PORTLAND, OREGON.

Entered at Portland, Oregon, Portoffice as ion Rates-Invariably in Advance

(By Mail.) r included, one year....\$3.00
r included, six months... 4.25
r included, three months... 2.25
r included, one months... 75
r Sunday, one year... 6.00
r Sunday, six months... 3.25
r Sunday, six months... 1.75
r Sunday, one month... 1.75
r Sunday, one month... 1.50
rear... 1.50 (By Carrier.)

Dally, Sunday included, one year 2.00 Daily, Sunday included, one month.... 75 How to Remit—Send postoffice money effect, express order or personal check on your local bank. Stamps coin or currency are at the sender's risk. Give postoffice address in full, including county and state. Pretage Rates—10 to 14 pages, 1 cent; 16 to 28 pages, 2 cents; 30 to 44 pages, 1 cent; 16 to 28 pages, 2 cents; 30 to 44 pages, 3 cents; 46 to 80 pages, 4 cents Foreign postege double rates.

Eastern Business Office—The S. C. Beckwith Special Agency—New York, rooms 45-10 Tribune building. Chicago, rooms 510-512 Tribune building.

PORTLAND, FRIDAY, SEPT. 25, 1908.

GOVERNOR HASKELL.

Governor Haskell's reply to Mr. Roosevelt will convince no intelligent person of his innocence. The logic f his letter is futile and its spirit is bad. The accusations against him are so serious that if they go without disproof they will ruin his reputation and drive him out of public life. This he must certainly know, and yet in answering them he affects an evasive and jocular style, as if the matter were of little moment. Arraigned by the President for base betrayal of the interests of his state, he gibes and Instead of indignant denials he treats us to jesting quips. He ofgives us in place of it the disingenuous retorts of a village wag. Heretofore Governor Haskell, of Oklahoma, has been rather a vague figure in the public eye. That he was a man of un-settled principles who was probably playing upon the radical wishes of the Oklahoma people for purposes of his own seemed clear enough, but nobody cared to accuse him of deep and deliberate villainy.

The public was aware of rumors which connected Governor Haskell with the everlasting Standard Oil scandals in Ohio, but in its unconquerable good nature it was inclined to forget them. Some persons accuse the American people of being too suspicious. They say we do not trust our public men as we ought. The fact Is that we are not suspicious enough. We pass over deeds which ought to make the men who commit them infamous. We forget too easily; we forgive too readily. Governor Has-kell is an illustration of the results of this National inclination to take men at their own valuation and lay up nothing against them. It is evident now not only that he was a paid creature of the Standard Oil Company years ago in Ohio and took the money of the monopoly in return for the basest services, but that he has never left its employment. A Standard Oil hireling he was when he ran for Governor of Oklahoma, and all his lurid speeches against the trusts were froth and foam. They were little arts of his which he practiced to deceive the people whom he professed to love so dearly. When he wrote Mr. Bryan's platform he was still a hireling, and all the eloquent denunciations of the monopolies in that document are but so much noise meant to cover secrepromises of favor to Standard Oil and the rest of the noxious brood.

Governor Haskell seems to be an almost perfect example of the most dangerous character who can exist under a popular government. He is a man who adopts radical ideas and pushes them to the extreme limit, not because he believes in them, but because he sees how he can make their enemies. False in his professtone, treacherous in his conduct, inmakes the best impulses of the people smudge of his villainous imitation of Demagogue is not the proper name for such a man. The demagogue is rash and dangerous, but he is at least in earnest. He does not hire the people for the purpose of deliberately deceiving them. He does not gain their confidence with the cool intent to sell it for cash. This, however, is precisely what Governor Haskell seems to have done. Unfortunately the English language has thus far provided no fit name for such characters. They have been so rare in our history that no name was needed until lately, but as the relations between the Standard Oil Company and its creatures develop, and one public man after another turns out to have be traved the country to this detestable spring of corruption, somebody will have to invent an appropriate title for the Forakers, Haskells and Baileys. Traitor will not quite do, because a traitor sells his country to foreign enemies, while these unnatural chil-dren have sold their mother to thieves within the household.

Mr. Haskell's conduct in every direction seems to prove that he does not know what sincerity means. The Democratic party entered this campaign as the friend and champion of labor above everything else. Mr. Bryan loses no chance to weep over the wrongs of the sons of toll and makes promises without end to ease them of all their burdens if they will only elect him President. He has no other way to fulfill those promises than by the help of his party friends. Mr. Haskell is perhaps the most conspicuous and typical of those friends. How does he show his love for the workingman? By vetoing a child la-bor bill. If there is one thing that labor most emphatically demands it is the abolishment of the iniquitous system of grinding profits from the bones and blood of little children, but when a bill for this purpose passes egislature of Oklahoma Governor Haskell vetoes it because, as he fatuously says, "it goes too far." Evidently the Oklahoma bill was so was in a position to place it in the drawn as to mean something, while doubtful column, and it is not improbthe promises and professions of Mr. able that Chamberlain the Senator, Haskell and all his tribe mean nothing at all. There is not one atom of sin- keep Oregon in the Democratic column cerity in a solitary promise of the for a while. Democratic party to labor. Puncture its loud professions one after another and they will all be found just as hol- cratic House and Senate, but his power low as Governor Haskeli's. If Mr. for mischief will be so greatly enof his campaign committee, how can be nervousness and distrust in the is fully as disreputable as he is tal- happy about it. Bryan keeps such a man at the head | hanced by his election that there will

JUST WHAT IT MEANS.

'What does The Oregonian mean by a strong government, a centralized government, a government of author-This question is ity and power?" pressed upon The Oregonian. The answer is simple.

strong enough to quell any local reernment that can open a way with Gatling guns through Chicago, Sacramento, Richmond or New Orleans, when necessary; a government able didate. to defy local mobs and state mobs and all sorts of obstructive combinations, and enforce national authority everywhere within its territory and jurisdiction; a government strong enough to push such system of internal improvement as may be useful for the the Roosevelt policies. Taft, then, is people at large, and willing to open erce and to interstate movement that has ability and intelligence and purpose to maintain a settled oney standard, and to keep its flag afloat in its outlying insular posses

And a government that is strong enough to deal with vast combinations of capital, like those of Standard Oil, the steel trust and the great railroad combines, the beef trust, the sugar trust and every other trust that does an interstate and monopoly business; a government not only that has the power, but the willingness and disposition to do these and other like things. In short, such a government as President Roosevelt has given the country-though checked by many obstacles, and such a government as Mr. Taft may be relied on to continue, if elected.

WHY ARE THEY SO ANGRY? The rage and fury with which pubication by The Oregonian of those 539 names of change-coat Democrats has been received by the puny Demo-ocratic press of Oregon would appear to show that facts hurt. Undoubtedly there may be Democrats who in good faith change from one party to an-other; but there must be a satisfactory exhibition of such good faith. Some a few, not many—have been able to explain convincingly why they left one party and joined, or pretended to join, another. It is well, and they are, of course, welcome. But it is the fact that the great body of the 539, and all others like them throughout Oregon, who registered as Democrats in 1906 and as Republicans in 1908, were inspired by no honest or worthy purpose, and went to the Republican primary and voted there to make mischief and for no other purpose. They are not Republicans, never were, never will be and never will want to be. All they want is to wreck the Republican party, and give the Democratic party an opportunity to ride over the ruins in triumph to victory.

When a man registers as a Demo crat one year and as a Republican the next, it is up to him to explain. If, when he explains, as one brother did, that he joined the Republican party to vote for Fulton, but later voted for Chamberlain, he is not a Republican and it is a piece of extraordinary impudence for him to say that he is, or that he "joined the party in good faith." Good faith isn't in him or his kind.

ROOSEVELT RESTORING CONFIDENCE A decisive and substantail advance in the prices of nearly all of the leading industrial and railroad securities vesterday is a tribute to the tremendous influence wielded by President Roosevelt. The President's startling denunciation of Haskell and his Standard Oil associations has had the effect of injecting some life into a campaign them carry him into office. And while which under the mild-mannered man-he openly advocates the cause of the agement of Mr. Hitchcock, Mas been people, he secretly betrays them to drifting into a state of lethargy. Wall street has not infrequently in the past hurled imprecations on the Chief Ex-ecutive for some of the drastic reforms which he has set in motion, but his the means of their destruction and sincerity of purpose has never been blackens political virtue itself by the doubted. The legitimate holders of rallroad and industrial securities know to an absolute certainty that under Taft's administration there will be no "ghost dancing" over free silver, Government ownership of railroads, wildeyed banking reforms, or anything of a similar nature to disturb the natural and much-needed tranquillity of the business situation

But for weeks these legitimate holders of the principal securities of the country have been much disturbed over the possibility of Bryan's election. These fears have been used to advantage by stock market manipulators to such an extent that all lines of railroad and industrial securities have been dragging in the market at a time when the supply of cheap was abnormally large. But Wall street, which to its sorrow has had more than one demonstration of the Roosevelt power with the people, is perfectly familiar with the tremendous influence of the Chief Executive, and the moment he makes a show of using that power for the purpose of protecting the people from a grand bunco game that is now being engineered by the Bryan-Haskell element of the Democratic party, fear regarding the future is immediately dispelled.

A few of the more intelligent Democrats, who by industry and thrift have accumulated property and have a personal interest in the maintenance of a stable currency system and a businesslike administration, seek to excuse an attitude favorable to Bryan on the ed, his power will be curtailed by a Republican House and Senate. This might be true for the first two years of a Bryan administration, but the mischief-making powers of Bryan the President would be so much greater than those of Bryan the unofficial agitator, that another two years might witness a change in the political complexion of the House and Senate. Chamberlain the District Attorney could do but little in changing Oregon from a Republican to a Democratic state, but Chamberlain the Governor especially if Bryan is elected, may

Bryan, not being a non-partisan, may not succeed in electing a Demo-

he expect honest men of any class to financial and industrial world until a The Oregonian support him? If he discards all the few more blasts from noosevel leave the result of the election no longer in his campaign?

THE HEIRDOM.

Roosevelt is an advocate of Taft, because he knows that Taft would carry out all his policies. Roosevelt cut himself off from the succession, because he could not break away nawer is simple.

The Oregonian means a government principle. It was remarkable self-abnegation. He now could be the canbellion, even of a dozen states; a gov- didate again, and there would scarcely be an appearance of opposition, if he were. But he respected the two-term sentiment, and could not be the can-

In his recommendation of Taft he declares that the Roosevelt policies are not only the Taft policies, but the two are so intertwined and interwoven that it is not certain they were not the Taft policies before they were not the echo or shadow of Roosevelt. and keep open our ports and harbors He stands, on his own ground, on his own individuality, for all that Roose-velt stands for; and it was by Taft's counsel and assistance that the Roose-velt policies were developed. Who should know about this? Who

can know so much about it as Roose velt himself?

No man of our time has had such popularity as Roosevelt. But he has refused to break with a custom that has hardened into a principle. He has refused to be a candidate for a third term, which he could have had more easily than the asking—he could have had it by his own consent. But he put it behind him. He would not break with the tradition.

But what he says to the American people is, that if they wish the pollhe has instituted to be carried out, Taft is the man who will do it. Bryan, whose ultra-impracticable methods would defeat the purpose.

We find in the current issue of Success, the well-known magazine, an ar-ticle under the title, "Why the President Is for Taft," written by Henry Beach Needham. In it Mr. Roosevelt appears in direct quotation marks and gives the Republican candidate the credit that is his due for early thinking on the subjects which recently have moved the country to action. "When I became Governor of New York, says Mr. Roosevelt, "and was confronted with new and perplexing problems, I turned instinctively to Taft. knew that we approached public questions at the same angle, and I wished to benefit from his sane, fair judgment." The President states that in his fight for the bill to tax public corporations on their valuable fran-chises he was made sure of his ground after consultation with Judge Roosevelt continues: "I con-Taft. sider the franchise tax law a part of my general policies of railroad regulation and corporation control. In view, therefore, of the experiences I have cited, you can understand me fully I say that Taft knows my poll-They are as much his as mine. And he will carry them out as he promised to do in his letter of accept-

Now it is coming to be sufficiently known that Mr. Bryan is not the "heir." Now, however, he affects to scout the heirdom, and to heap contempt upon k-the heirdom which only a little while ago he so proudly

ANOTHER PIT.

There are two classes of people who will rejoice over the proposed "enforcement" of the Sunday law in Portland, namely, big simpletons and bigger simpletons. The big simpletons will rejoice because they fondly imagine that the enforcement of this law will promote virtue. The bigger simpletons will rejoice because they still more fondly imagine that the enforcement will be real, and not deceptive. in practice to be instruments of blackthey are not likely in this case to be anything else. What we shall see as the farce progresses will be the closing of the news-stands, the apple shops and the bootblack booths, while such saloon-keepers as may pay the required blackmail will continue their business in some way. Instead of encouraging virtue, the enforce-ment of the law will simply add one more impulse toward vice. Almost every resort where a man might divert himself innocently will be closed, but the dens of evil will not be disturbed.

Plainly the main purpose of this dden spasm of virtue is to make political capital. Some time we may see the day when our laws shall be so rational that no decent man can refuse obedience to them, so clear that no intelligent man can fall to understand them, and so well enforced that no can find profit in violating them; but that day is not yet. Such aws as we have against victous practices produce hardly any other result than to afford venal officials an opportunity to sell the pavilege of breaking them, though it must be admitted that they also afford third-rate politicians an opportunity to humbug the people by pretending to enforce them. true enough that every law, no matter how silly it is, ought to be enforced, and that executive officers ought to have no discretion about it; but the persons who gravely publish platitudes of this sort know better than anybody else that there is no intention to enforce the law in reality. All that will be done will be to create a deceptive appearance of enforcement.

The British steamship Aeon, which salled from Portland with a cargo of lumber, was lost last month on a reef in the South Pacific, and the French bark Vendee, with a cargo of wheat from Portland, has just been wrecked on Wollaston Island. In the old days before the foreign underwriters regarded Portland as important enough to deserve fair treatment, all such wrecks were charged up against the Columbia River. Now that this port is on the map and increasing in prominence, the only effect of these wrecks on the port is to call the attention of the world to the fact that Portland floats so many cargoes for all parts of the known world that some of them are occasionally lost.

It is perhaps fortunate from a theatrical standpoint that Maxine Elliott and Nat Goodwin are playing with separate companies, for it would be a waste of advertising if all of this publicity could draw through only one box office. So far as the previous matrimonial adventures of the pair are concerned, it seems to be a case of "horse and horse." Nat Goodwin

liances have attracted nearly as mucl attention as her beauty. Nat dis-carded one of his wives because she was not as beautiful as Maxine, who was then his leading lady, and Maxine divorced her first husband because he was a baseball player, and had less money than the ancient millionaire she afterwards married. If the American stage depended on such stars as Nat Goodwin and Maxine Elliott for its elevation it would soon land in the

Portland bank clearings for the first three days of the week were \$3,786,-745, compared with \$3,551,021 for the same date last year. This is a remarkably good showing when it is recalled that at this time last year we were floating on the top wave of a prosperity that had not yet felt the breath of the coming panic. Another feature which makes the showing even more favorable is the unsettling influence of the coming Presidential campaign which was not in evidence The increases that are shown in bank clearings have been scored in the face of a general policy of caution on the part of the banks, and with a large amount of idle cap-ttal which will be held off the market and out of investment until after the November elections. Unless the re-sult of the election should be unfavorable, there will be a sudden revival which will make all previous bank clearing records appear small.

No Bryan journal in the Northwest nor, we think, in the Pacific States, prints the political news of both par-The Oregonian does it steadily, and thus far it has given even more space to the Bryan than to the Taft campaign. And everything is given impartially by The Oregonian, while the Bryan papers give little or nothing of the news and speeches on the Republican side. The Oregonian is, simply a newspaper and has no other function or purpose than that of journalism. Included in this function or purpose is, of course, its own exposition and interpretation, through its editorial writing, of news and events and of matters under public discussion. But it prints all the available news of the proceedings of all parties, and readers within the range of a Pacific Coast paper can get all the news nowhere else.

Dr. Alida C. Avery, a ploneer in the ranks of women in medicine, and well known as a consistent and practical advocate of the right of woman to do anything that she can do acceptably and profitably, died a few days ago at her home in San Jose at the age of 76 years. Like Susan B. Anthony, this exponent of political, industrial and professional equality for women, passed on without witnessing the full fruition of their hopes, but the changes that took place during her long life along these lines must have been gratifying to one so energetic in her contention as she had ever been. Dr. Avery was widely known and highly respected in her profession and went peacefully to her rest after a long, strenuous and useful

The Yamhill County Fair held at McMinnville attracted a crowd of 6000 people on the opening day. McMinnville is not as large as Portland, but the support given the fair was about four times as great as that extended to the Pacific National show in this city. In size and character of the exhibits, without in any manner disparaging the McMinnville exhibition, the Portland show is as much greater than that of McMinnville as this city is greater than the Yambili County metropolis. Comparisons are not pleasant, but by following them out a little farther it might be said that the evidence so far as it has been col-lected indicates that public spirit in Laws of this sort have always proved McMinnville is a few thousand per cent higher than in Portland.

Mrs. Hannah Mason, widow of the late ex-Mayor Mason, whose death occurred at her home in this city a few days ago, proved the quality of the philanthrophy for which she had been known in life, by devising a modicum of the modest fortune which she possessed to some of the most worthy and helpful charitable institutions of this city. Portland has been fortunate in receiving bequests from women of means who have testified to the womanly instinct of love for home and a desire to help the helpless and who have devised large sums for the public good. The name Hannah Mason is by the terms of her will added to the list that already contained those of Ella M. Smith, Amanda Reed and Rosa F. Burrell,

Do we want a naval force in the Pacific? Then we don't want Bryan. Do we desire to be prepared against emergencies in the Pacific? Then we don't want Bryan. Do we desire to push trade in the Pacific, and to hold the Hawalian and Philippine Islands as means to this end? Then we don't want Bryan.

Possibly Mr. Bryan may have occa sion to remember that one D. B. Hill, who is to manage his New York camonce managed a New York paign, campaigh so skillfully and successfully that he (Hill) was elected Governor, though the Democratic candidate for President lost the state and the Presi-

Bryan tried to pose as the heir of Roosevelt, the shadow of Roosevelt. But Roosevelt shows there is immense difference between himself and Bryan, Then Bryan denounces Taft as the "shadow of Roosevelt," and calls him "Roosevelt's appointee." Ingratitude thou marble-hearted fiend!

Mayor Lane thinks that ten good policemen will make the North End a real paradise. No doubt. Ten is the right number. Just think what Sodom might have been with sten righteous men.

Somebody writes to ask The Orego nian why it wants Cannon defeated. It doesn't. It merely wants him hobbled, and scared just a little, and beaten for Speaker, and a few things like that.

Assured by the Bryan organ that the state registration is without guile, perfect in detail and results. Repubicans may now confidently expect 52, 133 plurality for Taft over Bryan.

Blue Sundays and no red lights for Portland. Yet we don't seem to

ented, and Maxine's matrimonial al- GETS LONG TERM IN JAIL Allen Collie, Who Beat Woman, Is

Sentenced to 12 Years.

Twelve years in the Penitentiary.

That was 'the awakening from a drunken revel which Harry Allen Collis had yesterday. One night in July he got drunk, broke into a suburban house and assaulted a woman of 67 years. Since that time he has declared he has not the slightest recollection of anything he did on the unlucky night.

"Til never serve a day in the Penitentiary-Til kill myself and you can't stop me from it." Collis told Sheriff Stevens while being taken from Circuit Judge Gantenbein's courtroom to the County Jail for safekeepins.

"Tve made a blunder of life and with 12 years in jail ahead there's no use of my trying to go any further," the young man added, "and Til end it the first chance I get."

Because of this threat special watch was kept over Collie last night. He

Because of this threat special watch was kept over Collie last night. He made the threats in such a quiet way and took the court's order with such stolcism that the officers gave him credit for meaning what he said. Extra manacles will be placed on him when he is taken to the state prison today to begin his long term.

acles will be placed on him when he is taken to the state prison today to begin his long term.

Collie is but 25 years old. While the offense was the first one it was sufficiently helmous, in the court's belief, to warrant a heavy penalty. Collie beat and assaulted the old woman in the case and maltreated her for the greater part of a night. He got into her place by beating in the door of her home. Drunk, he went to sleep in the house, and the police were called by the victim. They arrested Collie, told him of what he had done and he seemed ganulnely astonished. He said he hadn't the least recollection of what had happened and didn't believe himself capable of any such conduct. He made little or no defence when put on trial.

The proceedings which ended Collie's cureer for the next 12 years were very brief and unmarked by display of feeling of any kind. Judge Gantenbein asked him if he was ready to receive sentence. Collie said he was and stood up. The words "twelve years" made no perceptible effect on him. He must have felt the

Coilie said he was and stood up. The words "twelve years" made no perceptible effect on him. He must have felt the shock but seemingly was prepared to face anything. He turned at once and walked down to the jail with Sheriff Stevens. When he spoke of killing himself he did it his such a quiet and impressive way that the Sheriff took precentions to prevent any such cheating autions to prevent any such cheatin

WHITNEY'S BAIL IS INCREASED

Dentist, Unable to Secure Bonds Goes to Jall.

Dr. G. B. Whitney, the young Forest Grove dentist who must stand trial on a charge of manslaughter growing out of the death of his fiancee, Mabel Wirtz, is back in fell. When he was taken before Circuit Judge Gantenbein, yesterday forencen, for arraignment, the Court held that the young fellow's bond should be increased from \$1000 to \$3000.

"I can't possibly raise the sum of \$3000." Whitney protested, but the Judge did not seem to be moved by that fact. He said that since an indictment had been returned by the grand jury charging

He said that since an indictment had been returned by the grand jury charging manslaughter the sum of \$3000 was the smallest bond that should be accepted. Inasmuch as Whitney coulân't produce the bond at once, he was surrendered to the custody of the Sheriff, who locked him in a cell in the County Jail. He did not plead to the indictment, asking to be allowed until Monday.

Grand Jury Again Reports.

Five more indictments were returns yesterday by the county grand jury. A yesterday by the county grain july. An are in minor criminal cases. Four "not true bills" were likewise returned. The indicted quintet are: M. F. Copley, Eugene Bachelor. Otto Tanberg and Tom Shock, charged with contributing to the delinquency of a minor female child, and George Markham, charged with obtaining money by faise pretenses.

George Markham, charged with obtaining money by faise pretenses.

Those acquitted by the grand jury are W. W. Reading, two charges of seiling vulgar pictures; Hermand Schwartz, pass-ing a forged check, and William Wroten, allowing a minor female in his saloch.

Seek to Enjoin City.

An order enjoining the city from selling the property of the Eliza A. Carson heirs

SETTLERS WIN A POINT

Made Party to Federal Suit to Annul Land Grant.

In the case of the United States against the Oregon & California Railroad Company et al. the Government takes the stand that the terms of the grant allowing the railroad alternate sections of land along its route have been violated. Attorneys for 628 applicants for land along the road made a motion in the United States Court yesterday praying to intervene and

made parties in the suit. The court granted the petition.

A. C. Woodcock, D. R. Murphy and A. C. Farren are the attorneys representing the petitioners. In the petition it it denied that the United States Court it denied that the United States Court has authority to declare forfeited that portion of the land grant for which regular application has been filed for the 160 acres each, the right being given the applicants under the act of Congress creating the grant. The petitioners represent that each of them made application for the acquisition of not more than 160 acres, and offered the railroad company \$2.50 an acre in payment. The railroad company, it is contended, declined to accept the prof-ferred payment and the petitioners claim an estate interest by having made the proffer in good faith, and now

are ready to settle upon the lands and improve the same. The petitioners asked that the court enter an order compelling the company to accept the payments and issue deeds.
They add that the rallroad company has already sold tracts of more than 160 acres and at a higher price than \$2.50 an acre. Special Prosecuting Attorney Townsend has charge of the torney Townsend has clease for the Government.

ATTEMPT TO QUASH CASES

Kribs and Puter Plead Statute of Limitations.

escape trial through this means, and bar the Court from setting aside the patents already issued.

Ex-Assistant District Attorney Cole was called by the Government to show that due diligence had been observed in filing the cases. The defense admitted that this may be true, but that the statute had run because of the delay referred to. The Court took the matter under advisoment.

SHALL THE CONSTITUTION BE OBEYED?

Then How Can Statement No. 1, or "Mandatory Election of Senators" Have the Slightest Validity? Asks Judge George—Further Discussion of the Interesting Subject of "Untrammeled Legislators."

SEASIDE, Or., Sept. 23 .- (To the Ed-SEASIDE, Or., Sept. 18.

tor.)—I have seen few criticisms of tor.)—I have seen few criticisms of Sentember 14. Some my article of September 14. answer themselves. When following the Constitution is termed "fustian" and "claptrap," no reply is necessary.
References to past Legislatures show
that the stricle was not really read.
Complaint against the legislative
system is an argument for changing

it; and inability to affect a change, no justification for violating law.

One says the "old system" was retten, but surely there is nothing necessarily rotten in observing our National Constitution. Another asserts National Constitution. Another asserts because our Constitution permits a State Legislature, in the absence of legislation by Congress, temporarily to prescribe the time, place and manner of the election of Senators by Legisatures, and Oregon having 'legislated,' that the following of the Oregon law would be following the Federa Constitution. But Congress has already legislated, and prescribed the

time, place and manner, and how the members shall individually and collectively ballot, and by their viva voce vote, etc., choose a Senator.

No one ever questions the power of a state, in the absence of conflicting collections by a state, in the assence of contients, legislation by Congress, to regulate, to some extent, the manner, but such can never include any power whatso-ever to "instruct" legislators constitutionally vested with their own right and duty of themselves selecting, nor to dictate to them for whom they shall vote

shall vote,
Law can regulate the manner in
which we in Oregon shall vote, but it
cannot instruct us, nor dictate to us. nor even require us to promise how we shall vote. Much less can Oregon "in shall vote. Much less can Oregon "in-struct" constitutional legislators how they shall vote. A vast difference there is between some right to regu-late the manner of elections, and a power to prescribe who shall be voted for or elected.

Besides, the Federal Constitution has absolutely fixed the privilege, power and duty of choosing and electing Sen-ators entirely outside of any state con-trol whatever. It has vested it solely in the Legislature, and this, of course, (akes it entirely away from control of a state, or any of its people. It guar-sntees that the Senate shall be com-posed of members chosen by members of the Legislature of a state. They cannot be chosen by the people of any state, directly or indirectly, and any state enactment which attempts it is void, and necessarily not law, nor binding on any one, nor enforceable to any extent, and every intelligent newspaper really knows it,

Not even Congress itself, that has full constitutional power to regulate the manner of Senatorial elections, has any power whatever to deprive legisany power whatever to deprive legis-lators of their full and complete power, or to hamper them at all in their duty, individually to choose whomsoever they please. Even Congress, with all its consti-tutional power, could not transfer this privilege to the voters, or to the peo-ple of any state. Under the Constitu-tion legislators have a right to remain

ion, legislators have a right to remain free from any dictation, or hold-up by any people, or by any voter owing good citizenship—duty under our supreme law. It is also as plain as a pikestaff that no constitutionally oath-bound member can divest himself, legally or member can divest himself, legally or morally, by promising away his su-preme privilege and duty to choose, absolutely himself, unfettered and un-trammeled; and for a law-respecting voter to attempt to hold-up a mem-ber to shackle himself in his known constitutional oath-bound duty, such action, when elected is culpable and contrary to the part of good citizen-ship, either to demand or to ask this. One criticising paper sagely says islator abdicates his own duty

One criticising paper sagely says
"that the legislators make the people's choice their choice," and that
"the people's choice being their choice,
they obey the Constitution by obeying In other words, each leg-cates his own duty to choose, and allows some one else to choose for him, and then obeys the Constitution by foregoing his own duty, and blindly following the bidding fine property of the Eliza A. Carson heirs for delinquent street assessments was asked of the Circuit Court yesterday by J. D. Carson and other heirs. It is set out that the city failed to comply with certain technical requirements, such as publishing notice of the intended assessments in the official paper. The lots have already been advertised for sale by Treasure J. E. Werlein, which are located on Front street, between Woods and Grover streets.

Constitution by foregoing his own duty, and blindly following the bidding the bidding of another—in short, that he does his constitutional duty by not doing it at all. And the beauty of it is that it all seems to be done "willingly." A hold-up victim who "willingly." A hold-up victim who "willingly." A hold-up victim who "willingly." Bays in effect, "I believe your gun is loaded, but if you won't shoot I will willingly "fork over," and thus he makes the gun-man's choice his own "choice."

An overwhelming Republican Legis lature is to elect a Democrat to our highest political office because "it's our Republican legislators' choice now." Will they do it because it now." Will they do it because it pleases them? Hardiy. They will do it, if they do it at all, because they feel fettered and not free to act. The excuse for them urged is that it is "the people's choice." No phrase is more absurd. All talk of "people's choice" in Oregon's Senatorial elections is not only in utter disregard of the legislator's own constitutional right and duty, but ignores also the constitutional will of the people of the United States. of the people of the United States—
who demand personal freedom of action in Oregon legislators in choosing
Senators for them, and for the whole
Nation, and who each have reasonable
ground for their faith and belief that Republican Legislatures will choose Republican Senators, and that only Democratic Legislatures choose Demo-cratic Senators.

But aside from this, has there been any "people's choice" in Oregon morally binding? Every one feels that the people of this Republican state do not people of this nepublican state do not want, and never have wanted Governor. Chamberlain for Senator. He never was, even at the so-called "election," the choice of a majority of voters—he only received a plurality, and a sm.ll one at that, While pluralities here elect in regular elections, there is no hinding law for "nonular elections." or binding law for "popular elections," or any moral efficacy in "people's choice," except arising from untainted and pure majority choice. In this case it cer-tainly was not a majority choice, and It appears moreover that the "choice" was tainted, and badly tainted at that. It is well understood that many who did "vote" for Governor Chamberlain as Governor, never wanted him for Sena-tor, or expected that any Legislature would ever choose and elect him, but simply wanted, by their "votes," to put Statement No. 1 Republicans in a hole. They knew that in law their ballots counted for haught.

Aside from all this, everybody is sattsfled that under a pre-concerted move-ment at the preceding primary, many Democrats registered themselves as The statute of limitation is the basis of the plea of Kribs. Puter et al. to have cases against them in the United States couris dismissed. Attorneys for the defendants appeared before Judge Wolverton yesterday, and in making the motion represented that the statute had run by reason of the failure of the United States Marshal to serve the subpenss within the statutory period. It is the object of the defendants, apparently, to escape trial through this means, and bar the Court from setting aside the patents purpose in Oregon of Statement No. 1 and handicap the Republican party, and voters at the polls. Certainly it was for no good purpose. None of them had any right to vote there at all, and enough of them voted throughout Oregon to faint with fraud the purity of "election choice."

No Democrat had any business in a Republican primary. Such was all a fraudulenc violation of the primary en-

actment which distinctly declares on the face of the law, that a political party is useful and necessary, and en-titled to protection from interference of persons not identified with it.

The manifest purpose of our primary law is to afford each party full control of its own primaries. Nothing else is common honesty in government. Our common honesty in government. Our orimary law meant well, but it was ter-

primary law meant well, but it was terribly abused by outside bad-faith meddling from members of a minority party having no pride or hope at home. Such fraudulent action vitiates resulting objects attained. Uncombtedly, the main purpose of all this false registration of Democrats in order to run Republican affairs, centered in securing Mr. Chamberlain as final people's choice," and through Statement No. 1 to force him as Senater on Republican Oregon.

they were, they were no friends of the Republican party, or of any of its principles, and had no business whatever, not one of them, in any Republican primary. Every Democratic one of them enacted fraudulently. Each and all were interlopers and meddlers, interfering with other people's husiness, and with the internal affairs of an opposite control of the protection. arty entitled, in law, to protection from such as they; and their participa-ing presence, in such numbers presence, in such numbers ughout the state, taints forever all

resulting "people's choice."

This abuse of law was all fraudulent grist for Mr. Chamberlain's political mill, if finally ratified by the Legis-

If the revelations daily coming out be If the revelations daily coming out to true, it would be little short of crima against pure elections and good government to be bound to ratify as "people's choice" results thus obtained. If legislators find there was fraud, it would vitlate what it produced. No one can be bound if such be the fact. If so, are Re-publicans to condone the offense, and re-ward the beneficiary?

ward the beneficiary?

Whether fraudulent or not, the whole thing has at the bottom no legal force, or validity, and in the choosing of a United States Senator, no promise to take "people's choice" is binding as against an oath of office and finally themselves to select and elect the best man.

One paper alleges that legislators are bound to obey the laws of the State of Oregon, and that one of these laws commands them to vote for this "people's choice." As though Oregon can command the United States! When the supreme Constitution says Senators must be elected by the Legislature, it necessarily is prohibitive of any attempt by any state to elect them by any of its people. That which is prohibited cannot lawfully be done, directly or indirectly. Oregon's "popular choice" attempt, and its initiative force bill compelling members of a Legislature to vote for and elect any particular one, never have been laws and never can be laws until the Posteral Constitution is changed. Our

elect any particular one, never have been laws and never can be laws until the Federal Constitution is changed. Our "commund" to legislators whom they shall elect is, in legal efficacy, as the idle wind.

One friend, pained at any doubt of the "divine right" of Governor Chamberlain to be Senator, writes me that members also take oath to support Oregon's con-stitution, and that this constitution has stitution, and that this constitution has been amended to permit laws to be made by the people, and that, since then, the "holy satement" has been enacted by a big majority; and later, by another big vote, another law has been enacted instructing members how they shall vote for Senator, and that a member violating that part of his oath "will be ten thousand times as guilty than he will of violating his oath to support the Constitulating his oath to support the Constitu

lating his oath to support the Constitution of the United States."

Somehow, I have been under the impression that an oath to support the Constitution of the United States—which
Constitution in likely declares that it shall
be the supreme law of the land, anything
in a state constitution, or laws to the
contrary notwithstanding," does away
with any inconsistent state constitution
and state laws, as well. They are not
locally a part of either state constituand state laws, as well. They are not legally a part of either state constitu-tions, or state laws, and therefore there can be no "state" oath to support what

Let us change our National law before we talk of the "lawfulness" of our state enactments. Struggle as much as we please, we cannot get away from the su-preme law of the land. Nothing can be law in Oregon that is contrary to the

M. C. GEORGE.

IN THE MAGAZINE SECTION OF THE SUNDAY **OREGONIAN**

WITH "UNCLE GEORGE" ON THE M'KENZIE

Annie Laura Miller's experience with the Nestor of fishermen on Oregon's finest trout stream.

THE REAL THING IN CHINESE ARISTOCRACY Full-pace picture in colors of patricians among Oriental resi-

dents of Portland. "THE BIGGEST IN THE WORLD, PRO TEM." Great structural and mechanical

achievements in America that call for the superlative, but for how long? THE TAFTS AS SEEN BY

HALLIE ERMINIE RIVES

ARE FLOWERS

Close view of the Republican candidate for President and his wife, from the pen of a woman who knows how to write.

Professor Francis Darwin holds to that theory and offers scientific proof to fellow scientists.

SENTIENT BEINGS?

NO RACE PERIL SINCE GANS GOT LICKED

says the Hotel Clerk, and he sets down a few things about the colored brother's fate, South and North.

ORDER EARLY FROM YOUR NEWSDEALER