

THE NEW AGE

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EDITORIAL
 SIMON AND SIMON TALK.

It is peculiarly notable that, in the organization of forces for the approaching city campaign, those who desire a change in the local administration again appeal to ex-Senator Joseph Simon as the Moses to lead the minority party out of the wilderness. The general plea upon which is based the appeal by a few for a change is the fact that Senator Mitchell has been indicted by a federal grand jury as a member of the Pater-McKinley land-fraud gang. Under cover, however, the force behind the movement is composed of the gambling and the red-light elements whose operations the present administration has practically suppressed. And yet these alleged "reformers" possess the temerity to ask the church element to support their purpose! There is Simon politics for you!

The fact that Senator Mitchell has been indicted does not mean necessarily that Senator Mitchell is guilty; and those who are now attempting to induce the public to pre-judge his case will fail miserably and lose strength by a contemptible effort to take advantage of circumstances for which the senator is very probably in no way responsible. That is a species of cheap politics, of which this community has seen much. It does not appeal to the public conscience. It possesses no virtue. It belongs below the dead-line. Its forces might well all be bunched in the Paris House. That's its character. The pot-house politicians who are behind it are of the pettiest kind. Their influence in it alone ought to kill the movement dead as a door-nail.

Simon and his cohorts, it is said, will attempt to capture the primaries. That, of course, will be necessary to success. Should he fail in that, however, he will try to effect a fusion with the democrats and the reform forces. That sounds very Simon-like again. But the idea that the element behind Simon's ambition could hope to influence the reform people is indeed refreshing.

Simon, the real leader in the movement for a re-organization of local political forces, does not dare to appear in the open. If a man be the leader in a righteous cause, why may he not appear before the people to whom he appeals for support? That's bushwhacking. But this great character on the chessboard of politics knows that there are many persons interested in the outcome of local campaigns who remember the history of former campaigns under his leadership.

The entire movement amucks of politics of a very cheap and, by the way, a very dangerous order. No one will question the propriety of an honorable contest between two or more political factions or parties for supremacy; but the public in general is certainly not in sympathy with bushwhacking politics—a fact with which ex-Senator Simon and his friends ought to be very familiar.

The attempt to take advantage of Senator Mitchell at his time will serve only to increase the friendship for him of those who have heretofore been his friends. A man who has served his state and his country so eminently as has Senator Mitchell cannot be downed by perjured testimony.

THE DAY OF INSURANCE.

In this day of action in every avenue of human effort it is difficult to follow conditions as they develop, no matter how interesting the results might be; but it is observable that hygienic progress has been rapid during the past few years, and yet in many parts of the country the death rate increases. Some say that the world is growing more wicked every day and cite the fact above suggested, alleging that fast living is killing more people than disease. It may be that gout has become a prevalent ailment and that it should be counted among the evil elements that go to make up fast living. But these lives that are so recklessly thrown away are all worth something; they were born for a purpose, whether they suc-

ceeded in accomplishing it or not. If they failed in life, but were insured in some of our big and reliable insurance companies, for a considerable sum, they succeeded at last, although "they had to die" to accomplish it.

Not all of the insurance companies are what they claim to be, as is shown by failures, litigation and the almost endless trouble that follows. Therefore, it is profitable and not altogether uninteresting to study insurance statistics and insurance methods occasionally.

In looking over the records and history of some of our largest companies, the careful inquirer will not fail to find that The Prudential is practically at the top of the list. In its annual statement made January 1, 1905, its assets are shown to be \$88,762,305.17—an enormous sum. Its surplus to policy holders alone amounts to \$13,325,866.33—another enormous sum in that department of its business.

Under the careful direction of Manager Robert S. Boyns, an insurance man of superior ability, The Prudential's branch office in Portland has done a remarkable business, greater than in any former year of its existence here. The company is stronger financially and stronger in the confidence of the people than ever before in its history; and yet it has always been a strong company. The life insurance issued and paid for in 1904, by this company, amounted to \$312,999,999, the largest in the history of this great institution. It has over a



JOHN P. SHARKEY

billion dollars of life insurance in force.

Investigate the company's records and statements and you will agree with this paper that The Prudential is at the head of the list.

HE ADVERTISED THE FAIR.

Citizens of Portland are "loyal subjects." They have awakened to the fact that our city, the bright particular star among the municipalities of the West, must, in order to maintain its place in the procession in this progressive age, advertise its abundant and attractive resources. And they are doing it now in connection with spreading the news about the Lewis and Clark Fair. Everyone who goes East, whether on business or pleasure, has much to say about the Exposition and, incidentally, the phenomenal growth of Portland particularly and Oregon generally during the past few years. In fact, whether or not they desired to take time to talk about these things, they are practically compelled to in answering the many questions with which they are constantly pined by people in the East who are anxious to know about the Fair and about the Oregon country.

This fact is illustrated by the experience of Mr. A. B. Steinbach, Portland's leading clothier, who has just returned from a six week's visit to the principal cities of the East. Mr. Steinbach is a progressive advertiser, and, of course, lost no opportunity to exploit the magnitude of the 1905 Exposition; but he says that people generally throughout New England and the Middle West are much interested in the great Exposition and desire information about it and the Northwest generally. He had a multitude of questions to answer—and those who know Mr. Steinbach know that he answered them cheerfully and in detail. Few could do so better.

Mr. Steinbach says that business generally in the East is excellent, with good promise that this degree of prosperity will continue indefinitely. The people are confident and active. But the severity of the cold there this winter is extreme. This is another reason why so many people are in-

quiring about Portland and the Fair. Mr. Steinbach himself is glad to get back to good old Oregon, and to resume active relations with his big clothing house on Fourth and Morrison—which, by the way, is one of the largest of its kind on the North Pacific Coast.

FAITHFUL PUBLIC SERVANT.

John P. Sharkey, who represents the Eighth ward in our municipal legislature, is rendering the local public and its important interests valuable service. He is firm in his convictions, formed only after careful consideration, on all questions of consequence and that he generally votes right is shown by the records of the council since he became a member.

Councilman Sharkey is not easily excited into reckless action. He investigates, compares, considers and then acts. He is a man of strong sense of duty and always possesses a clear conception of what it should be. It is a pleasure to note the record of such a man in public service.

Mr. Sharkey, who is one of our pioneer business men, is a heavy taxpayer. He is a producer. He is one of those progressive business men who do things. He is always public-spirited and most honorable in every avenue of action. That is why the voters of the Eighth ward so strongly desire to retain Mr. Sharkey in public service in the council or in any other office he may desire—and, with Mr. Sharkey's consent, they will do it.

LITTLE BY LITTLE.

General Nogi would better stay with his sword. If the "poem" which has been telegraphed over the country is a fair sample of his genius as a poet. He can command an army in deadly conflict better than he can write verse.

Senator Mitchell, who will reach Portland about March 12, intends to insist on an early trial as his right. He declares that Prosecuting Attorney Heney promised it and the senator will see whether or not the prosecutor is a man of his word.

Guglielmo, the murderer of his sweetheart in this city, has for many long months been holding onto life like grim death; but now he faces grim death, the date of his execution on the gallows not having yet been announced. He should have been hanged long ago.

The two factions of the prohibition element have finally agreed upon another thing—and that is that they will advise against calling any elections under the local option law in June of the present year in counties, cities and precincts, save where elections are being held for other purposes.

A special federal grand jury has been ordered to convene at Chicago for the purpose of investigating the infamous beef trust. This is the first positive step taken formally to suppress this outrageous combination. The likelihood is that many prominent members of the combine will be indicted.

The federal grand jury is not yet through with alleged transgressors of the law. It will convene in April further to prosecute its investigations. The trials of those indicted have probably been postponed until May. By that time the federal court will have moved back to its old place in the federal building proper.

The bills recently passed by the legislature authorizing the school superintendents to hold an annual convention at the expense of the state; creating the office of deputy fish warden, and the deputy constable bill have been vetoed by the governor, whose reasons for so doing will be endorsed by the public generally, no doubt.

The question as to whether or not the county clerk can legally open the registration books for the direct primaries preceding the city election in June will be determined in the courts. Mayor Williams having directed City Attorney McNary to institute injunction proceedings against the county clerk at once. It will be a test case for the final adjudication of the matter.

Judge A. H. Tanner, Senator Mitchell's law partner, who played a peculiar part before the grand jury in the alleged case against the senator, has notified the latter that he desires to withdraw from the firm. This ought to please Senator Mitchell. But, a little later on, Judge Tanner may find himself very much alone when it comes to submitting proof of his allegations concerning the senator. The latter has not discharged his private secretary, Harry C. Robertson, as many predicted he would do.

Governor Chamberlain has appointed Hon. Samuel White, of Baker City, circuit judge of the eighth judicial district, created by the recent session of the legislature; Hon. Claire Crawford as prosecuting attorney for the tenth judicial district, and Hon. L. T. Harris, a well-known republican, as associate judge with Judge Hamilton in the second judicial district. Judge Hamilton is a democrat, and the governor appointed a republican to be associated with him on the ground that our judiciary should be non-partisan—a suggestion with which everybody concerned, except those democrats who sought the position, will heartily agree.

The President's cabinet, after a consultation, agreed that no more appointments should be made in Oregon until after the trial of the land fraud cases; but the president told Senator Fulton that whenever he desired to have an appointment made to go directly to him; that the appointments should not be held up and that his recommendations will be received and given due consideration at any time the senator would be pleased to make them. Hon. Frank C. Baker is now en route to Washington to assist

Senator Fulton in filling some of the places. There are not many important appointments to make, however, at this time, besides the postmasters.

The "walking delegate" would better be made to take a walk out of the city. He is a dangerous intermeddler. As a matter of fact he might be convicted of vagrancy, for he certainly has no legitimate means of support. The law cannot recognize the peripatetic trouble-maker, it appears to us, as having a legitimate occupation. It is entirely proper for any organization to promote its interests and increase its membership, to be sure, but not at the sacrifice of the interests of others. It cannot be said to be wrong for the employer to protect his interests or the interests of those for whom he employs, as in the present flurry at the Lewis and Clark Exposition grounds, for instance; but it would be wrong for him to attempt to promote those interests at the cost of the laborer. In the case cited, however, it said that no discontent had been expressed, so far as known, until the walking delegate came along to make trouble in order to earn his salary. That's why the walking delegate should be made to walk.

POPULAR TALKS ON LAW.

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Defence of One's Home. In our last talk we discussed self defence. Akin to the right of a man to defend himself against an unlawful attack is the right to defend his home. The constitutions of twenty-seven of the states provide that one has a natural right to protect his property. "A man's house," says the old law, "is his castle, and he may take such steps as are reasonably necessary in the defence thereof against an unlawful intrusion." Indeed the law regards an assault on a man's habitation for a felonious purpose as an assault on his person or on the person of an occupant.

One is never bound to retreat from his home, and in general may even kill to prevent a forcible and unlawful entry. The exercise of the right to protect one's home must not exceed the bounds, however, of defence or protection, so that the kind of force that one may use depends somewhat on the nature of the attack and the purpose of it. Where an entry is by force and the purpose of it is to commit a felony, killing, if necessary to prevent it, is excusable and any one in the house, even a lodger, is justified in the protection of the house by any means found necessary. One who has a reasonable fear that a felony is intended need not wait until the assailant gets within the house, but may meet the intruder on the threshold and use means fatal to the assailant, if necessary to protect himself from death or great bodily injury. If the assailant, however, can be repelled otherwise, and the one assailed does not use any other means of defence, the latter is not justified in killing. If the intruder flees the person assailed is not justified in pursuing and committing an injury.

It is held that the term "house" includes a place of business or a rented room occupied as a bedroom. Where one is attacked in the yard the courts hold that he should before taking life retreat into the house, if there is a reasonable opportunity so to do. Where one has peaceably entered the house the owner or occupant is not justified in using force to expel him, without first demanding or requesting that he leave; but where the entry was by force a preliminary request is not necessary before using force in ejecting the intruder. Where one or more persons assemble about a house and threaten to break in, the occupant is not justified in shooting until he gives warning.

A man was held to be justified in killing where on returning home at night he found the floor fastened against him, broke it open, entered and in a fight that ensued killed the intruder. It has been held that the act of entering at a window in which the will not excuse the use of a deadly weapon without first warning the intruder to desist. Where a house is occupied in violation of law, as for gambling purposes, the occupant, or owner, cannot justify force used in putting out a person from a gambling room for disorderly behavior.

Decisions are pretty well agreed that a man cannot defend his real property, other than his dwelling, to the extent of taking life; but in a Michigan case a building thirty-six feet away from the dwelling, in which the owner's servants slept, was declared to be a part of the dwelling. As to personal property, one may not take life in defending his rights, save where the effort is to deprive him of his property by a forcible felony such as robbery or burglary.

SUMMONS.

In the Circuit Court of the State of Oregon, for Multnomah County.

George McGowan, Plaintiff,
 vs.
 Dr. C. Billington, and Mrs. C. Billington, his wife, Mrs. J. H. Palmer, C. P. Stayton, and E. S. Womer, Defendants.
 To Dr. C. Billington and Mrs. C. Billington, two of the above named defendants:

In the name of the State of Oregon, you and each of you are hereby required to appear and answer the complaint filed in the above entitled cause, on or before the 8th day of April, 1905, and in default thereof, the plaintiff will take judgment against you and each of you, for the sum of \$243.30, with interest thereon, at the rate of 8 per cent. per annum, from the 8th day of October, 1904, until paid, and the further sum of \$75.00, as attorney's fees, together with the costs and disbursements of this action.

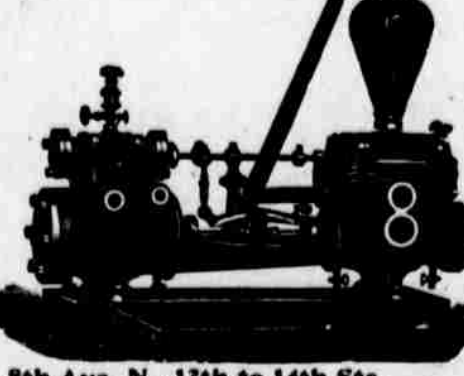
This summons is published once a week for six successive weeks, by order of the Honorable M. C. George, Judge of the above entitled court, duly made and entered on the 23d day of February, 1905. The date of the first publication of this summons is the 24th day of February, 1905.
 W. S. HUFFORD,
 Attorney for the Plaintiff.



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