The Oregonian

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PORTLAND, WEDNESDAY, MAY 27, 1908.

TWO OF THE AMENDMENTS.

Were the two articles written by Judge George H. Burnett, of the Third Judicial District of Oregon, published by The Oregonian—the first against the proposition designed to prevent District Attorneys from prosecuting criminals by information and to compel a resort in all cases in Circuit Courts to the cumbersome and often inefficient grand jury system; the second against the proposition commonly known as a measure to increase the number of judges of the Supreme Court—carefully read and considered by all the electors of the state, it would be safe to say that the number of votes cast for change of the constitution in these two particulars would be extremely small.

These articles appeared in the form of letters, one of them May 19, the other May 26. In the hope of drawing to them the further attention they deserve, we shall here reproduce the main and essential portions of both; prefacing them with an earnest request that they be attentively considered. Judge Burnett's position on the bench, his acquaintance with the law and the methods of procedure, together with his equipoise of judgment, make him an exceptionally safe counsellor in matters of this kind. First, we reprint nearly the whole of his article on the grand jury amendment, to wit:

The champions of the proposed amendment argue that the first the accused may know of his prosecution by the District Attorney may be his arrest; that he may never be tried, and yet his record is blackened; that the information system is a return to the star chamber decrees of Charles I, etc. All the fulminations of these gentlemen against prosecutions under informations filed by District Attorneys are equally applicable to indictments by grand juries. The grand jury is by law an oath-bound secret body. It may indict whom it pleases. Unless a defendant has been held to answer by some magistrate, the first he lawfully knows of his indictment is when the Sheriff arrests him upon a secretly issued bench warrant.

On the other hand, we sometimes hear from the press that District Attorneys publicly announce their intention to file informations against certain alleged offenders, and there is no law against thus giving notice to the accused of his danger.

The grand jury system increases the "law's delays," which contribute so much to disgust people generally with court procedure. It is impossible to empanel a grand jury before the court convenes. No indictment can be filed until that body, composed of men unused to considering legal questions, and wholly unskilled in the examination of witnesses, have taken some days to thresh out all the petty details of the evidence and decide whether to indict or not. Meanwhile the business of the court is often delayed. Many times the other jurors are compelled to wait for days at much inconvenience to themselves and their private business, while the grand jury prepares business for them. In practice, the average grand jury defers almost entirely to the judgment of the District Attorney in all prosecutions. He examines the witnesses before them. He prepares their indictments. Upon him depends the correctness of the accusing document and the success of the prosecution. He may never bring it to trial, or he may prosecute it differently. In short, the responsibility practically rests almost entirely upon him, and there is no good reason why he should not be clothed with the power to transact the business of his office more efficiently than can possibly be done under an exclusive grand jury procedure.

Under the information system, the District Attorney can prepare criminal cases for arraignment before court convenes, and often may have them ready for trial at the opening of court. Under the grand jury system, there is an inevitable delay that often leads to postponement of trials to a future term of court—a practice always courted by those who would evade justice.

The information law has worked well ever since its adoption in 1899. It has never been abused as these worthy gentlemen affect to fear it will be, nor can it be so abused, in the light of healthy public sentiment. The courts are open at his demand for a speedy trial of any man whom the District Attorney accuses of crime, and the innocent defendant may have an early vindication. On the other hand, the grand jury system increases the delays that so delight rogues and their special pleading counsel.

What virtue there may be in grand juries is not impaired as our laws now stand, because the courts may empanel grand juries at any time. The information law only empowers the public prosecutor to discharge his duty with more speed and efficiency and saves all the rights that a defendant ever had as against an indictment returned by a grand jury. If the amendment had provided for empanelling a grand jury before court convenes, so that its indictments might be ready at the opening of the term, it would have been more worthy of consideration; but in its present form it ought to be rejected.

The article on the proposed amendment for increase of the number of judges of the Supreme Court is longer, yet so closely written that abridgment is difficult. But, close as it is, it is clear throughout. Note especially the presentation of consequences likely to follow the change; the confusion it will produce, threatening the stability of the entire judicial fabric of the state; the power it will place in the hands of the Legislature to involve the judiciary in political entanglements, and the danger it will create of renewal in the Legislature of contests over municipal charters, from which there was effort to escape by adoption of an amendment of the constitution two years ago—which amendment the one now proposed would go a long way to annul. A valuable part of the article also is the caution it administers against use of the current disposition to make changes in the constitution, which would make confusion and disorder, without probable benefit of any kind. Again, The Oregonian begs every elector to give both the articles written by Judge Burnett careful perusal. The second follows here almost in its entirety, to wit:

Since the advent of the initiative and referendum, attempts to amend the state constitution seem to have increased in geometrical progression, so that at every successive election we have thrust upon us a greater number of such propositions than ever before. When is the disintegration of constitutional government to cease?

Among numerous others there will be on the ballot at the coming election proposition 304-305, commonly known as a measure to increase the number of judges of the Supreme Court. But as usual the label does not give one a full conception of the results that would follow the adoption of the measure. It may be that the number of judges of the Supreme Court ought to be increased. That view is no doubt entertained by many of those who have been hitherto unable to secure a seat on the bench of that tribunal; but, after all, is it a safe policy to adopt the pending measure with all the consequences that will ensue? Will not the other results be too dear a price to pay for the questionable benefit of having a larger Supreme Court?

Under the constitution as it is, the judicial power of the state is vested in a Supreme Court, Circuit Courts and County Courts, whose jurisdiction must be defined, limited and regulated by law, in accordance with the constitution. The pending amendment omits County Courts from the category but does not directly provide anything in their place. It is left to the caprice of the Legislative Assembly whether the duties hitherto performed by County Courts shall be imposed upon the Circuit Courts or not.

While at present the jurisdiction of all courts is regulated by law, subject to the constitution, in the new measure the words "in accordance with this constitution" are omitted and there will be no restraint upon the Legislature in the enactment of laws affecting the courts. If it shall be deemed expedient to reward some defeated party standard-bearer or to provide patronage in the interest of some political adventurer, there will be the tempting opportunity to make room on the bench under the specious plea of a non-partisan court. The amendment provides that the Supreme Court shall consist of five judges until otherwise provided by law, hence: The Legislature may at will increase or diminish the number of Supreme or Circuit Judges. The stability of the judicial fabric is threatened. The result will be to make the courts an asset in political bargaining. Instead of preserving the independence of the Legislative, Executive and Judicial Departments of the government, as designed by article III of the constitution, the Judicial Department will be absolutely subservient to the other two.

When this measure was before the Legislative Assembly the design was supposed to be the installation in Oregon of something like the judicial systems of California and Washington. There are arguments both for and against them; but the amendment goes only part way toward that result. It makes it possible, but leaves the completion of the work to the whim of the Legislature. It will be difficult for that body to turn out of office all the county judges and county commissioners in the state and impose their duties on other officials. It has been exceedingly rare in the history of the state that the Legislative Assembly has abolished an office. When it has happened the office has usually returned in a more virulent form. The result of giving the Legislature complete control of the courts, as this amendment does, will be great confusion in a very important branch of the government which hitherto has been remarkably free from political entanglements.

Again: Only two years ago the people adopted an amendment to the constitution forbidding the Legislative Assembly to enact, amend or repeal any charter or act of incorporation for any municipality, city or town and lodging that power in the legal voters of the cities and towns exclusively. The pending amendment goes a long way to annul the amendment of 1906 by providing anew, as in the original constitution, that municipal courts may be created to administer the regulations of incorporated towns and cities. Under such provisions there is no telling how many charter contests will be foisted upon the Legislature to interfere with matters of general importance.

Some relief for the Supreme Court would be had if the multiplication of Circuit Courts were stopped. True it is that speedy trials of both civil and criminal cases are desirable. The information law is a help to that end in criminal actions. As to civil cases, if litigation were more difficult there would be less of it and people generally would get along quite as well. Those who throng the courts with their disputes are but a small part of the population. The very great majority of citizens go through life to its end and never appear in court, yet they pay most of the expenses of the courts. Legislation about the courts should not be wholly in the interest of the contentious litigant who will keep up his fight as long as there is a court to fight in or a dollar to fight for. The ordinary peaceable taxpayer is entitled to some consideration as against the rapid increase of official places.

There may be at present too much work for three judges; but rather than incur the results that will follow the adoption of the pending amendment, so far as the Supreme Court is concerned, we had better get along for a while with the present anomalous makeshift of deputy judges, alias commissioners.

Finally and generally: We will do well and safely if we vote down every proposed amendment to our constitution until the Supreme Court of the United States has determined the validity of the already overworked initiative and referendum system which has made this confusion possible.

HER PRIZE PACKAGE.

Alfred Gwynne Vanderbilt, when a few years ago he came into possession of his father's millions, taking precedence over his elder brother by the terms of his father's will, was considered "quite a catch." Of course this estimate referred strictly to his millions and not in any sense to his morals or to any quality of high-grade manhood. The anglers of the four hundred were out after him with a lure of beauty, grace and feminine accomplishments that was ready to take him, in, and no questions asked. Miss Elsie French was successful in landing him and a marriage that rivaled royalty in splendor and in gifts followed. That was eight years ago last January. During the intervening period she has lived in luxurious idleness; travel has come to her and taken her wherever she wished to go. A son has been born to her, adding the human touch to her home of otherwise empty magnificence. To all appearance she has enjoyed every benefit from the marriage that she bargained for.

But somewhere along the line of idleness and frivolity; of going to and coming from the Old World; and of basking in the magnificence that unearned money buys she seems to have made the discovery that money will not buy marital happiness and that a man without principle in social and domestic life is not a satisfactory man as a husband. The sequel to this discovery was told a few days ago, when Elsie secured a divorce upon a charge of gross immorality as a climax of several years of neglect on the part of her husband. Yet she seems to have got all in her marriage that she bargained for—at least all that was advertised at the bargain counter where she drew her prize package.

CONCERNING MEDIUMS.

The distinction which some worthy people are attempting to draw between "good" and "bad" mediums is illusory. It is not true that all mediums are deliberately fraudulent, but it is true that none of them can do what they pretend to do. In every case, without a single exception, when a medium has been investigated by competent observers it has been found that his results were unreliable. There is not one atom of evidence in existence that the spirits of the dead can communicate with the living. All those persons who try to make money by offering such pretended communications play upon the credulity of the public.

Mediums do a number of tricks which only careful observers can detect. In certain cases they exhibit powers which are different from those of ordinary people. There is little doubt that they avail themselves of some species of thought transference or telepathy to read sealed questions, and so forth. If they would honestly tell the truth about this power, it would be pleasant to see them exhibit it; but they do not tell the truth. They make a parade of being under the control of spirits and obtaining information from the other world when nothing of the sort occurs.

Persons who have watched the methods of a medium of some note who operates in Portland and elsewhere say that he neglects no device which can excite credulity and confuse the minds of his audience. His great stunt is to answer sealed questions. He seizes an envelope, feels of it and gives offhand some vague meaningless answer. Then follows a deluge of words while he opens the envelope and takes a sly peep at the question. This enables him to revise his first vague reply and nine times out of ten the victim is not shrewd enough to see how he has been fooled. He is so eager to behold a miracle that he helps the medium play the trick by merging the second part of the reply with the first part. Thus the medium gets the glory of answering the question without reading it, though he seldom even tries to answer it until he has read it. Sometimes he makes a genuine dash at a sealed question and occasionally he gives an answer that appears to be impossible without thought transference; but these instances are rare. For the most part he relies upon befuddling his audience and he generally succeeds. Indeed he could hardly fail, for they are more eager to be fooled than he is to fool them.

STRENUOUS INERTIA OF CONGRESS

When Congress assembled last December it had an opportunity such as occurs to men and parties not more than once or twice in a lifetime. The laws of the country had been outgrown by its life. The great corporations had developed virtually without control by the sovereign power, following their own sweet will both as to what they should do and how they should do it, paying no attention to any right which interfered with their wishes and hesitating at no wrong which might increase their profits. At previous sessions of Congress something had been done under Mr. Roosevelt's insistent urging to subject the corporations to the law, but not very much in comparison to what remained to do. The great problem of the currency was in a tangle and the complexity of the tangle had just been brought home to everybody by a panic so destructive that it was tragic and so unnecessary that it was farcical. What Mr. Carnegie calls the "worst banking system in the world" demanded reconstruction in the light of modern economic knowledge. The iniquities of the barbarous tariff cried loudly for death too long delayed. Much of the previous legislation against the trusts had turned out in practice to foster the very evils which it had been designed to check, while it penalized cruelly the legitimate efforts of laboring men to better their condition. The inferior Federal courts, creatures of Congress, had shown a marked tendency to make themselves superior not only to the states of the Union, but even to the power to which they owed their existence. The writ of injunction had been pushed to extremes which were novel and dangerous to liberty.

These were some of the problems which to a statesman of constructive power would have presented a noble opportunity for the exercise of his ability. And they were not the only problems. The country desired almost unanimously a system of postal savings banks and a parcels post, such as every other civilized nation in the world enjoys. The Atlantic seaboard demanded without a dissenting voice that dared to speak above a crafty whisper the establishment of a National forest reserve to preserve the soil of the farms, the navigation of the rivers and the natural water powers of that region. What effort has Congress made to solve these problems? What reply has it made to the demands of the Nation? It has made no effort. It has given no reply except stupid and obstinate silence. All through the Winter and Spring Congress has stood like an Oriental dervish spinning in his tracks, but not advancing an inch. More accurately, it planted itself like a balky jade in the highway and neither curses nor blows could make it stir.

Congress exists to make laws and it exists for nothing else. Moreover, it is the only source there is of legislation for the country at large. When the country needs legislation, therefore, and Congress refuses in pigheaded obstinacy to supply it, what are the people to do? There is little that can be done. Letters may be written to Congressmen and such letters when they come from hundreds of voters sometimes frighten a member from committing wrong or foolish actions, but they seldom spur him on to attempt anything constructive. He can explain that he would have liked to do something, but the leaders would not permit, and this is true in so many cases that the voters are prone to assume it is always true and forgive the dummy who pretends to represent them. The country can bring some effective pressure to bear upon Congress through the President. This, in fact, is the only method by which any results of consequence have been obtained recently; but when the President's term draws near its close Congressmen take courage to disregard his recommendations as they have disregarded Mr. Roosevelt's this session.

When Congress has resolved to be idle there is no reliable way to make it work. At best it is a huge, cumbrous machine which moves, when it moves at all, with creaks and groans unspeakable and wastes most of its energy in friction. The Senate is a comparatively small body but it is so entangled in precedents and rules of "courtesy" that a single member can hold it inactive as long as he pleases. The House, on the other hand, is so numerous that it is smothered in its own mass. It can act only by committing all its initiative to the Speaker and his committees. The simple fact is that the legislative power of the United States is vested by custom in Mr. Cannon and half a dozen members who happen for one reason and another to enjoy his confidence. Unfortunately for the country, Mr. Cannon believes that it is good politics just now to do nothing. Hence Congress cannot move and none of the legislation which is so much needed can be obtained. But it is idle to rail at the House for this. In the very nature of things it could hardly do otherwise. It is inefficient because it is too numerous, but if it were less numerous it would be even less representative than it is. The problem of making Federal representative government work is one of the most perplexing of all those which confront this generation. When the Constitution was adopted it was simple enough because then both houses of Congress were small; but every new state and every million added to our population increase the difficulty. The time seems to be at hand when Congress will be unable to do any business outside of bare routine and precedent. It will be like the brain of an old man which has lost the power to think new thoughts or admit any ideas except those of his far-off youth. Shall the country then cease to develop because its representative body has become fossilized?

JUST A FEW POINTERS.

The North Bank road is building at Portland the largest wheat warehouse in the United States. Meier & Frank are beginning work on the ten-story annex to their department store, and Olds, Wortman & King are planning one to cover an entire block. Work on the largest packing-house plant west of Chicago is steadily progressing. Another National bank has been added to Portland's list of financial institutions. The largest commercial club in the United States has moved into its own magnificently furnished building. The O. R. & N. has issued orders to rush work on the Wallowa branch of the road. Wheat is selling very close to the dollar mark and another record-breaking crop is rapidly getting into a state of absolute safety. Hood River has just begun marketing a hundred-carload crop of strawberries, etc., etc.

These are just a few of the reasons why Portlanders smile even when they read the baseball score.

COMING INTO OUR OWN.

One by one the long-neglected and wonderfully rich regions which are naturally tributary to Portland are being provided with railroad transportation facilities. The fact that it was under very cloudy financial skies that the year 1908 was ushered in is in a large measure forgotten when we pause to consider that no previous year in the history of Portland can show such a large extent of new territory brought into communication with this city as will be shown when the returns are all in for the year. The latest enterprise to be taken up and carried to completion is the neglected Wallowa extension of the Elgin branch of the O. R. & N. Co. The Wallowa country has been famous for its fine natural resources since the earliest history of the state; but, despite its great richness, it has remained in a comparatively undeveloped state long after localities farther from tidewater were opened up by transportation lines. It is difficult to overestimate the amount of traffic that will pour out of that great valley, now that the railroad will make it possible to market its products to advantage.

This extension is perhaps less important than the Snake River line which has just been completed between Riparia and Lewiston, but the latter brings in touch with Portland a region which has for a number of years had some advantages in the way of transportation, while the Wallowa country is to a large extent new and undeveloped. As a trunk line draining traffic from a number of laterals reaching as far east as Spokane, the North Bank road is perhaps the most important of any of the railroad enterprises that will be completed this year; but with it, as with the Lewiston extension, a portion of the traffic will be produced in regions that for years have enjoyed transportation facilities terminating at Puget Sound ports. So far as Portland is concerned, practically all of the traffic that comes out over the North Bank road, or over the Lewiston-Riparia line, will be new business.

In the Wallowa country, as in Central Oregon, Tillamook and the Coos Bay country, there will be immediate development of a vast amount of new business. Out of these regions will flow a traffic of surprising proportions which could never come into existence without transportation to aid it. This immense volume of new business, which will be created by the new railroad extensions, is all tributary to Portland. A small portion of it lies in what is known as competitive territory, but, with the advantage of a water-level grade from that territory to Portland, even this small portion, which is on fighting ground, will naturally gravitate to this city.

Another important line which will be completed this year is the Idaho Northern, a thirty-mile road which leads out from the Coeur d'Alene branch of the O. R. & N. Co. into the wonderfully rich mining city of Murray, Idaho. This road will open up a rich mining country which is directly tributary to this city, and which under the existing handicap of a long wagon haul through the mountains has already become famous for the extent of its deposits of both low and high-grade ore. When we consider what Portland has accomplished with but a single line of railroad that has a wofully insufficient number of feeders, it is difficult to overestimate the growth that will follow the coming of the new lines and the opening up of long-neglected regions fully as rich as, and some of them richer than, any that have yet been provided with railroad facilities. Traffic at last seems to be recognizing the line of least resistance, and Portland is bound to profit by the recognition.

"Schoolhouses in Portland are firetraps, and if they once caught fire they would burn like tinder, regardless of the absence of hydrants, and many children would burn to death in them." So says Mayor Lane. The strength of Mayor Lane is in extravagant (and silly) statement. Portland's schoolhouses are more safe from fire than nine-tenths of the buildings of the city. The Mayor should not propagate needless alarm. Of course every building is liable to destruction by fire. Portland, however, has had school buildings these sixty years, and not a life has been lost in one of them. But we have all the time been improving our schoolhouse architecture, and are still improving it. Never, however, shall we get schoolhouses not destructible by fire. Yet there is no need of such extravagant statements as those made by Mayor Lane. The excuse for him—if any excuse—is that a man of his temperament can deal only in extravaganza. Why advertise the schoolhouses of Portland, as "firetraps"? They are much more "safe and sane" than the Mayor.

The shipbuilding strike in Great Britain is ended and 250,000 men involved have returned to work at the reduced wages against which they struck. They apparently recognized the logic of the old axiom that "half a loaf is better than no loaf," and they as well as thousands of others will be gainers thereby. Low wages are to be deplored, but low wages have many points of advantage over no wages. Whenever a wave of depression sweeps over the country and halts business, it becomes necessary to make some concessions in order again to get the machinery in motion. Low wages mean low-priced ships, and low-priced ships mean low freight rates, which in turn mean increased profits for the producers who ship the freight as well as the consumers who buy it. Our entire economic system is so delicately adjusted that there must be a certain amount of burden borne and work performed by each part of the intricate machinery. Once stopped, it cannot be started.

For the thousandth time it is asserted that "triumph of Statement No. 1 means that the people will have kept in their hands the right and power of the direct election of United States Senators." Not so at all. It simply will mean that brassy men, of one party and another, will have the right and power to nominate themselves, and that the only choice of the people will be between them. It may be asserted, with certainty, that no majority of the people of Oregon wants either Cake or Chamberlain. But these men have nominated themselves, and now the people have no choice but to vote for one or the other, or not vote at all. "Choice of the people" through this method is the most absolute humbug. In the primary it was just as it will be in the election—no choice about it—but merely Hobson's choice. Fittest men do not nominate themselves.

"I urge," says Senator Bourne, "all believers in the election of Senators by direct vote of the people to support loyally and vote only for Statement No. 1 legislative subscribers." Out of seventy-five Republican candidates for the Oregon Legislature, thirty-five, or thereabouts, have subscribed to Statement No. 1. Forty Republican candidates have not. Senator Bourne, therefore, is using his voice and influence to defeat these forty, and send to Salem forty Democrats. That's the kind of Republican Senator Bourne is.

Governor Chamberlain advertises that he is the man who has done most for Statement No. 1. That may or may not be so. But the Governor ought to know that there is a large body of electors in Oregon not anxious to vote for the man who has done most for Statement No. 1. But perhaps Mr. U'Ren is the man.

To public business, or to anything of least importance to the interests of Oregon, Senator Bourne has not thus far paid more than the least attention. He has been occupied wholly with his own schemes of personal politics. Here we have the first fruits of the new system and of Statement No. 1.

Wool now is quoted in Umatilla County at 10-13. Disappointed growers are saying they got 20 cents last year. Apostles of protection are hinting that the decline is due to the fear of the election of a free-trader to the Senate from Oregon. But there may be reason to suspect other causes.

A Columbia County Coroner's jury thinks there was "not sufficient caution shown" by the father who shot and killed his little son, mistaking him for a crane. It has that aspect, indeed; and sufficient vigor and indignation are not shown by the jury in characterizing the terrible blunder.

Brother Brougher has been invited to Oklahoma at double his present salary, but hints that he would prefer to stay at Portland. A lot of things might be said on both sides of the good brother's dilemma; but we yield the floor to Brother Brougher's trustees.

Salem saloons decline to open their fronts so that the outside world may see everything, but want the fronts closed. The public may eventually agree to that, and see that fronts and backs and everything else about Salem saloons are closed, and remain closed.

Mr. Taft and Mr. Bryan are both agreed that there shall be appropriate Congressional legislation for publication of all campaign expenses by candidates. But there is to be nothing ex-post facto about such legislation, mind.

Now that Thaw is hopelessly insane and indefinitely out of her way, Mrs. Thaw considerately withdraws her suit for divorce. From the standpoint of Evelyn, it is tough to have to live with just one man.

What's this? Senator Bourne doing nothing for Oregon? Why, aren't we going to get the mosquito fleet?

The clothing war being on, there is no excuse for any man's going naked.

NEW PRESIDENT OF WILLAMETTE

Appreciation of Dr. Fletcher Homan, About to Guide the Salem University.

EUGENE, Or., May 25.—(To the Editor.)—The Oregonian of last Saturday makes brief mention of the recent election of Rev. Fletcher Homan to the presidency of the Willamette University at Salem, Oregon, with the added announcement that "Very little is known here of Dr. Homan."

It affords me more pleasure than I can express in words to say to the people of the Pacific Coast that I have been personally acquainted with Dr. Homan all his life. His father was my close personal friend for almost 30 years. His parents were both devoted Christians, and both were strong, forceful characters. Dr. Homan is a graduate of Simpson University, at Indianola, Iowa, and is now president of that university. He is also a graduate of the Garrett Biblical Institute, and later attended Johns Hopkins University for two years. He is now about 38 years of age, and is said to be one of the ablest educators and administrators of the present day. I shall express the hope that my humble tribute to his worth and splendid abilities may find its way into every Christian home on the Pacific Coast.

Dr. Homan is now in the prime of life, with a keen intellect, a pure heart and a clean soul, and is quite secure in the affection and admiration of all who have been associated with him in the daily routine of his exalted and exacting profession. Nor is it at all difficult to account for his success as an educator or his power as a popular pulpit orator. His evident sincerity and earnestness, his commanding presence, the boldness of his utterances, the flow of his unanswerable and profound reasoning, his wealth of illustrations, all welded together, give to him as a popular pulpit orator a charm indescribable.

Dr. Homan comes from a dauntless race. He comes from that sturdy middle class that has performed almost all of the important work of our American world, the class that has furnished industry its captains, liberty its soldiers, and civilization its statesmen. He belongs to that class whose steady and sure advancement marks the true progress of the human race. His early lot was that of an humble farmer boy, but over this fact we have no cause to grieve. Let us rather rejoice that he had the advantages which fall to the lot of a simple country boy in a new and free land. Let us rejoice that a life of pampered ease did not lull him into the repose of inconsequentiality. His youth did not feel the palsying touch of great riches, and the poverty which denied him early advantages gave generous compensations. It imposed upon him the priceless discipline which fits men to be useful. He is no stranger to the severe struggles, the plain living, and the self-denial which generate power and make men strong, forceful characters. In time of hardship, as in time of triumph, Dr. Homan has always been one and the same—an unswerving friend and staunch defender of his friends and his creed.

I am not a Methodist or a churchmember; merely a penitent old sinner. Nevertheless, I bespeak for Dr. Homan a welcome to the Pacific Coast commensurate with his distinguished abilities as an educator and as an able and eloquent pulpit orator.

W. G. D. MERCER.

STATE MUST EDUCATE ITS YOUTH

Argument That Lack of This Would Evolve Plutocrat and Proletariat.

EUGENE, Or., May 25.—(To C. S. Hulin, Newberg, Or.)—In answer to one of the statements made by you in your first letter in The Oregonian, you say that you do not know of any people coming to Oregon to educate their children. Let me say that my parents came to Eugene from South Dakota last July for the express purpose of educating their five children. They moved West because the climate was to their liking, and desiring to live in a university town, visited Seattle, Berkeley, Palo Alto and Eugene, with that view in mind. They settled in Eugene, because the cost of education and living is less than in the larger centers. This is only one of the many instances of people coming here to live because the University is located here.

Your letter of May 19 would naturally lead one to believe that you are the advance press agent of a monied aristocracy, which would result if your plan of abolishing free education is adopted. Your plan of education is to let only the rich, who can afford to pay for it, receive higher education. The parents who are in medium or poor circumstances, then, cannot afford to educate their children, which will have the following result: The rich will soon have control of all our Federal, state and municipal offices, all places of honor and trust will be occupied by them, all our National and created resources will be owned and controlled by them—and where will the remainder of us be? Down at the foot of the ladder, hopelessly held down by the oppression of the educated, monied aristocracy, their position will be little, if any, better than serfdom. They will be allowed to eke out a bare existence.

Do you realize that it is the duty of the state to give to every child the opportunity to develop to his fullest capabilities? Any system which does not provide for the education of the future citizens of the state must result in establishing an aristocracy of a few and proletariat, below the "Happy Hooligan" class of London, England. If this is what you desire, then abolish all free education, take away all chances for the education of the poor man's children, and in the few remaining educational institutions, place a high and prohibitive tuition, and then, indeed, you will have betrayed your fellowmen into the hands of a merciless aristocracy.

Although we are newcomers in this state, and I have been in the University of Oregon only this year, this makes my fourth year of college life; and, Mr. Hulin, I defy you to find a cleaner and more wholesome college atmosphere than exists at the University of Oregon, nor can you find a group of young men and women who have higher standards and ideals, and moreover, live up to them.

I write this letter in order that the people of Oregon may know what new settlers—so much desired—think of the relation of the state to its University. There are more people in the East who will move West, and if the people of Oregon desire to have these people come to Oregon, they must support and maintain a University whose excellence is second to none in the land.

OSCAR FURUSET, '08,
Associated Students, University of Oregon.

The Ad Hominem Argument.

LYLE, Wash., May 24.—(To the Editor.)—I have been a reader of your paper over 30 years and I must confess that the editorial "The Ad Hominem Argument," appearing in The Oregonian of May 16, deals with a vital subject to taxpayers in a more substantial way than I thought the subject could be covered. It is a fact taxation on real estate, as it is now, drives many of an investor's dollar in hiding. The real estate owners cannot avoid taxes; they "catch 'em," unlike the broker and curbstone agitator. Let my native Oregon make no mistake.

JOHN G. MADDOCK.

Too Little Johnson.

New York Sun.

In Alabama, Bryan seems to have prevailed over Johnson by a large majority. To begin with, he got the votes of all who had never heard of Johnson, which would alone have insured his victory.

CAR-STOPS AT NEAR CROSSINGS

Gives Reasons Showing Why Present Rule Is Best After All.

PORTLAND, May 26.—(To the Editor.)—The Portland Railway, Light & Power Company has seen fit to change the places where the cars are to stop, with the result that there is some temporary confusion and inconvenience to patrons, and it is but natural that at this time the public wishes the old system back again. However, before the City Council takes any rash steps let us consider the benefits of the new plan.

In the first place, the majority of persons getting on and off the cars are directly under the eye of the motorman, and there is infinitely less danger of starting the car when women are stepping on or off. This in itself would be sufficient reason for the change.

The motorman can, under the new system, stop the car with the front steps exactly on the crossings. Under the old system this was infrequently done, because the cars were so long and varied in length so, that it was difficult for the motorman to stop with the back steps of the car on the crossing.

The third reason, and probably the best, is the much better time made with the cars, especially at streetcar crossings. Under the old plan, during rush hours, double stops had to be made on the Washington-street run at Second, Third, Fourth and Fifth streets. Now, only one stop is made at each place with a great saving of time and. In addition, it is impossible for a car that has just crossed the crossing to block cars behind it, for it is immediately pulled out, the stops occurring only at places where persons are getting on or off.

When Portlanders get accustomed to the new car plan, they will find it a great improvement—one that nearly all large cities have adopted, and it is to be hoped that no further effort will again be made to adopt the old system.

H. L. TICHERT.

Woman's Fortune in Artificial Lake.

Denver Republican.

The first woman in Northern Colorado to claim the distinction of being a reservoir builder is Miss Ede Zimmerman, who, with her father and sister, has conducted a hotel in the mountains on the Poudre River.

Miss Zimmerman, still in her early '30s, has lived in the mountains since a child and has been her father's constant companion on hunting expeditions. Several years ago, while on one of these trips, her attention was attracted to a fine reservoir site near Chambers Lake, into which the water from Sheep Creek could easily be diverted and where streams from the snows on the surrounding mountains had made a large pool.

Although discouraged in doing so, a few months later she filed upon this land and last Summer, having completed her proof, built a large dam and made a first-class reservoir in this natural basin, with a capacity of several million cubic feet. Not until the reservoir was completed did she make known what was to be done, and her plan of turning the water of the reservoir into the Poudre for the benefit of the valleys below, either directly, or as a feeder to the big reservoir and power proposition now contemplated on the Poudre.

As a result Greeley irrigationists inspected the reservoir and offered Miss Zimmerman $15,000 for an interest in it.

Married in a Leafy Tree-Top.

Bellefontaine (O.) Dispatch.

Standing on a platform built in a treetop, 34 feet from the ground, and with a carpet of violets ankle deep, Mrs. Mary E. Holman and Jacob McKee were united in marriage at the Steinberger farm, south of this city. Rev. A. W. Leonard, of Springfield, performed the ceremony.

The novelty of the marriage was kept a secret, and even the minister and the four guests knew nothing whatever of the plan. The lovers rode side by side to the grove on bay horses, with dogwood blossoms marking the way, huge boughs of the flowers being strewn on both sides of the path.

D. O. Steinberger, who built the home in the treetop, is a great lover of outdoor life. Ten years ago he was in the last stages of tuberculosis. Physicians declared he could not live a month. The idea of outdoor life occurred to him and he built the platform in a treetop in his father's beech grove. Here for years he lived night and day, both Winter and Summer, and now he is in splendid health. So great is his love of Nature that he communicated the "spirit" to other members of his family, and it was to fulfill his wishes that the marriage of his sister to McKee, an Urbana contractor, was consummated in the treetop.

Supposed Corpse Asks for a Drink.

Kansas City Journal.

While the relatives and friends of Harvey Skinner, of Kansas City, Kan., were discussing preparations for his wake, thinking he was dead, Skinner roused suddenly and asked his son, who was standing near the bedside, for a drink of water. Naturally the men and women in the room were startled when the supposedly dead man came back to life. The son brought a glass of water, and Mr. Skinner seemed to grow better. Although low, he was still alive at a late hour last night and the physicians attending him say he may live for several days.

Mr. Skinner has been ill with Bright's disease for about three weeks, and he apparently died. Mrs. Skinner and the eldest son began preparations for the funeral. About 20 relatives and friends had assembled, and the programme for the night was being discussed at length when Mr. Skinner sat up and called for a drink.

Men Fall 11 Stories and Live.

Kansas City Star.

While washing the walls in the lightshaft of the Commerce Bank building, Charles Pepperdine and L. E. Trout fell from the 13th story to the skylight at the second floor. The ladder on which they were standing before the fall swerved as they moved to lower it to the fourth floor. The men attempted to catch their balance, but in some way the safety ropes became unfastened and they fell to the skylight. Pepperdine's left leg was broken in two places below the knee. Trout received a broken arm and many bruises. His left leg is believed to be fractured. The two men fell 150 feet. It is 172 feet from the 15th story to the top of the skylight. They fell from the 13th, or 22 feet below the top of the 15th floor.

Tale of Two Remarkable Hens.

Waterbury Dispatch to New York World.

Judge Fred M. Beasley, of the City Court, has a white Plymouth Rock pullet which has laid two eggs a day for five days, astonishing fanciers hereabouts.

The judge didn't believe his poultry attendant until, by the trap nest test, he proved her a dual egg producer.

The only other hen here which had a habit of laying two eggs in one day occasionally was owned by Charles Graham. The hen died of brain fever, induced by an almost superhuman knowledge of things about her. She charmed a black snake into a stupor and killed it, first dragging out its forked tongue.

Not in Portland Harbor.

BROWNSVILLE, Or., May 25.—(To the Editor.)—Can you give us any information in regard to the battleship Oregon being in Portland. There is a dispute here about it. One fellow said he was on it in 1897. Will you kindly inform me as to which is right.

W. J. W.

The battleship Oregon never was in Portland harbor. "One fellow" referred to above probably has the Oregon confused with the Charleston or the Baltimore.