## The Oregonian.

Entered at the Postoffice at Portland, Oregon

REVISED SUBSCRIPTION RATES.	~
	.5
By Mall (postage prepaid, in advance)-	1
Dally, with Sunday, per month	
Dally, Sunday excepted, per year 7 50	-0
Daily, with Sunday, per year 9 00	a
Sunday, per year 2 00	1.00
The Weekly, per year 1 50	12
The Wenkly, 3 months 50	1.3
To City Subscribers-	1.07
Dally, per week, delivered, Sunday excepted, 150	L an
Dally, per week, delivered, Sunday included.200	1.5
	a - 183

	POS	TACE	RAT	ES.	
United 3	States, C	anada	and	Mexico:	
10 to 14-pa	Age page	frann.			
to 28-pa	age pape	*		**********	
Foreign	rates do	a billion			

News/or discussion intended for publication in The Oregonian should be addressed invaria-bly "Editor The Oregonian," not to the name of any individual. Letters relating to adve Usirg, subscription or to any business matter should be addressed simply "The Oregonian." Eastern Business Office, 63, 46, 45, 47, 48, 49 Tribune building, New Fork City; 510-11-12 Tribune building, New York City; 510-11-13 Tribune building, Chicago; the S. C. Beckwitt

Special Agency, Eastern representative. For sale in San Francisco by L. E. Lee, Pal-sce Hotel news stand; Goldsmith Hrea, 230 Sutter street; F. W. Pitta, 1008 Market street; J. K. Cooper Co., 746 Market street, near the Pulace Hotel; Foster & Orear, Ferry news stand; Frank Scott, 80 Eills street, and N. stand; Frank Scott. 80 Ellis Wheatley, 813 Mission street.

For sale in Los Angeles by B. F. Gardner. 200 South Spring street, and Oliver & Haines,

205 South Spring street. For sale in Kansas City, Mo., by Ricksecker Cigar Co., Ninth and Walnut streets. For sale in Chicago by the P. O. News Co.,

217 Dearborn street, and Charles MacDonald, in Omaha by Barkalow Bros., 3412

Farnam etroet; Megeath Stationery Co., 1308 Farnam street

For sale in Salt Lake by the Salt Lake News Co., 77 Weit Second South street, For sale in Washington, D. C., by the Ebbett

House news stand. For sale in Denver Cole, by Hamilton & Kendrich, 966-912 Seventeenth street; Louthan & Jackson Book and Stationery Co., Fifteenth and Lawrence streets; A. Series, Sixteenth and Curils streets.

TODAY'S WEATHER-Occasional rain; brick

YESTERDAY'S WEATHER-Maximum ten perature, 48 deg., minimum temperature, 30 deg.; precipitation, 0.33 inch.

PORTLAND, MONDAY, JANUARY 19.

THE GERMAN-AMERICAN CONFLICT. Germany is much put out at our tariff aggression. We are much put out at Germany's tariff aggression. We propose to discriminate against Germany Germany proposes to discriminte against us. In order, to hurt Germany and help ourselves, we propose to lay added burdens on commerce between Germany and the United States. In order to hurt us and help themselves, the Germans propose to lay added burdens on commerce between the United States and Germany, It should be reasonably clear to the most superficial observation that if this retaliatory process is worked to its full capacity there will not be much left of trade between Germany and the United States,

Neither party to this controversy ap pears in very favorable light. Germany seems to be punishing us for reciprocity treaties with France and the British West Indies, which have not been ratiand apparently never will be. There are a few reciprocal undertakings already in effect with France, but the German proposals now in sight seem based upon discriminating arrangements not yet perfected. The talk in the Reichstag about the most-favorednation rule, which we are about to disown, undeniably looks to the future.

The German point of view is well illustrated by the remarks of Baron Herr von Pheinbaben, Prussian Minister of Finance. "America, in my opinion," he said, "is the dark spot in the haven of our industry. Our internal market must be greatly strengthened. for our market is today dependent upon America and England. Agriculture must be our special concern." This thery of trade evidently regards the purchase of American flour and meat as an unmitigated misfortune, and the Baron would, if he had his way, set the entire Prussian nation at agricultural pursuits, regardless of the possibility that they might live in greater case and comfort to buy food from this Nation of cheap land and pay for it in Prusslan manufactures. Nor does the American contribution to the conflict appear to much better advantage. Illogical though the German retaliation may be, it is neverthe less a very real and stubborn fact, and there is no gainsaying the unfavorable character of high duties on flour and meat. It remains, therefore, that our reciprocity programme is bringing forth a very real harvest, however phantasmai the seed. Nothing else could have been expected; for a treaty like the one negotiated with France is actual discrimination, and Germany's attitude shows that although we may assure her of our entire willingness to negotiate a similar treaty with her, she is as likely as not to flout our proposals and accept the challenge of hostility. All of which should make perfectly clear the absurdity of pretending that discriminatory and belligerent reciprocity treatles are honest and practicable ways of liberalizing trade. The thing to do is to open our ports on a revenue basis, fairly and squarely to all allks, Then there will be no excuse for retallation in any European quarter. Nay, motesthere will be no inclina-Our heavy surplus of manufactures as well as foodstuffs requires nothing so much as friendly feeling on the part of possible foreign customers. Uncle Sam is too much of a seller nowadays to be at outs with the consumers of the world.

St. Paul, February 15. Its first one hardly got a footing in the Supreme Court of the United States. The new suit the state desired to bring in the State Court, but there was vigorous reistance to such move, and the matter vas finally taken to the United States 'ircuit Court, and it is in pursuance of in order of that tribunal that testimony as been taken, both in Minnesota and New York, by a special examiner. His eport will come before the court, which will not be much bothered with oral evidence. Two other sults against the merger are pending-one by the United States and one by the State of Washington.

Though the supporters of the Northern Securities Company put on a brave pense to the general public. front and scout the idea that they may be found in a position that is legally untenable, it is notable that financial leaders are not entirely confident of the outcome. There is really no precedent by which this merger may be judged. The

American courts do not cling so tenaclously to outdated forms that they may be relied upon to measure this large movement of capital with the little statutory rule they have been in the habit of applying to ordinary affairs, and until the courts do pronounce upon the new question there is bound to be uncertainty as to their judgment. And this uncertainty will run against the merger, as time develops the real puruses of the combination and the sentiment of the people respecting it.

These corporations are civil persons, it is true, but they cannot yet take all the rights of the natural person when they cannot possibly take his responsibilities.

RANGE CATTLE AND LAND LEASING. Range cattle interests are continually

trying for measures that will preserve their business. Free use of the Government domain has been boldly demanded as a right, and when those first established in any region have felt competition they have frequently not hesitated o fence public land and by might take advantages that were not theirs by right. Now that this species of usurpa-

tion will not longer be tolerated, there is a desperate effort to get sanction of law for the practice. It is now to be called land leasing. The stockmen are striving to get in this manner the control of vast areas, under conditions that will enable them to use the land without limit and at a much less cost than would be involved in its ownership.

Livestock interests of this country are large and are entitled to consideration. But the general public also has litterests that are quite as important to protect. The whole theory of the stock men's contention is that the grazing country of the great West is fit only for the use now made of it. Granting that assumption, their reasoning has merit, but that is not a sound basis. It cannot be assumed that the best possible use is now made of the soil of

braska. Wide stretches now given over to range stock will some day be occupied by small farms, which will have more livestock than are now supported there, and in addition all the products and activities of general agriculture. In the current number of the Review f Reviews is an elaborate argument by Chancellor E. Benjamin Andrews, of the University of Nebraska, to establish the proposition that the preservation of the beef supply of the Nation requires some arrangement for leasing the public domain for pasture. It is inaccurate as to facts, and it adds something to the fame of the author as a lame lo

Oregon or Montana, or even of Ne-

dled by the local markets, and they are not massed in certain channels to make great showing, as is done in the West, Efforts toward land leasing are not lirected to the development of a new ountry. They rather tend to arrest industrial development by making the conditions unattractive to the settler and holding the land to uses that are rough and wasteful. We should have irrigation to reclaim the land and settiers to occupy it. Then there would be no trouble about the beef supply. But if the ranges are tied up with leases to cattlemen, it will be a long time before their hold is shaker off again. The livestock industry should not ask the Government to end aw it at so heavy an ex-

### A BILL THAT SHOULD NOT PASS.

Representative Martin, of South Dain reminiscent mood, the other tota, day introduced the following little bill In Congress: Be it enacted by the Senate and House of epresentatives of the United States of Amer-a, in Congress assembled, That the 21st day ( October of each year, the anniversary of overy of America by Christopher Colum bus, is hereby made a legal public holiday under the name of Columbus day, to all intents and surposes, in the same mannee and effect as the first Monday of September, known as abor day, is now made by law a public holtday.

This is such a little bill and combines so large a proportion of sentiment with such a modicum of susefulness that it may inconsiderately be allowed to add another to our already long list of National holidaya. Let us hope that it will not pass. The discoverer of the Western World, though slighted when

it came to the naming of his findings has still been gratefully remembered as its discoverer in many substantial ways. Quite a number of monuments have been set up in public places to his nemory and to the honor of his achievenent. The tract set apart for and dedicated to the uses of the Government as the scat of its capital and the center of its power bears his name.

Few if any states in the great American Union are without a county bearing the name Columbia; two capital cities bear the same name, and the smaller citles and post towns that perpetuate it literally abound. Our great Columbian Exposition was ordered in

honor of his discovery and called after him; every schoolboy in the land, through all of these hundreds of years, has been drilled in the glory of the great navigator, and on all of our festal days the strains of "Hail, Columbia" are given to the winds by hundreds of orass bands in commemoration not only of his name, but of the grand results in liberty and expansion that his discovery made possible.

True, we have no special day of idleess and noise and general suspension of business called Columbus day, but to say the truth, we really have not felt the need of it. Nor is there any great or pressing demand for it now. What with Christmus, New Year's, Fourth of July, Lincoln day, Washington's birthday, Arbor day, Memorial day, Thankrgiving and Labor day, we are pretty well supplied with National holidays, and in the stress of modern life we may well ask to be excused from having any more added to the calendar of idleness under the specious plea of honoring somebody who perhaps in life was a strenuous worker and never himself took a holiday.

The American people are in the habit of taking all the holidays they want without waiting for or asking the conent of Congress. The "day off" is a regular institution in most, or at least many, vocations; the Summer vacation is an institution that has come to stay; Sunday is still secure from secular pursuits and has become for thousands a

which directly involves the extent of the unused right of a riparian owner as against a subsequent appropriator, there is still a possibility that the courts will declare that a riparian owner's right is determined by the extent of his use beyond his needs for domestic pur-Our common law is an outposes. growth of the needs and customs and conditions of the people. As the conditions change and the opinions of the people change, the law is slowly modified by the decisions of the courts While in theory the courts declare the law, in practice they often make it. It is quite generally believed that in East ern Oregon there is little reason why the common law rule of rinarian rights

THE MORNING OREGONIAN, MONDAY, JANUARY 19, 1903.

should continue, and much reason why it should not. It might perhaps be said that there is not now and never was a reason why the old rule of riparian rights should exist in the arid region, and therefore that the rule itself does not now and never did exist.

Our court has adopted the practice of deciding the extent of the rights of riparian owners according to the circumstances of each particular case. When a controversy arises between a riparian owner who has let water flow past him unused and a subsequent settler who has appropriated it to a beneficial use we shall have a decision which will de

clare whether the first settler has the right to have the water flow down to him undiminished in quantity, subject to a reasonable use by other riparian owners. The decision will be in accordance with justice, and will establish a presedent on that subject.

It is because of the flexible nature of ur common law, which adjusts itself to the conditions and needs of the counry, that it is probably better to leave the law of water rights largely to the courts, and to enact statutes which will regulate the exercise of the rights rather han attempt to change them after they have become so widely vested. The suggestions made by Chairman Sam White, of the legislative committee of

the State Irrigation Convention, are worthy the most careful consideration of the members of the Legislature.

The promoting business was not very good last year. The total stocks and of industrial combinations bonda formed during the year, according to the Journal of Commerce, amounted to only \$1,112,205,200, against \$2,805,475,000 In 1901, of which \$1,400,000,000 was credited o the steel corporation. In 1900 the total was only \$945,195,000, but in 1899 it was \$2,663,445,000. Moreover, there was a decided increase last year in the formation of consolidations to compete with established combinations, the total stocks and bonds amounting to \$244,800,-

000, against 173,650,000 in 1901, and only \$63,800,000 in 1900. Likewise in the formation of miscellaneous or individual concerns, many of which were in a "controlled" line of business, showed an increase, the capitalization amounting to \$1,292,000,000, against \$979,000,000 in 1901 and \$948,000,000 in 1900. But this "miscellaneous" total of \$1,292,000,000 includes only independent concerns with a capital of \$1,000,000 or less, practically onfined to companies incorporated in New Jersey, New York, Maine and Delaware. Since the Journal's summary of trust capitalization is practically complete, it appears that Attorney-General Knox was well within the truth when

he said that more capital had been invested in competing and individual concerns during the last two years than had been put into trusts, in spite of the failure of existing laws to protect the independent plant from discrimination in freights and from unfair undersellleng.

### General Franklin Bell, hesides being

### and since no case has been presented SPIRIT OF THE NORTHWEST PRESS

### Circumstances Alter Cases.

Paisley Post. Hermann had few enemies when he was the "Oregon man" in a Federal posi-tion, hut when it comes to a Douglas County man for the United States Senate, a position to be filled without any question as to Oregon's right to the nor, the state's patriotism is likely to

be divided.

### Previous Efforts Eclipsed.

Shaniko Leader. The New Year's number of The Orego dun is a complete and exhaustive review f the resources of the Northwest-Oregon, Washington and Idaho-and is very near an eclipse of any previous effort along this line. The Lewis and Clark Exposition and Oriental Fair is dwelt upon at length, and all readers of this-number should be impressed with the great benefit the Northwest will receive rom this fair. Too many of this number annot find its way to the North, South find its way and Middle Atlantic States,

### Experience Made Him Valuable.

Oregon City Enterprise. He was a man of strong convictions rmness and active in the interests of his tate to the point of aggressiveness. He was strongly devoted to the interests of the state, felt the responsibility of his position and with tact and judgment lasored for his district and constituents. regon will miss him from the halls 'ongress, and cannot hope to replace him with a man as useful at once. No new man can do the work that Thomas H. Tongue was doing for the State of Oregon

### Hitchcock Mny Yet Be Foiled.

Wallowa News. The land office at La Grande has just indergone an inspection regarding the Heged timber frauds in Oregon, and the Receiver, O. W. Swackhamer, has been exonerated. So much for the grav the grave harges brought against the fair name of rrand old Oregon. May we even yet hope hat her honor will not suffer from this marter? Although Secretary Hitchcock ems bent on unearthing some great bug--boo as regards the matter, he may yet be folled. We truly hope to see Oregon started forth again with an unblemished name, so far as land frauds are concerned.

#### Never Henrd of Land Perjury. Lehanon Criterion.

pertinently impertinent question of an editor, who asked which they would rath-er be, men or women. Eighty-one of the The funs about the timberland frauds in Oregon seems to be blowing over. In fact, there never was any real cause for The land was the noise that was made. taken according to law, and because the law was giving a quarter section of land, worth from \$1000 to \$2009 for \$400, was n nce of fraud. The same law has wide: tood for years, but not until the people egan to avail themselves of its provis-ons was there any howl made. The law The law should be amended, no doubt, yet indi-viduals should not be accused of fraud-ulently obtaining land which they take in accordance with the terms of an existing

#### Union County's Perennial Scrap. La Grande Chronicle,

Petitions have been circulated in all the precincts of the county, outside of La Grande asking the Legislature to change the county seat of Union County from Union to La Grande. Some of the returns thus far received are only finttering to La Grande. Island precinct, for instance, is almost solidly represented in the petiion. Summerville makes a very strong showing and there are nearly 500 peti-tioners at Elgin. Unless there is a radical change in sentiment the petition will receive the signatures of nearly five-sixths of the voters of the county.

### Fidelity Claims Its Reward.

Since the first of the year, says the Chicago Health Department, there has been an increase of nearly 30 per cent in Enker City Democrat. The Democrat predicts that Binger Hermann, just retired as Commissioner of the Land Office, will succeed the late Con-gressman Tongue from the First District. the number of deaths of persons under 5 ears of age over the number in the co responding period of last year. There has Mr. Hermann has more friends in a po been an even greater increase in the num-ber of deaths among persons over 60 years way than any other man in the Htte First Congressional District. His forced of age. "Fully 10 per cent, or nearly resignation as Land Commissioner was 200,000, of the residents of Chicago are toof age. "Fully 10 per cent, or nearly brought about on account of his faithful- day suffering from aliments of a grave 111-12E 1/1

### THE LOWEST VIEW.

New York Times. "I am for Senator Platt's re-election to the Senate unequivocally and unreserved ly, for I believe that the Republican party

owes to him this renewed honor because of his service to it." This perfectly frank and quite shameless statement puts an end to a lot of silly gossip about the Governor's position, and tends to lull the suspicion that Governor Odell might prove to be better than Platt or better than his party. He cheerfully takes his stand on

the lowest level.

Governor Odell says that Platt must be re-elected because of his service to the Republican party. That is the basest and meanest view of the Senatorship and of politics that any man could entertain. Mr. Platt is wholly useless in the Senate, he has no aptitude or qualification for the Senatorial office, he performs no service to his state or to the country and might quite as well be at all times attending to his express business as be in his seat in the Senate chamber. There are able and distinguished Republicans in New York. They must all be passed by for Platt. New York ought to be represented in the

Senate by a statesman. Its need and its desire must give way to the paramount obligation to reward the "services" of Platt to his party. These services have been of such a nature as to bring him into public disrepute and contempt. They have lended not to lift the party higher, drag it lower. He has not even led it to victory. It has carried elections in solte of him, chiefly through the mistakes of its opponents. But he has kept the organiza-

tion in a condition of efficiency, and for we must put up with him in the that Senate. Governor Odell's view of that high office

poses him to such treatment. It is a shameful view. It disgraces him, his

"Co-Eds" and a Leading Question.

New York World.

One hundred of Dr. Harper's girls at the

University of Chicago have answered the

girls stick loyally to petticoats, one way-

ers according to circumstances, and 18 would frankly like to be men. Of the SI,

34 express aspirations to be wives and

mothers, while 9 would be "noble", wom-

Here is a revelation of preferences

which may edify but not amaze. It af-

fords no argument against either co-edu

tion of girls in general. Wellesley or Vassar or Bryn Mawr or Smith might ac-

cept without a blush such a division of sentiment as that at Chicago. It is quite

probable that, outside of happy college

circles, in spheres where women know something of necessities and toil, more than 18 in 100 would be found to yearn for

masculine prerogatives. And in these cases the yearnings would be in no degree

traceable to girlish, romantic conceptions

of manly freedom and privileges. The Chicago "co-eds" answered well, if

it was wise to answer at all. Very evi-

dently, since they obliged the editor, they are girlish girls, and are on the way to become "womanly women." It is likely that the 18 who now think they want to

be men, will be, in after years, among the

Deaths From Cold.

Chicago Tribune.

most womanish of all.

cation in particular or the higher educ

party and the office he holds.

inly women."

could have excluded every great Senato who has won distinction and conferred luster upon American statesmanship. It would reduce the Senate to slience, filling the seats with a lot of whispering, schem ing bosses, incompetent to draw a bill and unable to support one in a speech. Governor Odell is the Chief Executive of

the chief state in the Union. He goes about among men holding up his head, and would no doubt be deeply pained if he should be shunned and pointed out as a person deserving of the public contempt. more coming in on time? Yet his view of the Senatorship justly ex-

Roosevelt during the past few days is due to his endeavor to read the letters which William Randolph Hearst has been writing him about the coal trust.

the Venezuelan business is in a fair way to men are beginning to hitch up their trou-

sers, snort savagely and tell of the direful things they were about to do if the thing hadn't come to a focus just when it did. Superintendent J. D. Lee, of the Oregon

Penitentiary, says in his recent report that there are too many convicts in the institution. There always were, and there always will be. When we discover a way to make a bad man good, the criminal population won't increase in equal ratio to the rest of the world, but that will be after folks have quit keeping tab.

Springfield, according to a Republican con-temporary, has left a bad tasts in the mouth very Democratic editor in the state. It indeed, though we were hardly prepared has, ind for a Republican statement which an unts to feesion that the transaction was rotten Chicago Chronicie.

Chronicle doesn't swallow everything it

A nervous statistician directs attention to the fact that if the first and last figures of the year 1908 be taken they form 13; that if all the fources be added they make 13; that in the months of February, March and November the 13th will fall on Friday-for all those reasons he calls upon the world to prepare for trou-ble.-San Francisco Chronicle.

The world will never accept a nervous statistician as an authority in the matter of trouble so long as Emperor William is alive. Watching for symptoms of disorder, we are trained to keep our eyes on Berlin.

There is criticism of Justice Van Brunt,

### NOTE AND COMMENT.

Salem has had a chance to catch its breath.

Being a bore does not augur well for me's social success.

The Baer idea seems to have a good deal of influence with the coal-carrying roads.

The peanut trust is being freshly roasted by the Retail Grocers' Association of Philadelphia.

A thing worth looking into will be this \$5,000,000 telescope that Charles T. Yerkes proposes to build.

Whether the Cubans have more rights than wrongs in Congress is a matter for legitimate dispute.

Only one telephone will ring these days. and the man who hasn't paid his New Year's bills is not a bit sorry.

Alcohol may have a food value, but it has caused a good many people to suffer for the want of a square meal.

It is possibly because the Department of Agriculture is not an acrobat, that it admits its inability to stamp out the foot and mouth diseas

Datto Ruty, a Mindanao ruler, insists on capturing American Army mules, which he refuses to surrender. Just let Ruty alone until fly time-he'll return 'em.

That a strike commissioner should be called home because the family coalbin is empty seems to give color to the ancient proverb about the cobbler's wife generally being barefooted.

A gentleman at the Union Depot was taken ill with heart trouble yesterday afternoon. Has this anything to do with the announcement that the trains are once

Perhaps the quickness of President

As might have been expected, now that be peaceably settled, divers of our states-

The outcome of the Speakership contest at

Again we announce that the Chicago sees.

FRANKNESS THAT MEANS LITTLE.

The stipulation entered into by the State of Minnesota and the Northern Securities Company at the New York hearing, just closed, did not go far enough to disclose entirely the common impulse which lies behind the great railroad merger, and which really establishes its character. The stipulation recites that the Northern Securities Company, having been organized and having obtained from Messre. Harriman and Pierce 34,709 shares of Northern Pacific preferred, exchanged this stock for convertible bonds. But how did the Northern Securities Company happen to be in possession of so large a block of Northern Pacific stock, acquired a great cost by the Harriman people? Of course; the corporation officials would say it was purchased and paid for in the regular course of business. This would be the mere outward shell or husk of the truth, however, the real soul of it being that it was all in pursuance of an understanding by which the Northern Pacific, the Great Northern and the Burlington were to be thrown into one control. That is the great point to be established, and everybody connected with the great railroad trust is very reticent about making that point clear in the legal record. It is perfectly clear everywhere else.

This second suit of Minnesota against the merger will come on for hearing in

wer of aupp rting Hypertock: from which it is concluded that the remedy lies in giving stockmen such interest in the public domain as will induce them to protect it from abuse. This leads naturally, it is assumed, to the land leasing policy, though just what assurance of non-abuse would be secured by that plan is not quite clear.

gician. At best it is but a partial state-

ment of facts. The essence of the ar-

ticle is that the overstocking of the

great semi-arid grazing belt is killing

the grass and depriving the country of

An impressive map or diagram show ing the number of cattle in the great range states appears in connection with Chancellor Andrews' argument. It purports to have been compiled from the twelfth census of the United States, but it was not, for in not one instance are the census figures quoted. With the proper corrections and the area of each state added the table is here given:

**B**quare orado .... 82,236 147,061 77,531 110,679 122,687 evada ew Merico ..... orth Dakota Oklahoma 38,658 64,838 77,580 266,011 84,928 70,574 97,878 Jouth Dakota ngton

These figures refer only to neat cattle, of course. They show that in the range

stock states of the great West each square mile of land supports only 16 2-3 head of cattle. This, together with the facts that the range is being eaten out and the demand for beef is running far ahead of the supply, is taken to mean that the great American ox pastures must be protected from destruction.

It is profitable in this connection however, to make comparison with other sections of the United States, which is something Chancellor Andrews is at some pains to steer clear of. In

the states between the Appalachian Mountains and the range cattle country we find nearly as many cattle as are in the range states, on an area less than half as great, as follows:

	Square	Number
	miles.	catile.
labama	51,750	875.356
rkansas	53.998	894,535
linole		3,104,010
diana	36.557	1.684.478
dian Territory	81,154	1,499,364
Will		8,367,(20)
entucky		1,083,248
oulsians		670,295
lehigan	97,090	1.876.408
		1.871.225
	46.919	878.336
	69,187	2,978:589
Number of the second	38 4814	2,053,315
unessee	42 054	912,383
	Tel Doll	914,300

Here we have 33 2-3 head of neat attle to the square mile, or almost exactly double the number on the ranges of the West. East of the Appalachians there are 10,770,121 cattle on 459,967 square miles of territory, an average of 23.4 head to the square mile. Of course, it may be said that the beef supply of the country comes from the Western ranges rather than from the farms of the Mississippi Valley, but too much is usually made of that statement. It is probably true that as many animals

bred in the states of the second foregoing list go to the shambles every year

mple weekly hollday. And when take into consideration the fact that the rdinary individual never needs rest so much as on the day following a holiday, with "celebration" features and accompaniments, practical people may certainly be excused if they are strongly disinclined to have another National holiday added to our already long list.

Yet

IRRIGATION LEGISLATION.

There is much good reason in support of the suggestion that Oregon does not need radical changes in the law of water rights. Simple regulations which will prevent a waste of water appropriated under existing laws will probably constitute the most practical re-medial legislation. That the rights of

Caltle. 742,635 riparian owners, as declared by the decisions of the Supreme Court of this state, are more, extensive than they should be in order most effectively to 965, 343 8, 176, 243 985, 110 aid development of irrigation enterprises there can be little doubt. 385,192 997,857 657,434 there is scarcely a stream in Oregon upon which some riparian rights have 1,709,75 760,303 1,646,800 9,428,190 843,650 394,023 687,284 not been acquired, and to pass a law which attempted to take away these rights, such as they may be, would lead to endless litigation. There is no good to be accomplished by reflecting upon 30,005,821 what Oregon might have done in behalf of irrigation by incorporating a proper provision in the constitution at

> the time of its adoption. That time has long since passed, and the rights which have been acquired must be respected. Under the decisions of our courts a riparian owner has the right to have the waters of a stream flow in their channel undiminished in quantity and unim-

paired in quality, subject to a reasonable use thereof by all other riparian owners. This right the riparian owner has even though he may never put the water to any beneficial use. This right is also subject to the rights of any settler who may have made a prior at propriation of the water to a beneficial

use, whether the appropriator he a We therefore riparian owner or not, have two systems of water rights, one based upon the ownership of the soil over which the stream flows, and the other based upon an application of the water to a beneficial purpose.

The extent of the right of a riparian owner who makes no use of water, when a conflict arises between himself and a subsequent appropriator, seems never to have been directly determined by our ourts, Under the general rules, which have been repeatedly expressed, a subequent appropriator can acquire no rights which will interfere with the right of the earlier riparian owner to have the water flow uninterrupted in its channel. If this is the law of Oregon, as it certainly seems to be, it is unfortunate for the irrigation interests of the state. Under such a rule a riparian owner can sit idly by and make no use of water, but at the same time prevent other settlers, not bordering on the stream, from acquiring any rights by

appropriation which will at any future time conflict with his own. There may perhaps be reason to hope that this is not the law of the arid re-

as go from the Western ranges. But gion of this state. The rules of the they are to a much greater extent han- common law are declared by our courts,

very practical fighter, is a practical civilizer, like most of our American officers in the Philippines. He has constructed a fifty-mile stretch of excellent macadam roadway from Batangas to Calamba at a cost of \$4500 (Mexican) per mile. This is the first road of the kind in the Philippines outside of Manila and is a revelation to the natives. It

runs through a very fertile region. which has hitherto been inaccessible for

months following the rainy season. Already, however, the agricultural development of the region has been greatly stimulated by the assurance of unfaterrupted, comparatively rapid and very much cheaper transportation. Furthermore, General Bell has deviced a system of regular freight and passenger wagons, drawn by traction engines, to run over this road on a regular schedule at a rate of about five miles an hour. The rates will be low, and the revenues will go toward maintaining and extending a system of macadam roads extending all over the islands. The authorities, moreover, have started in the right way by taxing ail vehicles whose tires are less than a certain width. They do not propose to have roads needlessly cut to pieces, as they

are in most states in this country. This is the sort of thing the anti-imperialists brand as misgovernment. Oregon counties need a little misgovernment of the same kind,

The movement is again under way for the enactment of a law which will permit the Supreme Court to render decisions without accompanying the decisions with written opinions setting out the reasons upon which the decisions are based. Even though this act were passed, it is doubtful whether the Supreme Court would take advantage of it. The court would not care to invite the defeated attorney to draw the conclusion that a decision had been rendered which could not be supported by good reason. A quotation from Lord Bacon is not inappropriate: "Let not the judgments of the courts be given in silence, but let the Judges produce the reasons of their sentence openly and in full audience of the court, so that what is free in power may yet be lim-

ited by regard to fame and reputation."

Prussian income tax returns are suggestive. The entire taxable population of Prussia was 34,056,000, or just about seventy times the population of Oregon. Of this population, 20,500,000 were exempt because their income fell below the taxable limit of 900 marks, or \$214. Of the remainder of the population, 1,631,000 were exempt for special reasons, so that only about 11,800,000 paid taxes. The total yield was elightly over \$40,000.000, distributed as follows:

Amount Income- Number, paid. capita. \$214 to \$714.3,210,831 \$111,228,800 \$354 174 to \$1,428, 279,935 \$6,045,290 \$154 1,428 to \$2,261.75,749 \$2,641,400 \$47 \$11 2,261 to 7,279, 63,773 7,668,640 \$19 \$45 7,259 to 23,800, 13,384 \$5,521,600 \$458 \$25 23,800 and over, 2,774 \$6,428,000 \$2,424 \$90 Were the same rates in force in Ore-

gon, the yield would probably have been even larger in proportion, but much more evenly distributed among the proportion of incomes below \$714.

n matters id frauda, so it is charged by Secretary Hitchcock, and this fact will be used by Mr. Hermann as a leverage in boosting his candidacy for Congress. He will repre-sent to his friends that his election would be a vindication of the charges preferred against him, and as an indorsement of the fidence of the people of the southern part of the state, his home has in him,

#### Don't Forget the Columbia Southern Moro Observer.

A massive fir stump that has been lying concealed beneath the walk on one of Portland's main thoroughtares since that city was a hamiet has been discovered and there out by the most Parhams this is taken out by the root. Perhaps this is the identical stump that Portland business men have been bumping up against all these years while waiting for the Oregan trade that hasn't come to them. Now that the old stump is out of the way let hope that some other move will be made to attract the trade of this great inland empire their way, and one of the most important steps in that consummation is to get behind the Columbia Southern Rallway, and give it a push in the di-rection of the Deschutes Valley. They cannot plead ignorance—every intelligent man in Portland must know the value of our Little Shear Line when the value of Little Short Line to that city. If not, God pity them.

#### Hope for the Dredge. Astoria News,

Astoria News. The time for completion would make the dredge due here about August 1st. Within 20 days after she gets to work there will be a depth of 30 feet on the bar at low tide. It will be one of the most powerful dredges in the business. It will be able to take up 4000 tons of sand every 45 minutes In a very few days the attack on sand bars will be ao vigor-ous that the mighty current of the Col-umbia will become an efficient aliy in re-moval of the sands. While the Grant moval of the sands. While the by reason of its great length, can ride two waves at a time and work in all but the roughest seas, yet the first work she will be called upon to do will be done in August, when the bar is smoothest. Twenty days is the time limit indicated last May by Chief Engineer Gillespie within which a powerful dredge could

open the entrance to the great ships. But in fact it is most likely that only half that time will be necessary to accomplish the work.

### Some 78,000 Ghosts in the Field.

Salem Statesman. The Republican party of Oregon is ap-proaching one of the most serious peri-ods of its history. Two years ago the representatives of that party put into the form of law the principle of the elec-tion of United States Senators by direct vote of the people. It was acted upon by nearly 78,000 men of Oregon at the colls last June. Now it is proposed to disregard this vote; in effect, to say the people of Oregon do not know what they want; to sinp them in the face, because the main receiving the highest number of votes-45,000 votes-is not pleasing to a few Republican bosses, ambitious themreverse and self-seeking. It is not the political fortunes of Mr. Geer at stake. It is a principle that is at stake, and a principle dear to the hearts of the people, as they indicated by their votes. It is not a proposition solely

to slap in the face 45,000 Republi-cans of Oregon, who voted for Mr. Geer. to slap It is a proposition as well to slap in the face 32,000 Democrats who cast their bal-lots for Mr. Wood. It is a dangerous proposition and far-reaching. Do not for-get that. The ghost of these 78,000 votes will not down. It will pursue the men making this proposition like a Nemesia. population, as we have a much smaller not this year and next only, but for years to come. Better have a care, gentlemen. other things.

character caused by privation and exof New York, because he has accepted the osure resulting from the coal famine." Extremely cold weather always swells presidency of a trust company while re taining his place as Justice of the Suthe mortality among the extremely old and the infants. A slight increase in mor-tality at this time would call for no comment. An exceptionally large increase may fairly be ascribed to the coal fam-Ine. If that famine really is due in part, as has been alleged, to human greed-to combinations which have forced up the price of coal and made it harder for poor people to get-there has been added to the rime of extortion a graver crime. If there are, indeed, mine operators or others who have confederated to make coal dear-er and make men and women suffer they

should be branded with publicity, so that the public may know who are the subjects of the indictment of the Health Department. That will be a more damaging indictment for them than any a grand jury may find against them.

Meaning of Christian Brotherhood.

Kansas City Star. Suppose that instead of accepting with thanks and praise a few thousand dol-lars from John D. Rockefeller for converting the heathen, some missionary should get Mr. Rockefeller into a corn and talk true Christian brotherhood to

him until he had really appreciated what that meant. With what joyful acclaim the seraphim and cherubim would greet that missionary. And before that greeting what real joy would reward the churchman's abor in that long step toward the aboli-

tion of greed and plunder. When a United States Senator can tell the Senate of the wealthiest people in the world that a poor woman died of cold and starvation in Washington at the moment when coal was being mined at \$2.50 a ton and sold at \$20 a ton there is urgent work for the disciples of Christ at home.

Oh, it was pitiful! Near a whole city full, Home she had none.

every day.

It was Thomas Hood who sang that 50 cars ago, and it was Charles Dickens

who wrote of poor Jo, the Rev. Mr. Chadband's subject for homilles: "Dead, Right Reverends and Wrong Reverends of

# Evening Gowns of Gauze.

New York Mail and Express. Evening gowns are made of the most perishable materials. The mystery is how the frail groundwork ever supports the amount of ornamentation fairly loaded on

the birdseed." News.

you would suffer a man to kiss you. Her Daughter-But, mamma, it wasn't suffering -Detroit Evening Journal.

very strong !"-Atlanta Constitution.

ar richer part came in, -Brooklyn Life.

"How does you like de new preacher?" asked Mr. Erastus Pinkley. "Very much," answered Miss Miami Brown. "He's got a good staht. He known a beap o' words, an' jes' as soon as he gits 'em arranged in de proper order he'll hab a mighty fine sermon."--Washington Star

it. A gown of sheer bleck net is a glim-mering mass of brilliant black paillettes set on in regular lines. Heading the deep flounce are sprays of pale blue ers made of feathery chenilie. More of these are used around the decolletage, and the creation is arranged over ciel chiffon.

Working Harm to the Negro. New York Herald.

Regretful surprise is a mild term for the feeling aroused in the United States by President Roosevelt's nomination of a

colored man to the post of Collector of the Port of Charleston. Even the sincer-est admirers of the President cannot help regarding that appointment as an ill-considered act, which will do more harm than good to the very people whom it is intended to benefit-namely, the negroes,

### A Lesson to Yankeeland.

Cleveland Leader, Of all sections New England is faring porst in regard to the cost of fuel. It is in New England that the Socialists have polled their biggest vote and shown most growth. The next elections in that part of the country may furnish some striking object lessons for men who are radical preme Court. His probity is unquestioned, Judge Van Brunt will receive no salary as the trust company president until he retires from the bench, and will give practically his entire time to the state, but the incompatibility of the two relationships is being commented on, particularly in view of the Judge's announcement that he will not resign from the bench. The big cut-glass chandelier which for

years hung in the east room of the White House has been removed to the Capitol and decorates the room of the committee on appropriations. Champ Clark thinks there is very little if any use for it there. as the room is well lighted by the sun and Congress seldom meets at night, 'Reminds me of the deacons of a country church out our way," said the Missourian. "One of them wanted to buy a chandelier, but another said: 'I think we'd better pay off the mortgage, Supposin' we got this chandeller, who's goin' to play it?"

The National House of Representatives has concluded that Congressman Sheppard, of Texas, has the most delicately balanced conscience in the entire body When he started back from his holiday he had through tickets to Washington, but he found that by coming on the route he had selected he would be four hours late for the opening of Congress. This discovery was made in St. Louis. Mr. Sheppard promptly threw away his tickets and bought another which landed him in Washington just in time. He wondered why more seasoned statesmen laughed when he told of this experience The Texan is only 27 years old, which may go a long way toward accounting

for his extreme fidelity to duty. every order, and dying thus around us PLEASANTRIES OF PARAGRAPHERS

"That is a fine, heavy-looking 'auto'." "Yes; the lightest fine I ever got in it was \$40."-

He (at the plano)-And what air do you p ter? She-Well, if you give me my choice, I'll take a millionaire.-Baltimore News.

"Gracious, Mr. Halton, you have eaten all the birdsend." "You don't may? I thought it was a new breakfast food."--Chicago Dally

Her Mamma-Daughter, I am surprised that

The Artist-What do you think of those char-coal sketches of mine? The Friend-It seems too bad to waste the charcoal when fuel is so high.-Yonkers Statesman.

"You are charged." said the Billville Jus-tice, "with stealing two gailons of whisky. Why did you do it?" "Kass I couldn't git away with a barrel, Yer Honor; I never was

Very strong? -Atlanta Constitution. The Husband-What are you grumbling about You maried me. for better, for worse, for richer, for poorer Didn't you? The Wife -Yes, but I was wondering where the better

Bixter-Do you know, Jipson, that your play s positively indecent? Jipson-It is very kind of you to say so. Bixter: but what's the use? I haven't been able to get any of the pe to denounce it as unfit to be seen .-- Be Transcript.

Salem Statesman.

in the use and abuse of the power of corporations, but are very conservative in