The Oregonian

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PORTLAND, FRIDAY, APRIL 24, 1908.

CONCERNING MR. KNOX.

There are few men in American public life whose words are more uniformly temperate, wise and true than those of Mr. Knox, of Pennsylvania. It is believed by many that a man who, like him, has been a corporation lawyer, thereby contracts a taint which must inevitably cling to him throughout his career and poison all his acts and thoughts. In this belief we do not share. To us the fact that the Senator from Pennsylvania is deeply read in corporation law is not a demerit, but one of his crowning advantages as a public servant. There is a story of a minister who had long preached in vain upon the folly of sin and the delights of virtue. Finally it occurred to him that he might possibly add to the veracity of his word pictures by acquainting himself with sin as it actually exists; so he sallied forth from his theological library and betook himself to the haunts of the prostitute, the drunkard and the criminal. Next Sunday morning his sermon rang with a vitality which was strange to his congregation. He spoke of realities instead of phantoms, and his words exerted the power of living truth.

Like the preacher who learned in the slums how to depict the charms of virtue and the poet who learned in suffering what he taught in song, so we imagine Mr. Knox may have acquired as a corporation lawyer much of that comprehension of corporate deviousness which makes him perhaps the most useful of our statesmen. Others know corporations from books. Mr. Knox knows them from close association. Others suspect them of possessing vast power for evil; he knows that they possess this power because he has helped them use it. The most zealous reformers in the world are men who have had much to repent of. "The heresies that men do leave are hated most of those they did deceive." Granted that Mr. Knox is truly repentant of the sins which he may have committed in the lusty heyday of his career as a corporation lawyer, the experience which he gained by it must now be the most serviceable of all his mental treasures.

There is nothing to indicate that Mr. Knox has not dedicated his great abilities and acquirements unreservedly to the public service. When he was Attorney-General he undertook the hazardous business of prosecuting the suit against the Minnesota railroad merger and won his case. We have now become accustomed to seeing the law officers of the Government beard the corporations in their dens and come forth unscathed, and we have forgotten how much courage, what originality of thought, what vast understanding of the law and constitution it required to face them for the first time in the courts which they had dominated for half a century and wring from them a victory which should turn the tide of American history. Up to that time the country had been moving toward government by an oligarchy of wealth; the merger suit, which Mr. Roosevelt instituted and which Mr. Knox won by his transcendent legal ability, definitely stopped the movement and set the republic again upon the road to democracy.

In the course of time the merger case will probably develop as much potency for good as the Dartmouth College case has developed for evil. For the first time it effectually asserted the authority of the Government over combinations of wealth. Of course there had previously been attempts of the sort, but they were unsystematic. They lacked definiteness and purpose. In the merger case Mr. Roosevelt and his Attorney-General initiated a policy which the Federal Government can never forsake, that of the relentless exercise of all the powers which were delegated to it by the Constitution. Up to that time many of these powers had been unused. The General Government might as well not have possessed them. A theory had even grown up that it was the purpose of the Constitution that they should lie forever dormant. Some lawyers went so far as to say that they had neither been given to the Federal Government nor reserved to the states. They were non-existent for all practical purposes in our polity, and we must permit the great corporations to do as they liked for lack of power to control them.

The merger case was the beginning of the end of this anarchistic theory. The Government then definitely asserted its supremacy over the wealthy syndicates and began the exercise of its full constitutional authority over interstate commerce. Timid persons predicted that this new vigor in the Federal arm meant the destruction of the states, but it never did. Subsequent events have shown that vitality in the central authority has stimulated rather than weakened the civic life of the states. If we are to accept recent decisions of the Supreme Court as a guide, they have even trespassed on the National power. The new ideal of government which was made effective by the merger case was stated by Mr. Knox in his speech before the Civic Forum in Carnegie Hall the other day better than we have seen it elsewhere. "There is enough Federal power," he said, "if not enough Federal legislation, to meet all Federal emergencies. There is nothing affecting the external affairs of the Nation or such internal ones as are committed to its charge that Congress cannot regulate." This seems to dispose for good and all of the futile theory of "dormant powers."

THE ROSS VERDICT.

As a matter of course the Ross case will be appealed to the Supreme Court and he may be released or a new trial ordered on technical grounds. Still his prompt conviction by the Marion County jury conveys a lesson and a warning which bankers of a speculative disposition and an easy conscience will not soon forget. Ross never conducted a genuine banking business. As fast as he got hold of the money of his depositors he diverted it to rash schemes of speculation, employing all sorts of shady tricks to accomplish his purpose without exciting suspicion.

Very likely the defense in this trial was as strong as the circumstances permitted, but for all that it was signally weak. The point which seems to have been relied on most was not only bad law, as Judge Burnett promptly decided, but it was full of danger to the public. The point was that Ross and his associates were not personally responsible for their misconduct. In breaking the law they acted as a corporation, and therefore the corporation alone was responsible for what was done. No individual could be punished for it. Had this been admitted by Judge Burnett, it would have rendered every official in every incorporated bank immune from punishment, no matter what he might do, so long as he was careful to act under the corporate name. It would have repealed every legal restraint upon dishonest banking and delivered all deposits to be wasted in speculation.

But this is not the worst of the matter. If the corporation alone were responsible for crimes committed under its name and the individual officers immune, one can easily see that the most disastrous consequences would ensue in every direction. Burglars might incorporate themselves under some innocent pretense. Each one of them who broke into a house might do so by order of the corporation, just as Ross and his associates squandered the school funds, and therefore the corporation would be guilty but not the individual. This would be very convenient for burglars. Fortunately, Judge Burnett's wise decision has made such consequences merely imaginary. The truth is that no man is excused for doing an unlawful act by the order of a corporation or an official superior, or by anything else except duress. This is an old principle of the law, but it is comforting to learn from Judge Burnett that it is still vital.

ELECTRIC LINE DEVELOPMENT.

The building of the new electric line extensions announced by General Manager Talbot, of the Oregon Electric Railway Company, means more for Portland and for Oregon than construction of a new transcontinental line. The announcement that it is the Oregon Electric Company that will open up the neglected regions of the state and bring into closer communication regions already partly supplied with transportation facilities will increase the interest and confidence with which the project is regarded, for this company has proven by its works the sincerity of its purposes. The value of the electric line as a developer of the region through which it passes has been demonstrated so often that there is no longer any element of doubt as to its success in any country where fine climate and productive soil make it easy for the farmer, large or small, to realize heavily on his investment of labor.

But the Oregon Electric, with its network of feeders throughout the great Willamette Valley and coast region, will offer to the dwellers therein exceptional opportunities. With cheap power, easy grades and light operating expenses these lines can gather vast quantities of freight and at low cost to the producer turn it over to the tidewater markets at Portland. Here it can be taken by any one of four transcontinental lines, with two others available by the time the present plans of the Oregon Electric are completed. More than two-thirds of the new mileage projected by the Oregon Electric will run through virgin territory, and mile for mile and acre for acre, there is no richer traffic-producing territory on earth.

The Tillamook extension will tap a region which contains more standing timber per acre than can be found anywhere else, and this timber is growing out of soil so rich that a five-acre tract, carefully cultivated, will support a large family. The Mill City extension of the line leads it well up towards the Cascade Mountains, where there is available an immense water power from the Santiam and other streams. With cheap power, the task of reaching the vast wheat plains and stock ranches of Central Oregon is comparatively easy. Basing the performances of the future by those of the past, it is reasonable to expect that the Oregon Electric will be in Central Oregon, as well as in the Tillamook country, long before any of the other steam roads which have had designs on those regions prepare to move in earnest. Oregonians are exhibiting an increasing partiality for the Oregon Electric, because it builds roads with steel, iron and ties instead of printers' ink and promises.

With no blare of trumpets or beating of tom-toms, this road went quietly to work two years ago on a line between Portland and Salem, and, before the people of Portland were fully aware of the importance of the project, the announcement was made that the line was open for business. And the business was forthcoming in such volume that the passenger traffic of the road required that the service be increased nearly 300 per cent before it had been in operation ninety days, while so many new settlers rushed in along the route that it has almost overtaxed the freight facilities of the line to handle building materials and other necessities.

OREGON'S NEXT SENATOR.

Oregon can be served in the United States Senate better by a Republican than by a Democrat, as that body is now constituted, and as it will continue to be made up perhaps for some years. For that reason Mr. Cake would probably be a more valuable Senator for this state than Mr. Chamberlain. But will Republicans elect Mr. Cake June 1, because of party? They have disregarded party so often in the last six years that there is strong doubt of their "lining up." The contest may be so close, even in case of Mr. Cake's success, as to leave unsettled the question whether Republicans of this state care any longer for party.

Mr. Cake was nominated as the Republican candidate by the new primary method, used once before, two years ago, for nomination of Mr. Bourne. Although Democrats, invading the Republican primaries, voted mostly for Mr. Cake and are believed by many persons to have given him his 2700 majority over Fulton, or at least considerable part of it, Mr. Cake must be considered entitled to the Republican nomination.

The result of the primaries shows there was no need of Statement No. 1, binding Republicans to vote for Mr. Chamberlain should he defeat Mr. Cake in June. The primaries enabled Republicans to declare their choice in a direct and popular manner. This primary method made it just as impossible for bosses and machines to control the election of United States Senators as did Statement No. 1, and it had one superior advantage—it did not, in any contingency, oblige Republican legislators to elect Mr. Chamberlain. It obliged them to vote for Mr. Cake.

But now a group of Republican legislators, almost a majority of that body, are pledged to vote for Mr. Chamberlain, should he defeat Mr. Cake. Democrats, similarly pledged, will probably be elected in several counties, so as to bind the majority, or even a larger part of the Legislature to Mr. Chamberlain, in that event.

The Oregonian mentions these matters simply to show that if Republicans want Mr. Cake for Senator, they need not have risked the defeat of their choice through Statement No 1. They will have another chance, five weeks from next Monday, to say whether they want Mr. Cake. He is their candidate, he is the only Republican entitled to their votes, and he should do more for Oregon in the Republican National body than a Democrat. But will they elect him? We shall see. The Oregonian has no interest in the outcome that the people have not, or that they do not recognize. If they are indifferent to party issues, so is this newspaper.

THE LAND-GRANT RESOLUTION.

"Innocent purchaser" tricks did not avail at last to bar passage of the Fulton land-grant resolution in the House of Representatives at Washington. The resolution was adopted yesterday by that body after a two months' fight with railroads and timber syndicates, which constantly tried to hide their illegal acts with pleas for innocent purchaser amendments. All these amendments have been rejected and the resolution stands adopted just as it was written three months ago by Mr. B. D. Townsend. Any one of the amendments would have defeated the purpose of the Government and the ends of justice, since the railroad and the timber syndicates would have posed successfully as innocent purchasers.

Now it may be expected that the Department of Justice will at once begin the suits authorized by the Fulton resolution "to enforce any and all rights and remedies of the United States of America in any manner arising or growing out of or pertaining to either or any of the following acts of Congress" granting lands for railroads and for the Coos Bay wagon road.

The resolution will authorize the Government to bring suit either to compel sale of the land in compliance with the terms of the grants, or to dispossess the companies of the land by forfeiture proceedings. These alternatives will be presented to a court of equity. While some authorities maintain that the Government does not need the Fulton resolution, others assert that there can be no forfeiture proceedings until the Government asserts the right to have the lands revert for non-performance by the companies of the condition subsequent.

The Fulton resolution is the fruit of one year's work by the Government. In that time the Government's special attorney, Mr. Townsend, made his investigation and report and the Fulton resolution has been adopted. Persons who are really innocent purchasers will not be molested, according to the Government's plan.

WAS IT IMPOLITE?

The Mayor's invitation to the people of Portland to be present the other day at a Council meeting and give watchful heed to the proceedings seems to have excited a good deal of wrath among the members of that body. Why should it? If anybody is interested in what goes on at Council meetings it is surely the taxpayers of Portland. The Councilmen are supposed to be their servants, elected to look after their interests, and receiving pay from them. Why is it improper or even impolite for the Mayor to urge the taxpayers to visit the Council chamber on a special occasion and observe whether or not things are going as they ought?

On the occasion in question it was proposed to give away a valuable piece of property belonging to the people. Was it not proper for the people to drop in and learn whether or not there was adequate reason for making this gift to a wealthy corporation? If there was no adequate reason, was it not well for the taxpayers to discover from actual observation who it was that was guilty of making ducks and drakes of their property?

Of course the Mayor's invitation to the public implied that some Councilmen might possibly be derelict in their duty and that a vigilant watch upon their conduct might inspire them with higher ideals. In this implication was there anything contrary to well-known facts? Has not the Council in years agone scattered the city's property with a lavish hand among the corporations, giving this one a lot and that a street, just as the Kings of England used to distribute the royal domain among their favorites? The Mayor believed that the time had come to put a stop to this practice. He also believed that a goodly audience of taxpayers would stiffen the backbone of the Council. Neither of these opinions is criminal in the least degree. Neither, of them is libelous. The public is the principal for whom both the Mayor and the Council are agents. The Mayor invited the principal into the meeting to see how its business was being conducted. Who had a better right to be there?

English history contains a great many pages illumined with the heroic deeds of the sturdy sons of Great Britain on land and sea. But heroism of high degree, equaling anything on the field of battle or in ocean conflict, is also frequently found among the great statesmen who have added glory and prestige to "the power whose flag is never furled." Among this class of heroes the name of Sir Henry Campbell-Bannerman will be found. As the successor of Sir William Harcourt as leader of the Liberals he had for nearly twenty years fought stubbornly for the rights of his people, and through a high sense of duty stuck to his post long after his physician had warned him that continuance of the work would surely be followed by death. Despite his long life spent amidst the glamour of royalty, Sir Henry remained until his death a plain, unostentatious gentleman, with whom duty to his people was ever foremost in his thoughts. England has produced greater statesmen than Bannerman, but few will be more sincerely mourned by all the people.

Repeal of the law prohibiting foreign ships from engaging in trade between the Philippines and the United States is one of the most important aids extended to our struggling dependencies across the Pacific. It was passage of this iniquitous law that shut Portland out of the transport business with the Philippines, and forced the Government not only to pay more for transporting freight to the islands, but also to pay more for goods purchased in ports where American ships were available but freight was missing. Had this law not been repealed, the islanders would have been obliged to seek a market for their products in the countries which buy transportaton the same as they buy other commodities—where the price is the most satisfactory. Now that there will be an unlimited amount of tonnage available for the handling of Philippine traffic with the United States, as well as with other countries, there will undoubtedly be an increase in the volume of trade.

The Russian forces which are fighting the Persian brigands are having more trouble with the Shaksetan and Begilvin tribes than with any others. The "Beg-livin" tribe has always caused much trouble, and can be found in almost any large city, as well as in most of the outlying precincts where vagrancy laws and bulldogs are scarce. The Persian branch of the tribe must be more energetic than that which carries the tomato can in America, for none of them in this country has ever developed energy enough to fight anything—except work.

Through train service over the Canadian Pacific, Spokane International and O. R. & N. will be inaugurated in a few days, and the time from Portland to St. Paul will be reduced to sixty-seven hours, which is faster than any other schedule from Pacific Coast ports to the Minnesota metropolis. All routes lead to Portland, and the roads which are so unfortunate as to have no direct connection are, as rapidly as possible, making trackage agreements with the lines which enter here.

The attempt now being made to secure a closed season for elk for a period of five years has the preservation from extinction of this fast disappearing animal as its object. It should and doubtless will succeed. The proposition is indorsed by the Oregon Fish and Game Association and will be urged upon the attention of the Legislature next Winter.

Preparations already completed insure a magnificent entertainment for those who attend the grand charity ball to be given by the Knights Templars next Thursday evening. The benefit that will accrue to that most tender and deserving charity, the beneficiary of this ball, the Baby Home, will no doubt be substantial.

The managers of the Johnson boom are said to be carrying along the campaign "in a refined, considerate sort of way." That ought to make a hit with Democrats everywhere.

The Inman-Poulsen Company will no doubt concede that the city owns and controls all the streets the company doesn't happen to have in its possession.

They were wise men who framed the primary law so as to allow a forty-day interval between primaries and election, for cooling off the defeated ones.

There are times, too, when the public is disposed to think that loss of memory ought to be made a penal offense.

Slowly we are toiling toward the goal of righteousness in many, many matters, including banking.

There never was a law, or a custom, that would prevent any man voting himself dry.

Banker Ross, for his other trials, may wish change of venue back home.

HOPE TO AVOID LIQUOR FIGHT

Astoria Business Men Seek to Leave Matters in Statns Quo.

ASTORIA, Or., April 23.—(Special.)—A meeting was held here today between a number of representative business men and representatives of the Civic Improvement League for the purpose of reaching some agreement to drop the local option movement for the coming June election. There are at present three "dry" precincts in Astoria and four "wet" ones. A movement had been started by certain interests seeking to open up two of the "dry" precincts in the east end of the city and the Civic League leaders had started petitions for local option in the four "wet" precincts in the center of the city.

After an extended discussion, the representatives of the Civil Improvement League agreed to refrain from any further efforts to invoke the local option law for a period of two years, provided the saloon men will sign an agreement, containing four provisions, as follows: First, leave the dry precincts alone; second, allow no gambling or dancing in their saloons and keep minors from entering their places of business; third, observe the Sunday closing law to the letter; fourth, prevent so far as possible the establishment of any more saloons in the city.

A committee consisting of Mayor Wise, W. E. Schimpff and F. J. Carney, representing the business men, and Albert Carlson, Rev. Owen and R. M. Gaston, representing the league, was appointed to draft the agreement and submit it to the saloon men for approval by them.

CONVICT WIFE OF ASSAULT

Spokane Woman Guilty of Attempt on Husband's Life.

SPOKANE, Wash., April 23.—(Special.)—After being out 15 minutes, a jury in the Superior Court this afternoon brought in a verdict of assault with intent to inflict great bodily harm in the case of Mrs. G. H. Clark, charged with shooting at her husband, a wealthy pioneer real estate man of Spokane.

Mrs. Clark denied that she fired the two shots that struck her husband when he was attacked on the street at night by two women. Clark was an unwilling witness against his wife, but the state forced him to testify.

The evidence showed that Mrs. Clark drove up to her husband as he was leaving a car and fired twice at him. The bullets passed through his coat, but did not wound him. Jealousy was the cause of the assault.

FLOOD ENDANGERS SPOKANE

Bridge Goes Out—Fears Felt for Safety Howard-Street Structures.

SPOKANE, Wash., April 23.—(Special.)—High water in the Spokane River resulted in the temporary bridge at Washington street being carried out today, and great fears are expressed that the bridges over the channels of the river at Howard street will be swept away. Reports from the head waters of the Coeur d'Alene and St. Joe and St. Maries rivers are that the water is near the flood record of 1894. This flood will reach Spokane tomorrow afternoon. The Howard-street bridges have been weighed with tons of rock and concrete in an attempt to keep them in place.

INSTRUCTS TO ASSESS MONEY

Attorney-General Disregards Recently-Enacted Exemption Law.

OLYMPIA, Wash., April 23.—(Special.)—Letters are being mailed by the State Tax Commission to all the county assessors in the state directing them to disregard the act of the last session of the Legislature, chapter 48, laws 1907, exempting all moneys and credits from taxation. The letter is being sent to the assessors upon the advice of the Attorney-General who gave the Commission a voluntary opinion on the law and instructed them to notify the assessors to disregard the act.

This chapter of the session laws related to exempting moneys and credits from taxation. The assessors are notified to assess everything as under the old law and exempt no personal property.

JUMPS TRACK AT PENDLETON

Engine of Pasco Train Tears Up the Ties—No One Injured.

PENDLETON, Or., April 23.—(Special.)—Inbound passenger train on the Pendleton-Pasco branch of the Northern Pacific had a narrow escape from a serious wreck this afternoon. When a few miles north of town, the trucks of the tender jumped the rails and tore up the track for a distance of 100 feet. Other than a general shaking up, however, no one was injured.

Conductor Bertholet walked to the nearest farmhouse and phoned to the Pendleton office. A helper was immediately ordered from Pasco. A number of the passengers were brought on into Pendleton on a handcar.

There have been a number of wrecks recently and partial wrecks on these few miles of track.

EXTEND TRACKS TO FACTORIES

Southern Pacific Furnishes Accommodations at Monmouth.

MONMOUTH, Or., April 23.—(Special.)—Officials of the Southern Pacific Company have been here this week arranging for the extension of the switching tracks out past the cannery and new creamery, so as to accommodate the shipping business from these plants.

The depot will also be moved one block north from its present location and placed in the "Y" switch to be built from the Independence & Monmouth Railway track to the main line, so it will answer for both roads, and be much more convenient to the traveling public.

The company will also build a new depot at Airlie, which was recently ordered by the Railroad Commissioners.

Home Comforts for Prisoners.

CHEHALIS, Wash., April 23.—(Special.)—Legal malefactors had better give Lewis County a wide berth, as the County Board has just ordered four more modern cells for the County Jail, capable of holding 16 prisoners. The new section of the County Jail will be upstairs directly over the old quarters. When the new accommodations are installed prisoners can be given all the latest accommodations, with room on second floor, bath, steam heat, electric light, etc.

City to Own Phone System.

MARSHFIELD, Or., April 23.—(Special.)—The citizens of Eastside, the newly incorporated City of Coos Bay, opposite Marshfield, favor municipal ownership. At a recent meeting of the City Council a petition, presented by the local telephone company for a franchise was, laid on the table, as the Council approves of a municipal telephone company. The newly-elected officials will investigate the question and hope to carry out municipal ownership as far as it is possible.

Falling Tree Kills Vale Man.

VALE, Or., April 23.—W. A. LaBar, a merchant at this place, met with an accident this morning that cost him his life. He chopped down a tree, crushing him so that death ensued within a short time. Mr. LaBar was formerly in business in Washington.

FOUR PERISH IN PRAIRIE FIRE

Eighteen-Year-Old Daughter Only Member to Escape.

VANCOUVER, B. C., April 23.—A dispatch from Battleford, Saskatchewan, says:

Anna Mathews is the only survivor of a family of five as a result of prairie fires in the Tramping Lake district.

The father went to fight the flames, which were creeping down on their little home and perished in the attempt. The house took fire and Anna Mathews, 18 years old, with her clothes ablaze, carried her 3-year-old brother and sister to a place of safety, returned for her mother, but was too late. She fought her way again through the sea of fire only to find that the other children had wandered into the fire and perished.

COOS BAY TOWNS VERY DRY

Topers Find It Impossible to Buy Booze on Sunday.

MARSHFIELD, Or., April 23.—(Special.)—For the past two Sundays the saloons of Marshfield have been closed in compliance with the order of District Attorney Brown, of Roseburg. There has been no attempt on the part of the saloon men to open and the "lid" has been on tight from midnight Saturday until Monday. North Bend is closed Sunday by city ordinance. For a few weks the saloons at Empire did a thriving Sunday business but that became known and the threat of prosecution under the state law was applied there as well as in Marshfield. The buying of a drink on Sunday in Coos Bay is now an impossibility. Never before in the history of the place has such a condition existed.

SEND BANKER BACK TO JAIL

Bondsmen of Defaulting Bellingham Cashier Give Him Up.

BELLINGHAM, Wash., April 23.—O. C. Mathis, awaiting trial for the alleged wrecking of the Exchange State Bank, of Blaine, Wash., was surrendered by his bondsmen and returned to the County Jail, his bondsmen declaring that he was making preparations to leave the country. Mathis was cashier of the defunct bank and was arrested in Ashcroft, B. C., last December while making his way East three days after the bank closed. Depositors have received 5 per cent of their deposits.

Chehalis Employs 14 Teachers.

CHEHALIS, Wash., April 23.—(Special.)—Teachers employed by the Chehalis School Board for next year are as follows: F. H. Huntworth, City Superintendent; Misses Scherzer, Ghormley, Melnkoth, Montanye, Putman, Twidwell, Dennis, Best, Clifton, Coffman, Gertrude and Lucinda Marshall and Olsen. Two married women were not re-elected, the Board having concluded to employ only single women. A schedule of wages running from $55 to $75 per month for grade teachers and from $75 to $90 in the High School, has been adopted. The City Superintendent is to have $100 per month. To accommodate the increased number of pupils next Fall the large assembly room at the West Side School will probably be fitted up this coming Summer.

Block Move for Mining Rights.

MARSHFIELD, Or., April 23.—The Marshfield Chamber of Commerce has taken steps to prevent individuals acquiring mineral rights on the point of land known as Coos Head and located at the mouth of the bay. This land is within the Government reserve and it is understood that some persons are trying to secure the mineral rights, presumably for the oil known to exist there. It is held by the Chamber of Commerce that Coos Head must be preserved for a public park and the Government officials at Washington have been petitioned to prevent any individual privileges being granted.

UNITED AID FOR STATE COLLEGE.

Thinks Cyrus H. Walker Should Reconsider Action Under Referendum.

SALEM, Or., April 22.—(To the Editor.)—The writer fully indorses The Oregonian's view in last Sunday's Oregonian as to the Oregon University appropriation, and also the excellent paper signed C. N. McArthur, in a previous issue, and expresses the hops that Cyrus H. Walker, as a citizen influential on the subject of schools and among members of Patrons of Husbandry, will reconsider his position in using the referendum, a revolutionary means of defeating a law of Oregon passed in the spirit of progress in accordance with the constitution of the Nation and the state.

The writer, as a member of the Oregon Legislature of 1862, acted with the late Mr. Wilkin when he introduced the bill for the State University at Eugene, and knows he had the sympathy of the latter in offering the first bill for acceptance of the Congressional offer for founding the State Agricultural College, which was located at Corvallis, under a motion of the late Judge Bellinger. These two schools, since the State Agricultural College got away from sectarian influences, have never more than kept up with the increasing demand on their services; and from a near view of the narrowing influence against which Willamette University is now fighting to conquer, I hope that the citizenship of Oregon will defend the state institutions, while sustaining the historical schools at Salem, Forest Grove and Oregon City. Most sincerely I hope measures will be taken by the next Legislature to assert and maintain this state's right to her water powers, under the terms of her admission to the Union.

It is with no ill will that the writer notes the fact that Willamette University, founded to serve God and humanity, has too much neglected the practical second object, but has in the past turned away its best teachers because they were not loud in their professions as religionists. With earlier opportunities to do advance work, it has never attempted to do such service to the state as Professor McAllister and a few advanced students of the State University did in vacation 40 years ago, by measuring the water power running unused in 24 miles of the North Santiam River. Within that time, the State Agricultural College has been trying to found a forestry addition, but is growing so fast in other directions that there seems neither means nor time to lead out in Oregon's greatest interest.

JOHN MINTO.

New Serum to Cure Bad Nerves.

New York Correspondence to Philadelphia Press.

Bishop Fallows, whose treatment by means of suggestion of those who are worn out mentally and whose nerves are out of repair, is quoted approvingly by some of the physicians of this city for having recommended the use of buttermilk or sour milk or certain appropriate lacteal fluids as one of the best of curative remedies for nervous troubles. It so happened that within a day or two after this good counsel of Bishop Fallows had been made public here there came half confidential communications made by men of science of the purpose to bring to New York as soon as it can be done, probably not before early Fall, certain bacteriological cultures obtained in Bohemia or Bulgaria, or in both places.

The intent is to experiment with these cultures, very likely at the Rockefeller Institute of Bacteriological Research, so that it may be discovered whether or not a serum may be prepared which will serve as well for the prevention or cure of certain disorders of the human system as the diphtheria serum has served for the practical elimination of that once dreaded trouble.

Initiative and Referendum Measures

For the information of voters there will be published on this page from day to day brief summaries of the initiative and referendum measures to be submitted to the people at the June election, together with a short statement of the arguments for and against each.

NUMBER I.

Under a resolution of the last session of the Legislature there has been submitted to the people a proposed amendment to section 29, article 4 of the constitution fixing the compensation of members of the Legislature. By mistake the resolution refers to section 28 but section 29 was apparently intended and the ballot title contains a note to that effect. The section to be amended provides that members of the Legislature shall receive $3 per day for not to exceed 40 days during a regular session and for not to exceed 20 days during a special session. They are also allowed 10 cents per mile for the distance necessarily traveled in going to and from the capital.

The proposed amendment provides a compensation of $400 for each regular session and $10 a day for each special session, no extra session to continue more than 20 days. The amendment also provides that the members shall receive their actual traveling expenses in going to and from the capital.

The argument made in favor of this amendment is that the compensation provided for the members of the Legislature is entirely inadequate for the reason that it barely pays the actual expenses of members while performing their duties at Salem. This, it is urged, practically prohibits a poor man from aspiring to serve his country in the Legislature. It has also been argued that insufficient pay from the state opens the way for temptation of members by persons who are willing to secure legislation by bribery.

On the other hand the argument is heard that service in the Legislature should be performed as a public duty and not for compensation and that the per diem should be only sufficient to cover actual expenses. It is also asserted that if the compensation be increased to $10 a day men of inferior ability would seek Legislative positions for the mere sake of the salary.

The more general view is that the amount of compensation provided has nothing whatever to do with the ability or integrity of the men who will become candidates for the Legislature, that grafters will seek legislative power for selfish purposes whatever the salary and that dishonest men who would sell their votes when drawing $3 a day would do so when drawing $10 a day. The opinion has been expressed that increasing the compensation of legislators to $10 a day would lend a spirit of extravagance resulting in an increase of pay of clerks, and stenographers and a general tendency to spend public money freely. It is also said that a man whose private business has been so unsuccessful that he cannot afford to serve in the Legislature at $3 a day is not a proper man to make laws for the state.

QUESTIONS POWER OF INITIATIVE.

Says Our Form of Government Is a Representative Democracy.

COLFAX, Wash., April 22.—(To the Editor.)—The Oregonian's discussion of the initiative and referendum has aroused much interest on that subject. But besides the objections that The Oregonian has offered, it occurs to me that the same are clearly unconstitutional.

Our National Constitution has vested the legislative power in a representative body elected by the people. In other words, our form of government as prescribed by the Constitution, is a representative democracy. Under the Constitution, the people have no power and never did have the power to legislate as contemplated by the initiative and referendum.

Our state constitutions must conform to the National Constitution and I am unable to understand how any state constitution or amendment can pass the Supreme Court that places the legislative power in the hands of the people.

Would not this innovation change the character of government from a representative democracy, partly, at least, to a pure democracy, and hence be unconstitutional? If not, why not?

J. G. ELLIOT.

Is He America's Biggest Man?

Milwaukee Sentinel.

Calumet, Mich., claims to have the biggest man in the United States. He is Louis Mollanen, and though but 22 years of age, he weighs 442 pounds, but stands 8 feet 5 inches tall. Mr. Mollanen is back in Calumet after extensive tours with various circuses, and Calumet gazes upon him dumbstruck. Louis is, indeed, quite a boy. He wears a No. 18 shoe and a No. 8¾ hat, and the cloth required for a suit for him would make two for an ordinary-sized man—even a really big-sized man. "Big Louis" has stopped growing tall of late years, and while he is destined to get more rotund, he hopes that no more inches will be added vertically to his eight feet five. Mr. Mollanen will go out again next Summer with a circus, as that is an easy and remunerative occupation for the big fellow.

Advertising Talks

No. 14.

THE OMELETTE SOUFFLE

By Herbert Kaufman

There is a vast distinction between distribution for the sake of increasing the circulation figures and distribution for the sake of increasing the number of advertising responses. There is a difference between street sales at hours when the reader has but scant opportunity to look through the scare heads and street sales when the reader is either going to or returning from his home.

You've got to weigh and measure these things when you weigh and measure circulation figures. It isn't the number of copies printed, but the number of copies sold—not the number of papers distributed—not the number of readers reached—but the number of readers who have the price to buy what you want to sell—that determines the value of circulation to you.

You can take a single egg and whip it into an omelette souffle which seems to be a whole plateful, but the extra bulk is just hot air and sugar—the change in form has not changed the amount of egg substance—it's the substance in circulation, just as it is the nutrition in the egg that counts.