

The Oregonian

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THE LANCE OF JUSTICE.

Charles F. Amidon, Federal Judge in the District of North Dakota, says in a recent number of The Outlook that the administration of the criminal law in America has become unworkable. He adds, has become unworkable. If this is true, it is no more than has happened to every system of jurisprudence known to history. Instead of being an orderly evolution, as some imagine, or pretend to imagine, the law invariably, when left to itself and the lawyers, falls into chaos. It becomes confusion worse confounded. It resembles nothing on earth quite so much as a tropical jungle, where thorns, briars and creeping vines intertwined and entangled buffet the traveler and shelter the bloodthirsty tiger. Law begins as a plain and simple set of rules which any man can understand and which it takes no special acuteness of intellect to apply; but gradually, under the manipulation of the lawyers, it accumulates precedents, distinctions, exceptions, contradictions and fictions, until no human being can understand them all and no intellect can understand them. Gibbon tells how this process went on with the Roman law and how finally Justinian, to bring back the roaring farce of court procedure to something like common sense, set a corps of learned doctors at work simplifying it. They succeeded, however, somewhat in the attempt, but their simplified system occupied the wits of Europe for several centuries and is not too well understood to this day.

THE BOUNDARY DISPUTE.

The middle of the channel of a navigable stream has from earliest days been used as a portion of the boundary line between counties, states and even nations. There are so many water courses throughout the world, so located that the running of a boundary line between them is a matter of awkward and impracticable. Land lines were unable even to meet the requirements of Great Britain and the United States, and when the 49th parallel was fixed on as the base for a boundary between the two countries in order to avoid taking in an insignificant portion of the territory, it became necessary to change the wording of the boundary description so that it read "westward along the 49th parallel of north latitude to the middle of the channel which separates the continent from Vancouver Island, thence easterly through the middle of said channel and of Pucca Straits to the Pacific Ocean." The location of the "middle of the channel" which was selected as the boundary line between Oregon and Washington, remained unquestioned until the late war between the states, when possession, occupation and custom of the people who have property interests in the territory which is now under dispute at the mouth of the Columbia would seem to have rights which cannot be encroached on for the purpose of the boundary line. The Oregonians, however, have been in the habit of claiming that the main point on which the claim of Washington is based is that the ship channel has changed since the boundary was established, nearly half a century ago. This fact would hardly seem to justify re-establishment of the boundary line, and the reopening of a large number of land titles. The channel first known as the official boundary line was the channel that for years was recognized in the partition and sale of lands, even the Government of the United States admitting Oregon's rights by accepting from this state a deed to Sand Island, which, under the claim of the Washingtonians, would not have been under the jurisdiction of Oregon.

THE CROP-DAMAGE BUGABOO.

The crop-damage scares, which have been put in circulation by the Pacific Northwest in the last three weeks, are perhaps no worse than those of a number of seasons in the past. Neither is the damage actually done to the wheat crop by the hot weather of more serious proportions than that of a number of former seasons. But the effect of the general disposition to make a bugaboo of the matter is more serious than in any former season, for the reason that there are hundreds of new homeseekers coming into the country and they are likely to get the impression that we are subject to crop failures, and some of them will return to the States, while others will go to Canada, where land is cheaper and crop damage just as great and much more frequent. It is still too early to determine the exact amount of damage caused by the excessively hot weather. This much is known, however, that the wheat crop in the Pacific Northwest, which, as every one knows, is the important crop of the Pacific Northwest. The Willamette Valley will harvest the largest wheat crop that it has had since 1901, and there is a large amount of early-sown spring grain that has been shriveled so that it will make a poor crop, while a few fields of late-sown spring grain will, as usual, be cut for hay. Even with the hottest weather we have ever had, accompanied by hot winds, there is no possibility of cutting the total crop down to anywhere near the crop of 1905, which was the best wheat crop that we have had in many years. The tendency to overestimate crop damage is proverbial. Some of it is due to the inability of the estimators to make any but a hasty view of the situation. Another cause, and one largely responsible for the spread of crop-damage news of the sensational type, is a desire to make the crop fit the wild guesses and estimates put out early in the season by crop experts who never care to be hampered by facts. One of this class figured out a few weeks ago and printed an estimate of 60,000,000 bushels of wheat for the 1906 crop in Oregon, Washington and Idaho. As there has never been a possibility of this year's crop for the three states, both Spring and Winter wheat, would exceed 50,000,000 bushels, even under the most favorable circumstances, the hot wave was quite useful

game of fox and geese, where the Judge is the goose and the lawyers are the foxes. If the Judge slips through the traps without making an error he wins the game, though this seldom happens. If the lawyers catch him tripping on any point of law, even the most insignificant, they win. Hence a trial is nothing more than a contest of wits between the Judge and the lawyers. They lay traps for him, ask him all sorts of outlandish questions, and prepare forgotten points of law, and prepare long lists of "instructions" for him to read to the jury. On the spur of the moment, without deliberation, he must decide whether the instructions are proper or not; he must answer all the lawyers' tricky questions like a schoolboy on examination, and if he fails in the slightest particular the higher court orders a new trial. To such a ridiculous farce has the administration of criminal law descended. Judge Amidon remarks that if a man has plenty of money there is no particular reason why he should ever be punished for crime, and we all know that what he says is true. Hence the rule of mobs in this country to supply the defects of the law. In all the dominions of the British crown, which include more than one-fifth of the earth's land surface, there has not been a mob execution in the last seventy-five years. In America they grow more common every month with circumstances of increasing cruelty and horror. For as this way may be taken to the law, and it is not the only debt we owe them, by any means.

MR. BRYAN'S COLLAPSE.

"Whom the gods would destroy they first make mad." Mr. Bryan's hope of the Presidency must be doomed to third and final destruction, for madness has fallen upon him. What else could have made him commit the absurdity of recurring to his old free-silver doctrine and declaring that he had been "shocked" by his own belief in bimetallism as much as he ever did, such as his own words, and the plain inference from his remark is that the struggle for honest money is by no means terminated. It must all be fought over again, with what result is not to be predicted. The secret work of the franchise-grabbers, who were their proprietors and publishers, representatives of the first families, who stole the franchises of Portland, made the charter to fit in with the franchisees and the franchisees to fit in with the charter; held back the administration of the charter by the Legislature until the franchisees could be completed in the Common Council of Portland; then went again to the Legislature and secured an act to validate the sale of the franchises, sold them and put four million dollars into their pockets, as a clear profit on the deal. The secret work of the franchise-grabbers," now confessed as such by the organ, was done by the men who have supplied and are supplying the money for publication of this organ, are its directors, secretary and treasurer.

MR. BRYAN'S COLLAPSE.

Had Mr. Bryan set out with the distinct purpose to turn the coming Congressional elections in favor of the Republicans and ruin his own aspirations to the Presidency, he could have devised nothing more effectual than this London speech reviving the dead and buried heresy of free silver. It has chilled the enthusiasm of his friends. It has heartened his enemies in his own party. It has encouraged the Republicans with hopes of victory in sections where they were once thought to be beaten. It has put the publication of his speech, they expected defeat. It more than counterbalances the expected stand-pat article in the forthcoming Republican textbook. The Nation can perhaps endure the exactions of the tariff for a few more years, but the horrors of repudiation it will not endure. Mr. Bryan's London pronouncement shows that, contrary to almost universal opinion, he has advanced little in wisdom or power of thought during the years of his enforced retirement. With the ample opportunity for reflection upon his past follies which he has enjoyed it was reasonable to suppose that he had discerned some of his more flagrant errors and resolved to discard them. But nothing of the kind has happened. The most flagrant and patent of them all he still hugs to his bosom like a beloved infant and he will continue to hug it till the end of his days. In his method of dealing with the money question Mr. Bryan shows that he cannot distinguish between plighted obstinacy and consistency. Whatever opinions he has once expressed, right or wrong, he will never recede from them, and he will always hold them. In his own estimation he can make no mistakes. His views must never change. He aspires to imitate the Almighty in being the same yesterday, today and forever; what he asserts is a perpetual verity, and he who hoped that the Democratic party had at last found in Mr. Bryan a leader with a resolute patriotism, a power of thought and a determined will which would make him a worthy rival of the best men in the Republican party must now confess to disappointment and the disappointment is serious for the welfare of the country is safest when the range of ability in both parties is high. Whom will the Democrats find now to replace their idol so quickly and irretrievably fallen?

MR. BRYAN'S COLLAPSE.

John Sharp Williams insists that Mr. Bryan shall give up his notion about public ownership of railroads if the Solid South is to support him; and the western Empire and Seattle that he shall give up free silver and a few other theories. Bryan would make a great run if he would only make it on a platform repudiating Bryanism. Having involuntarily joined the growing Oregon fever of U. S. is, there are many gentlemen who would like to withdraw. Ten dissatisfied members yesterday filed with Judge Hunt motions to dissolve their membership. It is needless to say that the talismanic U. S. stands for Under Indictment. According to a London cablegram, Mr. Bryan was lunched Tuesday. We may expect to hear that he was bootblackened the next day or was automobile to one of the suburbs or was sequestered at the Hotel Cecil. In corrupting the language England keeps quite as busy as the United States. The law treats all alike. The poor must pay taxes as well as the rich. So the Supreme Court knocks out the \$300 exemption. Possibly a way will now open up for the poor to dodge taxes as well as the rich, and they would probably be happy—everybody but the rich. The Inter-Parliamentary Union is wasting a lot of valuable time and energy talking about a permanent peace tribunal, when this country has already established one in the person of Theodore Roosevelt. Possibly under the laws of Washington first cousins cannot marry. But in the case of Mr. Tarpley, he did marry his cousin. Now what is the law going to do about it? Milkmen out of the trust are cutting the price two bits a quart a month. This is well, but what Portland demands in the present warm season is clean milk. The English have let out the terrible secret that the Dreadnaught is the greatest fighting machine in the world. The navy's press agent did it. It would appear to be proper for the great order of U. S. to establish a sick fund.

MR. BRYAN'S FATAL MISTAKE.

Alarms the Conservative Democracy With His Old-Time View—New York World (Dem.) Bryan and "Republican Luck." "Whoso keepeth his mouth and his tongue, keepeth his soul from trouble." said the wisest of wise men. Likewise he may keep the souls of others from trouble. The words of Solomon are respectfully commended to the consideration of William Jennings Bryan. A week ago the Democrats of the country were looking forward with enthusiasm to a new order of things. After ten years of internecine warfare, in which the party committed three defeats, each more disastrous than the other, the factions seemed at last to have been united. By tacit agreement the old issues were to be ignored and the old quarrels forgotten. The slate was sponged off. Mr. Bryan was accepted as the leader of the party and the inevitable nominee for President in 1908. Elaborate preparations had been made for his reception when he arrived in New York. Half a dozen Democratic state conventions had formally endorsed him. The lower house of the Louisiana Legislature had demanded his nomination. Distinguished Democratic leaders—gold, silver and otherwise—had acclaimed him as the logical candidate. Some of them, like John Sharp Williams, did not hesitate to predict his election. Mr. Bryan, with a proper regard for the proprieties, had refused to announce his candidacy and had protested against being placed in a attitude of a candidate. To use his own words, "I prefer to be in a position to say what I think ought to be said, to write what I think ought to be written, and to do what I think ought to be done." As it would be two years before the convention met, he was unwilling "to sit on a stool and look pretty that long."

MR. BRYAN'S FATAL MISTAKE.

It is noticeable that the summer park concerts are growing in favor among the class of people for whose pleasure they were chiefly planned. The home element is largely represented in the crowds that flock to these concerts. This is perhaps especially true of the East Side and other small parks that are surrounded by the homes of the industrial and mercantile classes. In Haverwood Park, for example, on Tuesday evening several thousand people assembled. They were of the orderly class, well dressed, cheerful and intent upon enjoying the companionship of friends and the music of the band. The showing in intelligence, in sociability, in thrift, in all that goes to make up good citizenship with the home as its basis and children as its guarantee for the future, was one of which the residents of any city or section might well be proud. The safeguard of these park gatherings is in the fact that parents attend them with their children and that young people of the self-respecting class find in them social attractions which are void of excitement, wholesome and rational. "Big fleas have little fleas to bite 'em, and so on down ad infinitum." Thus twanged some one on his tuneless lyre, putting more point than poetry in the couplet, and now the system of which he was working just over the line in Canada. When the little brown men began swarming into the province a few years ago they ousted the white laborers from the sawmills and even from the shipyards. Now comes the story that the Hindoos are coming over in such numbers that the white laborers are in a fair way to meet the same fate which they inflicted on the whites. If that ancient world in the East whose civilization was centuries old when ours began has any more occurrences which it is desirous of working off on this Western world, it might well hurry them along for the time is approaching when the bars will go up with a rush and there will be no cracks through which even a Hindoo could crawl.

MR. BRYAN'S FATAL MISTAKE.

The competition of Southern pine in the lumber markets of the West is frequently being cut by the dollar in lumbermen as a reason for lower railroad rates. The supposition has always been that the Southerners were favored by rates more advantageous than those offered Western shippers. A dispatch from Pensacola, Fla., however, discloses another reason why the Southern lumberman can underbid his northern competitor. According to this dispatch the Jackson Lumber Company, the largest institution in the South, makes slaves of its employees, pays them but \$1 per day, and when the underpaid and underfed men object they are flogged by the dollar and the money question. A dollar a day with a forging thrown in would hardly attract a large force to a Portland lumber mill.

MR. BRYAN'S FATAL MISTAKE.

There was a \$4,000 paying visitors to Shakespeare's house, at Stratford-on-Avon, last year, seventy more than in any previous year. Seventy nationalities were represented. More than 15,000 persons visited on payment Anne Hathaway's cottage. About 10,000 of these visitors came from the United States.

MR. BRYAN'S FATAL MISTAKE.

Who Bides His Time. James Whitcomb Riley. Who bides his time, and who by day Faces defeat, but in the night And lifts a mirthful rouselay, And who will win the prize at last, He will not fall in any quail. Of poverty—the paltry gain— It will grow golden in his palm, Who bides his time.

MR. BRYAN'S FATAL MISTAKE.

Who bides his time, and fevers not In the hot race that none achieve, Shall wear cool-weather laurel, wrought With crimson buds in the crown; And he shall reap a goodly king, And away his hand or every clime With peace will win his ring, Who bides his time.

MR. BRYAN'S FATAL MISTAKE.

It is needless to say that Mr. Bryan in mistaking stubbornness for consistency is practically turning the Presidency over to the Republican party again, giving it a walkover in 1908, as it had in 1896, 1900 and 1904. His statement has already distinctly clouded Democratic prospects in the Congressional campaign next Fall and has helped to make possible so large a Republican majority in the House that Mr. Roosevelt's re-election will become a certainty, even against his own will.

MR. BRYAN'S FATAL MISTAKE.

True, there may be a reaction and a return of Democratic sense after there has been an opportunity to reflect on the results of the state and Congressional elections next Fall and the off-year elections in the Fall of 1907. But the situation, nevertheless, demonstrates the advisability of taking Mr. Bryan at his word and not forcing a nomination upon him two years in advance of the National Convention. His remarkable popularity among Democrats must be conceded, in spite of his mistakes, but the election is not going to be held until the Fall of 1908. Much may happen within the next two years, as much has happened within the last two years. The real issues of the next National campaign are yet to be defined. The results of this year's and next year's elections, the results of the last session of the Fifty-ninth Congress and the first session of the Sixtieth Congress, may play strange pranks with men and with measures.

MR. BRYAN'S FATAL MISTAKE.

It will be nearly two years before the public sentiment that makes Presidential issues can be prepared to make the wisest nomination of a Presidential candidate. But a reaction now, a reaction in the view of Mr. Bryan's carefully prepared statement, could his renomination for President in 1908 prevent another fight over free silver and the dead issues of two previous campaigns, with the inevitable result? It is not well to be wiser than events," said Samuel J. Tilden, a vice-president of Van Buren. Whenever the Democratic party attempts it, a new chapter is opened in the record of "Republican luck."

MR. BRYAN'S FATAL MISTAKE.

The Longworths Going to Turkey. Pittsburg Dispatch. Mr. and Mrs. Longworth are going to Constantinople. The Sultan is reported to be anxious to show honor to President Roosevelt's daughter. He has ordered a dinner in honor of her and her husband at the Summer palace, and there will be an illuminated regatta on the Golden Horn.

A RUDE BUT USEFUL MAN.

No One Ever Accused Senator Tillman of Shrieking Trouble. New York World. Colonel W. W. Lumpkin having decided not to be a candidate for United States Senator in South Carolina, there will probably be no opposition in the State Legislature to the re-election of Mr. Tillman. There should be none.

A RUDE BUT USEFUL MAN.

To the person who esteems dignity above other qualities in a Senator Mr. Tillman leaves nothing to be desired. The gentleman from South Carolina is not dignified. His manners are often unpolite and his behavior turbulent. He is "a ruded man," as he himself once admitted in debate. But there are so many gentlemen of exquisite courtesy in the Senate that one rude man is invaluable. He can tell the unpleasant truths which ought to be told at times, but which other members hesitate to tell. Mr. Tillman is not only morally, but intellectually honest. And he has not only fidelity, but courage. He fights—not only with his brain and tongue, but sometimes, unfortunately, with his fists. Nobody ever accused him of shrieking trouble, whether it was the championship of an unpopular cause or the choking of a colleague who had ventured to give him the lie. He is the embodiment of common sense and common sense is very trustworthy, or that he is profoundly learned, or that he is a kind in May or June. But it does not pretend to be. He is satisfied to be "a cornfield lawyer," with the courage of his convictions and a readiness to champion the cause of the poor, and to be composed entirely of Tillmans would never transact much business, although it would make plenty of work for the rest of the world. It is a vital necessity to offset the Aldriches, the Plattes, the Penroses and the Dickes.

A RUDE BUT USEFUL MAN.

PEARY IS NOW GONE A YEAR. No Word From Him Since He Vanished in Arctic Ice. Brooklyn Times. Commander Robert E. Peary left New York on the Roosevelt for the Far North just one year ago, and no word has come from him since he disappeared into the frozen wastes of the Arctic zone. Friends have anxiously awaited news from him. They confidently expected a message of some kind in May or June. But it does not come, and not a few of the intrepid explorer's admirers are worried at his long absence.

A RUDE BUT USEFUL MAN.

Peary planned to have his headquarters 350 miles north of Cape Sabine. From that point he said he would make his journey to the pole, a distance of 600 miles across a desert of ice and snow, with the cutting winds howling over it. The final dash he expected to make in a month or six weeks. He had a party of six men, and would return to his headquarters, await the breaking up of the ice and then make for New York.

A RUDE BUT USEFUL MAN.

Great-Grandson of "Davy" Crockett. John Wesley Crockett, Deputy Secretary of State in Arkansas and candidate for president of the State Railroad Commission, is a great-grandson of "Davy" Crockett, hero of the Alamo. Among his most cherished possessions are the gold watch and the "rifle gun" of his illustrious ancestor. The rifle was the gift of his great-grandfather, his admirer, in Philadelphia.

A RUDE BUT USEFUL MAN.

The Deadheads Weren't Counted. New York Press. There were 34,000 paying visitors to Shakespeare's house, at Stratford-on-Avon, last year, seventy more than in any previous year. Seventy nationalities were represented. More than 15,000 persons visited on payment Anne Hathaway's cottage. About 10,000 of these visitors came from the United States.

A RUDE BUT USEFUL MAN.

Where in the Center of America? Central America is only a geographical name, the real center of America being Oyster Bay.

A RUDE BUT USEFUL MAN.

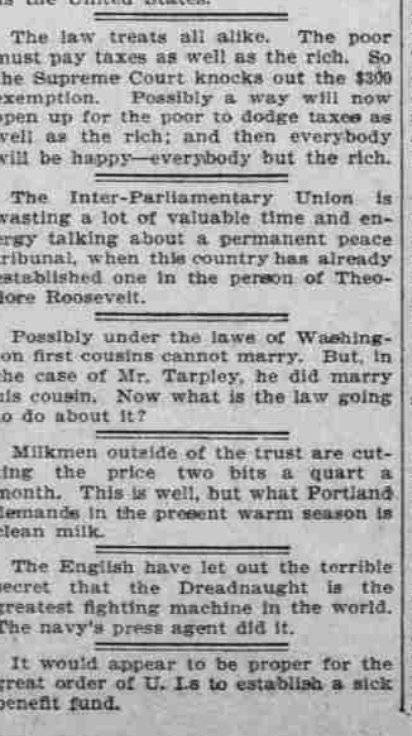
Destiny Sings. T. Sturge Moore in the Outlook. If only I were the Sky, What days would be mine! No more than thou wouldst of a kind, Whether sunshine or shower, or wind; If the Heaven above thee were I, How the stars would shine!

A RUDE BUT USEFUL MAN.

What a friend the moon would be To guard of companion thee! Thy days thou shouldst fill like a rill That has found the best Of seaward paths, and gay Towards the sunset towers its way. Were mine but the life of a bird, But were I the West, Thy shadowy wing thy beauty and light Home to my heart every night.

A RUDE BUT USEFUL MAN.

HOW MUCH LONGER WILL HE HOLD ON?



MAKEUP OF RUSSIAN DOUMA.

Twenty-two distinct peoples are represented in that remarkable body, the lower house of the Russian Parliament, as follows: St. Petersburg Cable Dispatch. Twenty-two distinct peoples are represented in that remarkable body, the lower house of the Russian Parliament, as follows: Great Russians, 25; Little Russians, 6; White Russians, 11; Poles, 5; Lithuanians, 10; Letts, 4; Germans, 4; Tatars, 8; Belghirs, 4; Kirghis, 1; Crimeans, 1; Moldavians (Finnish tribe on the Volga), 1; Voliak (also Finnish tribe), 1; Jews, 1; Bulgarians, 1; Chuvash (Finnish tribe), 1; Roumanian, 1; Kalmik, 1; Georgian, 1; Armenians, 1; Ossetians, 1; Buriats, 2.

MAKEUP OF RUSSIAN DOUMA.

By classes the membership consists of 164 nobles, 204 peasants, 14 clergymen, 20 merchants, 12 Cossacks, 24 burghers, 14 scattered. With regard to education a large proportion—34 in number never attended any kind of school, 11 went through the lower grade, 61 through the middle, and 18 either finished or partly finished university education. In spite of the large number that never attended school, only two are unable to read or write.

MAKEUP OF RUSSIAN DOUMA.

By parties the members are classified as follows: Constitutional Democrats, 107; Party of Progress, 107; Party of Democratic Reforms, 4; Octobrists, 13; Moderates, 3; Trade and Industry, 15; Unaffiliated, 105.

MAKEUP OF RUSSIAN DOUMA.

Confusing Advice on Marriage. New York World. Police Magistrate Luke J. Conorton says that "to be single is hell." This is very confusing to many who are in authority has said that to be married is St. Joe, Mich. is hell. Meaning, presumably, that nasty divorces are often imprudent. But let Mr. Conorton develop his idea: "Of ten men more than 30 years old who come before me, nine are unmarried."

MAKEUP OF RUSSIAN DOUMA.

"All men who wish to succeed should marry; there are few single men who are truly great. My advice to men is, marry young, and advise to any girl is, if you are certain a young man loves you and he hesitates to pop the question, help him along to it. Talk to him about the advantages of marriage, and he will propose and be grateful all his life." Judge Conorton's sociological statistics about the relative ill behavior of young men and single women is correct, the higher authorities will not be reversed. Married men do behave better than single ones—not always cheerfully; they have to be.

MAKEUP OF RUSSIAN DOUMA.

As to men who succeed there is no rule. Kipling says: "He travels far who travels alone." The Conorton rule of marriage success is correct, no doubt. Unusual or remarkable success follows no rule; it is the exception.

MAKEUP OF RUSSIAN DOUMA.

A Gift of How to Show Gratitude. New York Press. Striving to show her gratitude for aid in her search for her lost daughter, a Swedish woman has sent to A. A. Reed, editor of the New York Sun, a gift of hosiery. The stockings are long and of the native wool, about an inch thick, but Adea appreciates the gift. He says that with the feet cut off they will make ideal bicycle hose, and he is one of the few ardent wheelmen left in public life. Adea spends his summer cycling through Europe, and his outfit in woolen hose is heavy. Such knitting as the Swedish matron put into her gift is not to be matched in home sought in shops; in fact, Adea's knitting is a lost art on this continent.

MAKEUP OF RUSSIAN DOUMA.

Made a Living Tasting Tea. New York Sun. Albert P. Rose, one of the most expert tea-tasters in the West, is dead at San Francisco, after a long illness. Rose was born in New York, N. Y., and became famous there as a specialist in tea. On one occasion 200 varieties of tea were steeped and placed before him, and by taste he was able to tell name, quality and value of each.

MAKEUP OF RUSSIAN DOUMA.

A Mary Window by Marys. London Mail. A stained-glass window is to be erected in St. Mary's Church, Bulphan, Essex, England, to be known as the "Mary" window. It will be subscribed for entirely by women bearing the name of Mary.

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