers granted, the president executes the laws, makes them effective, prescribes the way the people shall choose from their own ranks who shall be their public servants, who shall perform the duties assigned to each of these departments.

The people either through the constitution of the states or of the union have reserved to themselves as common property the absolute title to every foot of land over which the constitution of the union holds supreme sway. If the occupier of a farm or lot refuses to pay his taxes, refuses to contribute his share towards the payment of the people's hired help, the use of his farm or lot is taken from him and turned over to some citizen who will pay the taxes levied on the farm or lot for the payment of the people's hired help. Should the common welfare of the people require the use of any farm or lot it is taken from the individual using it for the use of all, the excluded person included, giving back to the individual occupier the amount of labor he has stored in the farm or lot through its purchase money or otherwise.

The people have not reserved the right to oust the individual occupier for any individual or private purpose. Our supreme court has decided that in law corporations are individuals or single persons. The use of the law of eminent domain is for public uses alone. It cannot be used for corporation right of way for private individual right of way. All lands taken from individual use through the law of eminent domain have been taken for public uses; wherever the people choose to take possession of their own they have the supreme authority of their constitution for their warrant.

If corporations choose to build permanent structures on land belonging to others they assume the risk common to all who build on land to which they have no title. These structures belong to the holders of the title to the land on which they are built. Their name betrays them. It can have no other meaning than co-operation, persons acting together for a common purpose. Calling a corporation "quasi public" no more makes it public, being always for private gain, than calling a dry goods store or blacksmith's shop "quasi public" gives them eminent domain. All depend upon public use for private gain. Their claim of public utility is like the plea of the murderer of his father who claimed clemency from his judge because he was an orphan.

F. W. ANTHONY.

Mattawan, Mich.

(It seems we have started with the wrong foot forward in this exercise of the right of eminent domain. Private property is taken, it is said, for "public uses;" but, in the case of railroads, it becomes the private property of the corporation for whom the right has been exercised. The correct rule, it would seem, would be that wherever the right of eminent domain is invoked that the property taken should belong to the public and be operated by the public through its government. In truth, the present practice is nothing more than taking private property for the use of other private persons.—Ed. Ind.)

Silver Dollars

Editor Independent: I have a question I would not have known until very recently about the republicans coining so much silver, if it had not been for The Independent and The Commoner. Will you please tell me when the law was passed under which silver dollars are now coined. We know silver was demonetized. After a time we had the Sherman purchasing law, which Grover caused to be repealed. Under what law then are we now having the coinage of silver? This question has been asked me by one who was skeptical about the statement of any silver being coined. Perhaps we have as many mullet

heads here to the acre as anywhere. Anyhow what we lack in number can probably be made up in size. Long life and success to The Independent.

A. B. PAUL.

McDonough, N. Y.

(The act of 1873, commonly known as the "crime of '73," made provision for the coinage of trade dollars, but said nothing about the coinage of standard silver dollars. Of course none could be coined without authority of law, and none were coined from the time that act took effect until the act of February 28, 1878, known as the Bland-Allison act, took effect. Accordingly the mint reports show that during the years 1874, 1875, and 1877, not a silver dollar was coined. Under the Bland-Allison act silver was purchased and paid for out of the treasury just as horses or any other commodity would be paid for, and all told \$378,166,793 in silver dollars was coined after March 1, 1878.

The Sherman act required the purchase of silver bullion at the market price, the same to be paid for in United States notes. These notes in turn were made redeemable in coin. The act did not require immediate coinage of the silver so bought and it piled up in the hands of the government. Between July 14, 1890, and October 31, 1893, however, \$36,087,285 in silver dollars were coined from the Sherman law silver; and between November 1, 1893, (the date of Grover's repeal) and June 12, 1898, \$42,139,872 more silver dollars were coined from the Sherman silver. June 13, 1898, the war revenue bill provided for further coinage of what was left of the Sherman silver bullion, and it is under this act that the present silver dollars are being coined. The supply of bullion is about exhausted and coinage must soon cease unless provision is made to purchase a new supply.—Ed. Ind.)

G. W. Walters, San Saba, Tex.: Send me about half a dozen more of your educational cards. I want to spread the truth all I can. It is such a rare thing that we get the truth out of our old party papers.

The Vice President

Editor Independent: As there is a controversy in our school in regard to qualifications of vice president, I write to ask if the law requires the same qualifications for vice president as it does for president, with regard to age and native birth. Please answer through the columns of The Independent and oblige a school girl reader. IDA FORBES.

Payette, Idaho.

(Originally the federal constitution said nothing about the qualifications for vice president. Paragraph 5 of section 1 of article II, constitution of the United States of America, provided:

"No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States."

Inasmuch as no qualifications were prescribed, it would seem that one not a natural born citizen, or less than 35, might have been elected vice president. But he could not have succeeded to the presidency.

This was changed, however, by the twelfth amendment to the constitution, the last clause of which says: "But no person constitutionally ineligible to the office of president shall be eligible to that of vice president of the United States." This amendment also changed the manner of choosing a president and vice president. Originally the one receiving the highest electoral vote (if a majority) was chosen president, and after choice of president the one having the greatest number of electoral votes should be vice president. The growth of political parties necessitated the change as outlined in the twelfth amendment, which enables one party to secure both offices.—Ed. Ind.)

C. W. Selden, Lundy's Lane, Pa.: Find stamps for subscription. I wish the people were better informed on the questions of the day. Sensible republicans are the ones that ought to read your paper. The most of them, however, are such strong partisans they will not put any money in anything but a party organ.

C. C. Burton, Stoddard, Neb.: Enclosed find one dollar for The Independent another year. Coal is dear and getting dearer—but we can't do without The Independent. Its plain, manly statement of all questions just suits us.

Has Not Deviated

Editor Independent: I received your favor some time ago, but have been negligent about answering it for two reasons: my health has been poor and I am getting up in years; I am now 71 years old, have to work for my bread and butter; I am not as apt at it as I used to be. The Independent is a favorite paper with me. I am in sympathy with the doctrines it teaches and the manner in which it teaches them. I will extend the circulation all I can. I am not a new hand in this fight. I enlisted when the greenback party came into existence and have not deviated from that course and never expect to. I voted for Weaver and Chambers when they ran on the greenback ticket, and shall never vote the republican ticket again. I want to see that old rotten carcass buried so deep that it can't smell. We might have accomplished before this time if our party had kept together. I have been holding off to get the vote of this state; it will be some time, as they are going to have a recount.

OWEN MERRY.

Happy Camp, Cal.

W. H. Burdshaw, Jonesboro, Ark.: I would be glad to see the old-time leaders of the people's party in working order again. It seems to me the papers ought to be better organized. I believe the people are now thinking of a new party for 1904.

The Gold Bulls

Editor Independent: The Gold Bulls cross the water. All of the so-called great nations have sent their great iron ships across the sea to fight the little republic. The Gold Bulls first robbed the world of the silver money—the money of the poor people—and now the weak nations cannot pay their debts. And all the Gold Bulls unite as one man to fight, to kill and destroy all the ships of poor little Venezuela republic. The first war of the single gold standard!

BISHOP L. B. HELLER.

Belmar, N. J.

On page 9 will be found the advertisement of Hayden Bros. of Omaha. The firm is the largest department store in Nebraska and are entirely reliable. They are friendly to The Independent as shown by their continued patronage of its columns and we hope readers of The Independent will remember them with generous orders for merchandise. Send an order by mail for anything that you need. Mention The Independent and you will get full value for your money.

John L. Logan, Oakdale, Cal.: I am a full grown populist and have been ever since I voted for J. B. Weaver and all along the line up to Bryan the second time. I am an old veteran soldier and never have yet forsaken the cause The Independent advocates.

Objects to Slang.

Editor Independent: And now, Mr. Editor, I don't wish to dictate what you should put into your paper, or what you should keep out. But your word, "mullet head," I would hereafter eliminate from the paper and all other words that have no argument in them. Slang and blackguard I think are very slow in educating people that have opposite views. It is too much like President Roosevelt's campaign speeches, when he stooped to arguments like these words: "Popocratic exhibits," "The free coinage perfidy," "Political popocratic properties of the Chicago platform platitudes," "Picture charcoal created into sound money," "Bryanized ratio," "Melt the purse-strings of strong-hearted capitalists." Well, this is but a small part of Roosevelt's arguments. It would be better to never have been printed.

O. H. SMITH.

Little Valley, N. Y.

(There is no other term that so exactly describes the man who shouted for dear money and high prices. If The Independent were to carefully eliminate everything which might offend some person, it would have no more influence than any of the flat, stale and unprofitable sheets that dish up "sick toast" for invalid and athlete alike. The term "mullet head" is a household necessity. It is a shoe that ought to hurt no one's foot unless he is really entitled to wear it.—Ed. Ind.)

An Old-Time Whig

Editor Independent: Enclosed find postoffice order for your splendid paper, The Independent. My grandfather fought in the revolution, 1776, and my father was at Orleans under Jackson and helped to slaughter the British. I was an old whig and voted for Bell and Everett—and protested against secession. I was a candidate against Governor Ireland of Texas for

a seat in secession convention on the union ticket and got beat. My remaining in the south necessitated my going into the army—"so I fit it out." I will enter my eightieth year on the morning of the 22nd about daylight. How do I know the time of day? Well, I was there," as was the little Irishman. Pardon this letter, but send the paper. S. N. ELLIOTT.

Bentonville, Ark.

L. Darling, Sedgwick, Colo.: I enclose one dollar for renewal. I have taken The Independent for eleven years and must have it while time lasts.

THE SHERIFF DID IT.

The gentlemanly and obliging sheriff of Lancaster county would not grant us a day's time. He insisted that we move forthwith. We could not do it as soon as he thought we should, so he ran our business for us for a couple of days.

The store at the present time looks like—well, like the china store after his bovine majesty had taken a few trips around the interior of it.

The stock is badly mixed up, but today we will have everything in shape to do business.

We cannot quote prices today—we are too busy—but we have concluded to cut the price of everything that has gone through the wreck—the goods are all O. K., but the packages or cartons are scuffed. Come in and get the bargains.

Yes, we still sell nine five-cent cigars for 25c.

RIGGS' Cut Rate PHARMACY 1321 O Street

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HOMESEEKERS The Passenger Department of the Illinois Central Railroad Company is issuing monthly circulars concerning fruit growing, vegetable gardening, stock raising, dairying, etc., in the States of Kentucky, West Tennessee, Mississippi and Louisiana. Every Farmer or Homeseeker, who will forward his name and address will be mailed free Circulars Nos. 1, 2, 3, 4, 5 and 6, and others as they are published from month to month, on application to J. F. Merry, A. G. P. A., I. C. R. R., Dubuque, Iowa.

Full Particulars concerning all of the above can be had of agents of the Illinois Central, or by addressing the nearest of the undersigned representatives of the "Central."

A. H. HANSON, G. P. A., Chicago, Ill.
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