

BASED ON THEIR PAST LIFE

Prediction that the Supreme Court Will Decide the Income Tax Unconstitutional.

EFFECT OF ENVIRONMENT ON A JUSTICE

Birth, Education and Legal Experience Analyzed to Prove the Prediction of Members of the Highest Tribunal Against Class Legislation.

WASHINGTON BUREAU OF THE BEE, 1407 F STREET, N. W., WASHINGTON, March 21.

A great deal of interest is manifested in political circles here concerning the probable result of the deliberations of the supreme court and the promulgation of the opinion of the court on the constitutionality of the income tax. Probably in the business circles of every city and town a similar degree of anxiety is manifested because upon the decision of the supreme court will rest the business interests of every merchant and professional man in the country.

Every citizen must be more or less affected in the event of the decision of the court that the income tax clause of the revenue law is unconstitutional, because an extraordinary session of the Fifty-fourth congress would inevitably be called in order to make provision for a deficiency in the revenue of the government.

In practically every opinion in this important case it is interesting to note the characteristics of the members of the supreme court and to take into account the influences of education and association upon their minds. There are now five republicans and four democratic members of the supreme court, including the chief justice. Six of these justices were born in New England and the middle states. One of the three who were born south of Mason and Dixon's line, Mr. Harlan, was born in Kentucky, and has been a republican all his life. It is also a singular fact that these learned jurists were educated at Yale, Harvard and other universities of the north.

The prevailing impression in Washington is that Mr. Justice White, who was formerly a senator from Louisiana, in which state he was born, is the only member of the court whose votes would be cast in favor of the constitutionality of the income tax law; but Justice Jackson is a very sick man and is not a factor in the matter.

This impression, which seems to be universal in the higher legal circles of the national capital, is based mainly upon the fact that the birth, education and association of the members of the court have been such as to lead them to class legislation of any character as a natural bias in opposition to the income tax law.

It is not surprising that the statement is so positively made that early influences and training are the chief causes of the bias of these great jurists. It will be recalled by young men of the present generation that during the winter of 1876-77 the electoral college voted to elect Hayes to decide the succession to the presidency, voted upon every important question by 8 to 7, in accordance with their political predilections, and not in accordance with the best constitutional judgment and knowledge of the case before them.

FULLER COMES FROM MAINE. Chief Justice Melville W. Fuller was born in Augusta, Me., where he attended college, studied law and attended a course of lectures at Harvard Law school, and commenced the practice of law in Augusta, Me. He was during his entire lifetime a personal acquaintance and friend of the late James G. Blaine, and a great admirer of that distinguished statesman, and he removed to Chicago, where he practiced law until he was appointed chief justice of the supreme court of the United States. He was born and bred in the north, and is opposed to the constitutionality of the income tax feature of the revenue law; and during thirty years of the practice of his profession was located in Chicago, where he was a counsel for corporations and prosperous firms. It is believed by those who know him best and who are familiar with his antecedents that the chief justice believes the law to be unconstitutional and will so declare by his vote when the pending case is properly before that legal tribunal for decision.

Associate Justice Stephen J. Field was born in Haddam, Conn. His family removed to Massachusetts when the child, and he was graduated from Williams college, studied law and attended a course of lectures at Harvard Law school, and commenced the practice of law in Augusta, Me. He was during his entire lifetime a personal acquaintance and friend of the late James G. Blaine, and a great admirer of that distinguished statesman, and he removed to Chicago, where he practiced law until he was appointed chief justice of the supreme court of the United States. He was born and bred in the north, and is opposed to the constitutionality of the income tax feature of the revenue law; and during thirty years of the practice of his profession was located in Chicago, where he was a counsel for corporations and prosperous firms. It is believed by those who know him best and who are familiar with his antecedents that the chief justice believes the law to be unconstitutional and will so declare by his vote when the pending case is properly before that legal tribunal for decision.

Mr. Justice Harlan was born in Boyle county, Kentucky, and was graduated from the Center college of that state. He practiced law at Frankfort, Ky., until the civil war began, when he joined the army on the side of the union. He was colonel of the Tenth Kentucky infantry and served under General George H. Thomas. He has been a republican all his life and was appointed associate justice of the supreme court by President Hayes. Although he was born south of Mason and Dixon's line, Justice Harlan is a very radical republican in all his views, and it is confidently believed by his friends and by all attorneys who have practiced before the supreme court, that Justice Harlan will be opposed to the constitutionality of the income tax and will so record his vote at the proper time.

with the republican party in Michigan during a meeting, then can be no doubt as to the sincerity of the mind of Justice Harlan upon this most important case. He will be opposed to the constitutionality of the income tax.

Mr. Justice White was born in Pittsburg. He also was graduated from Yale college and attended the Yale law school. He was admitted to the bar in Philadelphia in 1875, and practiced law in that state until October 1892, when he was appointed by President Harrison to be a member of the supreme court of the United States. His political expression as a publican was vouched for by Senators Quay and Cameron and all of the republicans representative of Pennsylvania, and no doubt is entertained as to the sincerity of his mind upon this important case. He is opposed to the constitutionality of the income tax.

Mr. Justice White was born in Louisiana. He has always resided within the state of Louisiana except during the few years which he spent in the Jesuit college at Georgetown, in the District of Columbia. He served in the confederate army and was elected to the United States senate to succeed James B. Eastland. He was appointed a member of the supreme court in March 1894, by President Cleveland. There is no doubt entertained that he will cast his vote in favor of the constitutionality of the income tax.

It will thus appear from a careful analysis of the history and antecedents of the individual members of the supreme court that seven of the prevailing impression in Washington are likely to vote against the constitutionality of the income tax and that only one is expected to vote in favor of it. As was stated by the chief justice in his opinion in the legal circles in Washington is that the decision of the court will be adverse to the law, and that the income tax clause of the constitution is unconstitutional, because an extraordinary session of the Fifty-fourth congress would inevitably be called in order to make provision for a deficiency in the revenue of the government.

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TAXED EVEN FOR DAYLIGHT

Imports Laid on Almost Everything in the French Republic.

ALL DOCUMENTS MUST BE STAMPED

Houses Built with Few Windows as Possible on Account of the Tax Levied Upon Them—Immense Expenses to Be Provided For.

WASHINGTON, March 21.—People who take exception to the income tax and the few internal revenue taxes imposed in the United States may take some satisfaction in learning how much worse off are the French in this respect, as disclosed in a report to the State department by United States Consul Wyley at Bordeaux. He shows that every form of legal paper, checks, notes and documents, bills of lading, even lithograph posters, must have a revenue stamp affixed. From this source the treasury draws its principal revenue, amounting last year to \$140,000,000. The spirit and wine tax amounted to \$120,000,000, tobacco, watches, playing cards and other government monopolies included \$130,000,000. Sugar paid an internal revenue tax of .052 cents per pound—\$29,000,000 in all. The land tax brought in \$39,000,000, and personal property \$28,000,000. If a clerk occupies a hall room he pays a tax of \$2 per annum, while his landlady not only has to pay for her goods, but for the tax on the window in the house. As the treasury receipts amount to \$120,000,000 per annum for windows alone, the architects who can design a house with the least possible number of windows do the best business. If you own a horse, carriage, billiard table or bicycle you are taxed—the government collects \$4,000,000 annually for permitting the use of bicycles, and a bill was recently introduced in the Chamber to tax the wearing of corsets. Business licenses bring in \$24,000,000 per annum.

As to expenditures, the interest on the national debt is \$70,000,000, and the maintenance of the 550,000 men in the army, for which the French are levied a tax of \$130,000,000. The navy costs \$50,000,000 each year and it costs \$12,000,000 to run the government. The French railway system, which is a national monopoly, is a source of revenue to the government, but the salaries of the president, senators and chamber, and the president's salary, and the French executive has a seven-year term. The judiciary costs \$40,000,000, and as to the cost of the priests \$30,000,000 goes to that account. The foreign office and diplomatic service costs \$40,000,000, and the cost of the navy is not less than \$40,000,000 is spent annually, making our river and harbor and public building appropriations seem ridiculously small. There are also the expenses of the pension requiring the exercise of ingenuity to devise new taxes from time to time, and how long the French government will be able to support such a massive establishment is a matter of speculation.

REGULATIONS FOR SHIPPING CATTLE.

Secretary Morton Prolongates Rules for the Guidance of the Industry. WASHINGTON, March 21.—The secretary of agriculture has, pursuant to the authority vested in him by law, issued a series of regulations for the safe transport of cattle from the United States to foreign countries. Some of the salient features of the regulations are as follows: No cattle must be carried on any part of the vessel where they will interfere with the proper management of the vessel or the efficient working of the necessary life boats, or with the ventilation of the vessel. Cattle must have six feet vertical space on all decks, free of obstructions. No cattle shall be loaded upon the poop deck or within twenty feet of the breakwater and spar deck between October 1 and April 1. If cattle are carried on the bridge deck, proper arrangements shall be provided for loading. When it is desired to carry cattle upon the third deck a permit must be obtained from the inspector of the port. No cattle shall be loaded upon hatches or decks above cattle, nor upon third deck hatches when cattle are carried upon such decks, nor shall any merchandise, freight or food for cattle be carried upon such decks, nor shall hatches shall at all times be kept clear. All vessels shall carry headstalls of not less than 400 gallons to the capacity for each 100 head of cattle, and the tanks shall be filled with fresh water before sailing and refilled as emptied. Cattle or sheep suffering from broken limbs or other serious injury during the voyage shall be slaughtered by the captain of the vessel. The employment of all cattle attendants shall be under the control of the officers, or under the immediate supervision of the captain of the vessel. The necessary life boats and the necessary food and water shall be furnished with well lighted and well ventilated quarters. Not less than one-fifth of the cattle attendants shall be men who have made previous trips with cattle. There shall be one such man in charge of each 150 cattle, and one to each 200 sheep or goats. The crew shall be allowed to take on board any cattle or sheep unless the same have been at the port of embarkation at least twenty-four hours before the sailing of the vessel. During special cases and by direction of the inspector, not until the loading of the cargo has been completed.

HOW TO KILL THE CODDING MOTH.

Secretary Morton Gives a Recipe and Tells How to Use It. WASHINGTON, March 21.—In the course of an interview today on the subject of paris green treatment for "coddling moth" Secretary Morton said: "The demand for apples from the United States has always been in excess of the supply. The United Kingdom alone, during the nine months ended September, 1894, paid the orchards of the United States \$2,500,000. The greatest enemy to our export apple is the 'coddling moth.' But the entire crop can be made safe if the orchardmen of the United States will use the following recipe: "Use paris green at the rate of one pound to 150 gallons of water. Weigh sufficient paris green to make a quart, and mix it with a small quantity of water and add powdered or quick lime equal to the weight of the paris green, making thoroughly. Mix the paris green with the water and add the water to the free arsenic and removes the danger of scalding. Strain the mixture into the spray tank, taking care to pulverize and wash all the paris green through the strainer. During the operation of spraying see that the liquid is agitated with sufficient frequency to prevent the settling of the poison. "Let the first spraying follow within a week after the falling of the blossoms of either apple or pear, and follow this with a second treatment in ten days. The paris green should be applied to the leaves, and not down on the stem, or when it is from a quarter to half an inch in diameter. It is said that it will not injure the fruit, and an inference might be drawn that there is due to the excitement and ill-effects engendered by the Alliance affair. The secretary of state and the State department have not seen each other for some time, but there has been no friction in the dealings. Mr. Gresham has not intimated to the minister that anything would suggest a rupture by his recall. It is believed that when the Cuban trouble is over the minister will take his leave, although it will be some time off, if at all.

ONLY AWAITS PROCLAMATION.

Treaty with Japan in Shape to Become Law. WASHINGTON, March 21.—Final ratification of the new treaty between the United States and Japan were exchanged today, and nothing now remains to be done but to issue a presidential proclamation putting it into effect, when it will become a law.

Denies Postal Employees Are Combining.

WASHINGTON, March 21.—John F. Vickers, secretary of the National Association of Letter Carriers, today denied that a combination of postal clerks had been formed for the purpose of bringing pressure upon the government to increase their salaries. He said that the Postal department or for legislative designed in this country.

GERMANS PUSHING THEIR TRADE.

Consul General DeKay Makes Some Suggestions to American Merchants. WASHINGTON, March 21.—United States Consul General DeKay has more to say about the pushing, aggressive German methods of capturing the lucrative American trade for German manufacturers in a special report to the State department. He has sent a translation of an official publication which contains many valuable suggestions to German merchants looking to the extension of their trade with the United States. It conspicuously tells of American business practices how agents may be secured, how goods should be packed and many other facts of interest to exporters, and altogether the whole publication might serve a useful purpose if adopted for the use of American merchants seeking foreign markets for their products. One passage in the article that is of particular significance reads as follows: "However gratifying it may be whenever workers receive advice from official sources, yet we would beg to remark that all such

consults will be useless, if our government shall be driven by agrarian influences to risk the ruin of the American Republic, and the general, but especially with the United States."

STAYMEN NO LONGER OUT OF A JOE.

Cleveland Remembers His Defeated Benchmen in Making His Appointments. WASHINGTON, March 21.—The following appointments were announced at the white house today: William M. Springer of Illinois, judge of the United States court of the northern district of Indian territory; Constance Buckley Kilgore of Texas, judge of the United States court of the southern district of the Indian territory.

These two Indian territory judgeships are newly created offices established by an act of congress. The appointments were made after checking in a measure the great spread and growth of lawlessness and crime in the Indian territory, which had become a refuge for desperadoes. The appointments were made after checking in a measure the great spread and growth of lawlessness and crime in the Indian territory, which had become a refuge for desperadoes.

Two Foreign Consuls Recognized.

WASHINGTON, March 21.—(Special Telegrams.)—Postmasters were commissioned today as follows: Noboru, George W. Harman, Aubrey, Thomas Regan, Crawford, Mary F. Holland, Friend, Michael M. Huck, Schuyler, William H. Heminger, Scott, Jennie P. Briscoe, Cushing, C. Parks, Flory, Martin, Iowa—William C. Parks, Ohio—Dakota—William Naessig, Seth Sigtry.

HE HAD FOUGHT ON MANY FIELDS.

General S. George Cook Dies at His Home in Detroit. DETROIT, March 21.—General Philip St. George Cook died at his home here at 2 o'clock yesterday afternoon. General Cook was a native of Virginia and was 82 years of age. He had been identified with the army since his admission to West Point, when only 14 years of age. He was also a member of the bar of Virginia and had written several interesting works, among which are a volume on cavalry tactics, "Scenes and Studies in the Army," and "New Mexico and California." General Cook had seen service in every field where American valor has been displayed in the past century. In the Blackhawk war he was a leading officer. He was in high command in the conquest of California and New Mexico. He departed for the Pacific in 1852, and led a raid against the Apaches. He was commander of the Department of Utah when the rebellion broke out in that land. Upon the breaking out of the rebellion, unlike most southern officers, including his own son, General John R. Cook, and his famous son-in-law, General J. E. B. Stuart, he cast his sword in the balance of the union. He became commander of the cavalry reserve of the Army of the Potomac and participated in all the important events of the rebellion, unlike most southern officers, including his own son, General John R. Cook, and his famous son-in-law, General J. E. B. Stuart, he cast his sword in the balance of the union. He became commander of the cavalry reserve of the Army of the Potomac and participated in all the important events of the rebellion, unlike most southern officers, including his own son, General John R. Cook, and his famous son-in-law, General J. E. B. Stuart, he cast his sword in the balance of the union.

Death of Dr. Henry Coffey.

BETHLEHEM, Pa., March 21.—Henry Coffey, acting president of the Lehigh university, died suddenly this morning of heart disease, aged 75 years. Dr. Coffey was in class '39 at Yale and graduated at West Point in 1845. He was brevetted major for gallant conduct in the Mexican war.

Illinois Pool Bill Becomes a Law.

SPRINGFIELD, Ill., March 21.—The Humphrey pool bill, which permits night races racing and legalizes foreign bookmaking, passed the senate today by a vote of 28 to 18.

AUSTRIA'S RECORD OF STRIKES.

Labor's Struggles in the Empire During Three Years and Their Successes. WASHINGTON, March 21.—Some very interesting statistics and facts regarding strikes in Austria are furnished to the State department in the shape of a report by Max Judd, United States consul general at Vienna. Perhaps the most significant fact is the steady increase noted in the number of strikes in Austria during the last three years. Inclusive, Mr. Judd says the Austrian strikes are similar in cause and effect to those taking place in the United States, but are accompanied by less violence, and are more apt to have a semi-political character. The strikes in Austria are similar in cause and effect to those taking place in the United States, but are accompanied by less violence, and are more apt to have a semi-political character. The strikes in Austria are similar in cause and effect to those taking place in the United States, but are accompanied by less violence, and are more apt to have a semi-political character.

Orders for Army Men.

WASHINGTON, March 21.—(Special Telegrams.)—First Lieutenant John W. Barker, Ohio infantry, transferred from company K to company G of that regiment; First Lieutenant Robert H. Anderson is transferred from company G to company D of the First Regiment of Cavalry; Captain H. Schenck, company H, to company G, Ninth infantry; Captain H. Schenck, company H, to company G, Ninth infantry; Captain H. Schenck, company H, to company G, Ninth infantry.

Two Catholic Churches Fired.

WASHINGTON, March 21.—Attempts were made today to set fire to two of the Catholic churches in the city. St. Patrick's and St. Dominic's. In both cases the fire was discovered and extinguished before the material damage had been done. A tall woman dressed in black was seen walking down the street and out of the church in a nervous manner. Police and detectives are scouring the city for the culprit. It is believed that the incendiary was a woman who had been in the city and was affected by constant attention.

New Postmaster at Belfast.

WASHINGTON, March 21.—The Postmaster at Belfast, Lee county, Va., vice C. H. Davidson, resigned.

Montgomery Returns from Honduras.

WASHINGTON, March 21.—The Montgomery has returned to Mobile from

St. Johns, Honduras. Captain Davis has, it is believed, completed his investigation of the murder of the American, Benito, and will report the facts to the secretary of the department, who will then transmit it to the Department of State.

Fought Until Both Were Exhausted.

WASHINGTON, March 21.—A dispatch was received here tonight by Secretary Gresham from Minister Mackenzie in Peru in reference to the recent revolution there. According to Mr. Mackenzie, there were three days of fighting in and around Lima. For three days at the end of the time there were over a thousand dead bodies lying unburied in the streets, and both sides were exhausted. An armistice was agreed upon to permit the dead to be buried, and the agreement of some sort was reached by the leaders of the contending factions, but details of this were not learned by the minister. Some sort of a provisional government now seems to be in control.

Given Their Commissions.

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ARRAYED AGAINST HYPNOTICS

Declared to Be a Dangerous Power in the Hands of Designing People.

WOMEN WILL WAGE RELENTLESS WAR

Discussion of Du Maurier's Book Leads Them to a Resolution to Oppose the New Power as a Power for Evil.

NEW YORK, March 21.—A majority of the members of the Professional Woman's league who attended the weekly meeting declared at the close of an animated discussion their intention of arraying their efforts against the use of hypnotism which is sweeping over the land. This determination was not arrived at without a struggle. The members listened first to a favorable analysis of the subject of hypnotism and its phenomena presented in a paper written by Dr. Rasgood Mason, a painstaking student of the new psychology as presented by the London Society for Psychological Research. The paper was read by the presiding officer, Miss Adelle Becker Winne, and termed "Tribly," a psychological study. Mrs. Ida Jeffrey Goodfellow gave it as her opinion that hypnotism was dangerous and should be regulated by laws so as to make it a criminal offense to hypnotize persons without consent. "If we stand on a high spiritual plane," put in Mrs. Bishop, "we can stand firm and not allow anybody to hypnotize us. If anybody wishes us evil, we can wish them such good it will kill all evil." Mrs. Rachel McAuley said: "I fear we sometimes make grave mistakes. We condemn sinners so much that the enormity of sin itself seems mitigated. No one has caused so much discussion as 'Tribly.' People give themselves away, so to speak, in their expressions of opinion about it. It is very easy to see their trend of thought in the expressions, I don't like hypnotism; I think it a power from the evil one; I would rather anybody steal my money than my individuality, which is what an hypnotist does." Miss Sarah Palmer declared that all had moments of weakness when they could be conquered. "We must hold this thing as a power for evil," Miss Winne closed the meeting by saying that the sense of the meeting was that hypnotism was a dangerous power, one to be studied, but not dabbled with, and everybody applauded her endorsement.

Cared Hydrophobia by Hypnotism.

CHATTANOOGA, Tenn., March 21.—Dr. R. J. Tripp, a leading physician, has created a sensation in the medical profession by curing a man who has been bitten by a mad dog by hypnotic influences. The patient was in a frenzied condition bordering on madness.

Brave Men Had a Hundred Arms.

Nervousness has as many queer symptoms. But whatever these may be, they are all and all depart in consequence of the soothing, invigorating influence of Hostetter's Stomach Bitters, which tones the system through the medium of thorough digestion and assimilation. Tremulous nerves soon acquire steadiness in their work, and the system gains appetite, and fortifies the system against disease. Malaria, constipation, rheumatism and kidney troubles are relieved by it.

Two Englishmen Murdered in Mexico.

TRESNILO, Mex., March 21.—The dead bodies of two Englishmen who left here about a week ago for Durango have been found near Sombrerete, terribly mutilated. It is supposed that they were murdered and robbed by the two servants who accompanied them. The servants were Englishmen and were postmaster at Springdale, near this city, was arrested today for pilfering letters. The postal authorities produced sixty letters that had been tampered with. As the federal grand jury is in session the case was taken up at once.

Brothers Arrested for a Big Ore Theft.

CRIPPLE CREEK, Colo., March 21.—Frederick and Solon McCloskey, brothers, who have been in the employ of the Union Mining company, were arrested today on the charge of having stolen from the company during the past year \$50,000 to \$100,000 worth of ore.

"Dead Men Tell No Tales."

They do. They tell tales of mistaken physicians sometimes—oftener of careless selves. Graveyards are full of people who died for lack of common sense. Don't you thought of somebody that didn't live as long as you thought he might? Hundreds of

Men Died Last Year who would be alive now if they hadn't let it run too long.

Let what run? Cough—cold in the head—down the throat—on the lungs—more cough—too busy to stop work—finally had to—then called a doctor—and doctor came too late. Don't common sense

Tell you that in nothing does "a stitch in time" count so much as in lung troubles?

Are you on the decline? Lost your appetite—lose half your night's rest—worry—gloomy—you know? Don't worry! Stop it! Worry hurts more than anything else. There's

No use to worry. Buy a bottle of Ozomulsion.

What's in it? Life! Ozone—Cod Liver Oil—Guaiacol. How's it compounded? Nobody knows as well as Dr. Slocum, and he won't tell. It took too many years' time learning how to ozonize it. The

Acceleration of the pulse with a feeling of fullness and distention in the head; exhilaration of spirits; increased urinary excretion; augmentation of the expulsive force of the bladder; peristaltic action of the intestines; increase of muscular strength and endurance; increased power of vision in elderly people and increased appetite and digestive powers. All follow from the use of the Animal Extracts prepared under the formula of Dr. Wm. A. Hammond.

Dose, 5 drops. Price, One Dollar. Send stamp for book which tells all about these new medicinal agents. You should know.

Columbia Chemical Company, 136 WASHINGTON, D. C. KUHNS & CO., AGENTS FOR OMAHA.

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