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PORTLAND, MONDAY, NOVEMBER 1, 1909.

THE SUPREME COURT.

The Unhappy Position Into Which Shywter Politicians Have Brought It,

Opinions of lawyers in various parts of the state, supposed to be friendly to the recent legislative act that added two members to the Supreme Bench, in open violation of plain constitutional limitation, as well as the opinions of those supposed, for professional, personal or political reasons, to be friendly to the judges themselves, are solicited for support of this act Briefs and and its consequences. opinions are asked for; and we are told it is now understood that "twenty or thirty such will be filed by the most prominent attorneys in the state, in the endeavor to keep Associate Justices Slater and King on the Also, the information is ofbench. fered that the "bar is of the opinion that for the good of litigation there should be five judges on the Supreme Bench in this state, and it is said that a majority of the bar is in favor of increasing the court to seven membera.

We shall expect that many lawyers, solicited for their opinions, will take this opportunity to find favor with the intruding members of the court, and perhaps with the others. The expedient, indeed, is likely to be used to the utmost, to support the usurpation. Yet no number of opinions of this sort can change the facts at all, or reverse the opinion of the Supreme Court itself, delivered in the case of Cline vs. Greenwood, in which limitation of the number of Justices to three was distinctly accepted as one of the bases of the opinion and affirmed as part of the fundamental law.

to three. The two additional Justices, King and Slater, are, of course, exceedingly anxious to retain their seats, and it Cline vs. Greenwood, for that is what currently reported are preparing it would be obliged to do if it should briefs in their own behalf. This work wish to uphold the act under which may serve to prompt lawyers to ap-King and Slater were appointed: But proval, to acquiesce, or to add coinions the case, from every point of view, is of their own. An array of favorable embarrassing to the Court. - Reversal opinion is thus to be gathered, which it is hoped may overcome the validity effected without forced and false reaof the plain constitutional mandate. soning, which the whole people would All know how lawyers are inclined to detect and disapprove, and expulsion act in cases of this sort, when some judicial officer is involved who is exercising the prerogatives of his pojob, the way it stands. The fault lies The fact is, in such cases, their signatures, or even their own with the Legislature and with a class arguments, are not often an indication of juggling politicians of the two parof their own actual views. The idea ties, who have defied both the constiin this case is to give the brief the ap- | tution itself and the repeated and mos emphatic mandate of the people, in pearance of being the voluntary or spontaneous opinion of lawyers or this miserable business. Chamberlain friends of the court, in the interest is more to be blamed for it than any of right judgment upon an import- other one man. He wanted to appoint ant constitutional question, when in two of his partisan favorites to the fact the names on the brief have been | Supreme Bench, and made to the Legprocured by personal requests, or by islature a long, sophistical, chop-logic which many scarcely feel in position the proposition. to deny. We shall not comment now on this business with the severity the most emphatic and repeated prowhich its impropriety might well jus- tests of the people. It has been done, tify. It is enough for the present to too, by those who are continually tellmake the statement. Whether the two supernumeraries most earnest champions and faithful will insist in sitting in judgment on followers. They are the ones who intheir own case we are not advised; but sist that the will of the people shall some of their supporters argue that be obeyed; yet they go more directly they may do so. Here again the deci- against the will of the people than any sion in the case of Cline vs. Greenwood others in Oregon ever have "done. is directly misrepresented. This opin- Look at the record. These politician ion was delivered by Justices Lord, for years have been endeavoring to Waldo and Watson. They had been alter or violate the constitution, yet elected by the people, in the regular the people, as often as they have had way, in pursuance of law. They were a chance, have protested, not only not sitting in judgment in their own against violation of the constitution case, or in a case which depended on but have refused to change it, to meet the validity of their own tenure of th. demand of the politicians. Cham office. When the law was enacted berlain, like Bourne and so many, which created the separate Supreme many more, never could be anything Court the Governor was authorized to appoint the three Justices, to hold attached to no sure or steady princitill the ensuing elections. The Gov- ple. Professing entire devotion to the ernor (Thayer) appointed Kelly, Bolse will of the people, politicians of this and Prim. In Cline vs. Greenwood sort constantly obstruct it to their own the constitutionality of the appoint- ends. ments was attacked; on the ground that since the Justices had been ap- at this incident. Times innumerable, pointed, not elected by the people. their position and tenure were without lature to create a Supreme Court, in constitutional sanction. The direct violation of the constitution. The efquestion before the next judges fort has been made in one branch of (Lord, Whido and Watson) was the Legislature, then in another, Twice whether the appointment of their pre- it has been referred directly to the decessors was constitutional, or not. people, to authorize the constitutional The act was upheld. The opinion re quired, however, examination of the constitutional provisions relating to without amendment of the constituthe creation and status of the court, tion. The method of changing the that the whole contention might be constitution then was slow. But the understood. This was Cline vs. Green- proposition to authorize the increase wood, in 10th Oregon Reports. The of the members of the Supreme Court Court, citing and reviewing the articles to five was finally brought to a vote of the constitution, showed in plainest in the election of the year 1900. It terms what their meaning was-name ly, that when the population of the state should amount to two hundred a time; but again, in 1907, the Legisthousand the higher judiciary of the lature submitted an amendment to state, consisting of circuit and su- authorize increase of the number of preme judges elected theretofore in a single class, might thereafter be elect. three to five. This was beaten in the ed in distinct classes, "one of which classes," in the language of the constitution, "shall consist of three Jus tices of the Supreme Court who shall not perform circuit duty, and the other class shall consist of the necespeople, and passed a bill for addisary number of circuit judges." The, whole matter is absolutely tion of two more members to the Su- States are in need of, is not more re-

plain and every dispute about it is preme Bench. Yet they who inspired based on dishonest quibble. When the this work and carried it through pre-Legislature took action under Section te-1 to be the special friends and 10, Article VII, the preceding section | devotees of initiative and referendum (2 of the same article) was superseded, of direct primary nominations and of as the constitution itself intended it the holy statement. They are the very men who override the will of the peoshould be. So long as Section 2 was in force the judges were all elected in ple, while pretending to obey it! a single class; they acted both as dis-It has been a most unhappy thing trict and supreme judges, and the to put the Supreme Court into a ponumber never was to exceed seven. sition against the oft-expressed will of But when the Legislature (Sec. 10) the people, against its own judgments should find that the population had against the claims made for two reached two hundred thousand, it members of its own body, who have might provide for the election of the been obtruded upon it.

four, five or seven) were to consti-

tute a supreme court. The second was

were to be elected in distinct classes

One class of three was to constitute

the separate supreme court; of cir-

cult judges, called district judges no

tonger, there was no specific limita

tion as to number, but previously

there could be no more than seven.

who were to perform both district and

supreme court duties. It is impossible

to make the sections operative to-

gether, nor were they intended so to

operate. The word "seven" can't be

picked out of Section two, which had

become obsolete, and forced into Sec-

tion ten, which provides entirely new

conditions, intended to supersede the

former. If there may be seven su-

preme judges, there can't be more

than that number of judicial districts

judges at all. We must use one sec-

tion of the constitution or the other

one, which it was intended plainly by

the constitution we might do; but this

limits the number of supreme judges

It would be extremely embarrassing

to the Supreme Court to reverse

of Cline vs. Greenwood could not be

of the illegal judges from their seats

ombarrassments. It's a mighty bad

would create various other kinds

have chosen to use the second

or district judges, and no circuit

some who by this illegal body have circuit and supreme judges "in distinct classes." Three were to be Jusbeen deprived of rights assured to tices of the Supreme Court; of cirthem by the Constitution of United States may find a way of ap cuit judges there might be as many is peal to the Federal Courts. It will the Legislature should deem "the worth their attention. Again, it necessary number." Now both be made, and probably will be these sections of the constitution cannot be in effect at once; since one of made, a direct political issue in Orethem was expressly intended, on a gon. It may be appealed to the peostated condition, to supersede the ple. It ought to be, The Supreme Court of Oregon, as it now stands, is other. Moreover, they are irreconcil an unconstitutional and illegal triable, and employment of the second absolutely excludes the first. bunal. In one way or another deliv-Observe that in Section two

erance must be had from such a sitthe uation. The easiest and most direct word "districts" is used uniformlyway is through appeal to the people district judges who also were to act of Oregon in the next elections. The Section ten the words "circuit judges" first thing will be to make an issue and "supreme judges" are used uni formly, to mark the distinct classes against the advocates and supporters of the scheme, and to turn them down Now it is perfectly impossible for this reason, as for all other reaby emphatic vote. sons involved, to employ these two DISASTER IN STATE BANK GUARANTY sections together. The first pro-A friend at Astoria sends to The vided that there might be no Oregonian a letter from a New York more than seven district justices, who also (whether the number were

investment concern, setting forth the present predicament of the Oklahoma tate bank, through the operation of the justly far.ous state bank guarto drop this system, and the judges The letter, printed inty law. where, is commended alike to advocates and opponents of wild-cat bank ing schemes as a faithful statement of ust inevitably happen when bankers, stockholders, depositors and reditors of all , banking institutions are, without their desire or consent. oined together in a common plan whereby the safe banks are at the mercy of the unsound, reckless and Insecure.

The largest bank in Oklahoma has failed. There is not enough money in the guaranty fund to pay the clam prous depositors. There is a special sessment. The guaranty tax, regniar and extra, for this year, will 4 per cent of the capital stock of all Oklahoma state banks of course there can be no profit in banking in Oklahoma with such a rain on bank resources and such liabilities imposed and enforced by a oolish and unjust law. The end will ome when the state banks become lational banks, as they are doing in Oklahoma. These will soon be the

only secure Oklahoma banks. Oklahema crisis is grave now. What would happen if The nough now. another bank, or several other banks. hould fail, it is not pleasant to con template. Yet that is the thing generally feared, and in such matters apprehension often brings about the

Meanwhile Oklahoma entiry. awakening to the knowledge that the great bank guaranty scheme is a failure. It is worse; it is a disaster,

AS THE FOOL DIETH.

Willis Britt, aged 32, died in San Francisco Saturday. News dispatches say that "since the Ketchel-Johnson fight Britt had been drinking freely, and his excesses caused him to be removed to the hospital, where in his wcakened condition little could be done for him." It is also stated that, although thousands of dollars passed through his hands, Britt was a rapid ender and leaves a widow and child

with practically no estate. Here seems to be one of those cases 'as the fool dieth." Willis Britt was the son of a respectable plumber in San Francisco, and, receiving a very good education, found no difficulty in securing remunerative employment as

strictions on shipping, but, on the con trary, more ships and cheaper ships. It will be a sad day for the ship-subwhen the American ple learn all of the details of the shipping problem

Perhaps the most pleasing feature of the Pendleton meeting was the an-nounced conversion of Congressman Ellis, who has apparently abandoned the cause of the subsidy-hunters and

aken up that of the producers. Had Mr. Ellis had proper consideration for the interests of his constituents when the subsidy bill was up at the last seasion of Congress, he could have aided materially in giving that disgraceful measure its proper deserts. However, "while the Hght holds out to burn," etc. It is not too late for Mr. Ellis to go to the front at Washington, as he has done at Pendleton. If other consumers throughout the land follow the example of Umatilla County, other Congressmen may see the light, and in short time we shall enjoy the advantages of owning ships which cost no more than those which are used by our trade competitors. Mr. Ellis has made a good beginning.

Possibly

the

PROSPERITY UNPARALLELED.

There may be truth in that some what hackneyed axiom that there is no sentiment in business. There will be few Portlanders, or Oregonians outof Portland, however, who will fall to experience and express a sen timent of pride in the remarkable commercial showing displayed in the October records. Building permits, bank clearings, coastwise and foreign shipping, and practically every other branch of industry in this city estab shed new records for the month, reflecting a prosperity greater than we have ever known before. Our export-ers sent foreign more than \$2,000,000 worth of Oregon products to India. China, Japan, Europe and Central Our importers brought in cargoes from Europe, Australia, India, the Orient and from the Atlantic seaboard, while rail shipments took Ore gon products into nearly every state and territory in the United States. The territory for which Portland is the commercial and financial center has this year turned out more highpriced staples for which the whole orld offers a market than in any previous twelve months in its history

Oregon fruit, hops, grain, lumber, live-stock, dairy products and other staples are drawing money into the state from both the Old World and the new, and its effect is apparent on every hand. That the people of all other communities in the state will feel a pardonable pride in the wonderful showing made by Portland is a certainty, for the reason that Portland's prosperity is a reflection of the prosperity of the country which has made Portland great.

Immigration is pouring into the country in a volume never before approached, and there is not a city, town or village in the state that is not sharing to a certain extent in the general prosperity now sweeping over the en-tire Pacific Northwest. The city can The city can never grow if the country is at a standstill. The Portland man who is pleased with the showing made by this city has additional cause for gratification in the knowledge that similar conditions prevail throughout the vast region which supports the city.

BETTER OUTLOOK FOR FRESH EGGS The attempt to interest the boys and

girls of Multnomah County in poultry raising is commendable. It will give intelligent, energetic children some thing to do in their spare time that both useful and interesting and teach them the value of money by Beyond this the work, if earning it. successful, as it can hardly fail to be, will put stale eggs and half-starved poultry, shipped in so liberally at this eason and later from cold storage in the Middle West and California, out

of our local market. While even large increase in the production poultry and eggs would not mater fally decrease the prices of thes products in this market during the three

ompletion, it is full time for a move to be made on that other region of un-developed richness-Coos Bay. Port-land can get along very well without How the Juggiers Unblushingly Re-ject or Subvert It.

any more transcontinental railroad lines at present, but every one of these feeders, like the line to Tillamook on the proposed | entral Oregon lines, will add thousands to the population of this city and more thousands to that of the rich territory which surrounds us.

The Columbia Agricultural Company, which has reclaimed several thousand acres of tideland along the Lower Columbia River, has begun plowing it, and will next year raise a crop of grain. When this land is thoroughly broken up and carefully cultivated, a new district will be coming to the front with "the largest yield on record" of almost any kind of crops except those which thrive best in dry country. Some of the lands Sicily are said to be so rich that 2000 years of continuous cultivation failed to exhaust their productive properties. The wonderful tidelands of the Lower Columbia had been receiving nutriment from the wate the Columbia River for many thousand years before the first crop was planted in Sicily, and with any kind of care they will outlast the Sicilian lands. Oregon is a great country, and, irrespective of the temperance question, the newcomer of "dry" or "wet" farming. the newcomer can engage in

The Deschutes Valley exhibit at the Dry Farming Congress at Billings, Mont., came off victorious with the largest silver cup and a number of other prizes. The light of that great vailey has been hid under a bushel for so long that it may be yet a few aths longer before the rest of the world will become very familiar with the Deschutes Valley. Time and a rallroad will work wonders, however, and within a few years the exhibits of fruit and agricultural products from the Deschutes Valley, as well as from other localities in Central Oregon, attract "as much attention as those from older portions of the state. Some of the most fertile and best-advertised valleys in the Pacific" Northwest would still be uninhabited if they had not been favored with railroad transportation. The Deschutes has been slow in getting under way, but is coming fast, now that it has started.

Jackson, Ky., continues to disgrace Bluegrass State, although the chief assassin and desperado, the late Judge Hargis, is no longer where he can commit murder or hire murderers. A dispatch says that the Courthous at Jackson is in possession of armed Democrats, and that the situation has become so strained that many leading Republicans have left town. The con test is over the election of a Circuit Judge. There are so many easier ways of committing suicide that it is somewhat surprising that a Republican should show any desire to be elected to office in such a locality. Yet civilization is gradually working back into the mountains of Kentucky, and som day muy reach Breathitt County.

If a candidate in the primary re ceives say 18 or 20 per cent of the vote of his party for the nomination, and thereby insists that he is the choice of his party, is he? The great majority didn't want him, yet t is claimed that all must support him, in order to vindicate "the right of the people to name their officials. Such bosh won't "go" any longer.

Was the mandate of the people, an to election of Senator, more specific than their mandate as to the Supreme Far less so; for Chamber Court? lain's plurality was very small and then was hocused; while the majority against additional judges WAS the spontaneous expression of the people, and was enormously large.

If the object of an Elks initiation ceremony is to have fun, those Lewiston Elks have pointed the way. Two novitiates, after the regular proceedings, scared their tormenters to death

"THE WILL OF THE PEOPLE."

Oregon Observer (Grants Pass).

The rule of the people and the authority of the initiative and referendum are of little consequence when a bunch of rascals have a purpose to gain. The Legislature that the people directly elected at the same time that they con femned the increase in Supreme Court judges, was one of the most dishon brable Legislatures that ever afflicted a state. It cared nothing for the expressed will of the people at the polls. and duly proceeded to pass a measure providing for two additional Supremo Judges in open defiance of people and law. It accomplished the job, and enfowed the then Governor, George E. Chamberlain, with several very nice udicial offices to give to his friends, including the two extra judges of the Court. and George was not ong in distributing the enticing plums. Why did the Legislature place the expressed will of the people in con-The rottenness was made ap tempt? parent in many ways. The appropria were outrageous, and they were sold for a mutual price; the increasing of the Supreme Court bench was an assault upon the people and upon the law of the constitution; the vote as given, with wailings, in favor of Chamberlain for United States Senator was

a disgrace to manhood. It was an ac cursed Legislature, and Ofegon wants no more like it forever. There is now no doubt that a bunch of alleged Republican members com-

of alleged Republican members com-mitted themselves not only to Sfate-ment No. 1, but also allied themselves personally with the great schemer, Chamberlain. He played them, and some at least duly received reward. The Observer has in mind a most de-vout Republican organizer who was considerable of a political power in Ciackamas County, This was J. U. Campbell, a Canadian by birth whom his fellow-countrymen in Oregon do not glory in. The Republicans of Ciackaglory in. The Republicans of Clacks. glory in. The Republicans of Clacka-mas honored Mr. Campbel by electing him to the Legislature. On the last occasion he was a Statement One man. If he chose to believe he was bound in honor, it was proper for Mr. Campbell to adhere to the Statement pledge; but no was under no obligation to accept a Circuit Judgeship at the hands of Chamberlain. It may have been per-fectly clean, but it looked very much like a reward for services rendered Others might be referred to, but it is not necessary. The wiles of Chamber-lain captured the Legislature for his own, and his closing days as Governor were blossed with a generous patronage provided for him in defiance of law and resole

and people. Attorney - General Crawford has declared that the Oregon Supreme Court is now unconstitutional, and has en-tered action in behalf of the state to set aside the appointment of the two Supreme Court Judges not provided for by the constitution

PHENOMENA AT SANDERS HOME

Theories About the Sub - Conscious Mind and Spirits of the Departed. PORTLAND, Oct. 3.-(To the Editor.) -As reported in The Oregonian, Dr. A. A. Morrison is of the opinion that the queer occurrence at the home of J. D. Sanders, last Thursday afternoon, was "the manifestation of an unusual intelli-mence". While the is muchable as say gence." While this is probably as sat-lefactory an explanation of the mystery as that of attributing it to electricity, which Dr. Morrison says is absurd, cer-tainly to most people there was not the slightest exhibition of "intelligence" in

entire spectacle. it was the application of the intelli-If it gence of living persons, surely it was very unintelligently applied-for if a same man or woman should play havoe with man or woman should play have with the household belongings of another in that manner, a jall sentence would be the penalty for such "manifestation". If it was the work of departed spirits, the latter unquestionably chose a very poor-way of showing their presence in an "intelligent" manner. Or, since all choined manifestations, or communicaan incompent manner. Or since an claimed manifestations or communica-tions from the spirits of departed people take the form of tipping over furniture or rappings on tubles, which would in all cases be denominated as ridiculous if ancases be denominated as reductions it en-gaged in by those yet in the fleek, and would promptly place them in confine-ment for mental derangement, is it a fact that the great law of transposition which we call death actually destroys the mind and all intellectual equilibrium in the life

HOW BANK GUARANTY WORKS.

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Serious Plight in Which Oklahoma Is Now Placed.

From a Circular of J. S. Baohe & Co., New York.

The Guthrie, Oklahoma, correspondent of the Boston News Bureau says that "the antire Southwest has talked of little ciso during the past two weeks than the failure of the Columbia Bank & Trust Company, of Oklahoma City, the largest state bank in Okinhoma, whose suspension has caused consternation among the advocates of the guaranty deposit law, government has practically taken charge and the courts are filled with litigation growing out of the affair. The bank was xamined by two employes of the Bank Commissioner's office, September 1, and pronounced safe. In less than four weeks It failed, with a shrinkage of nearly 3500,-000 in resources. This recalls the story of the times of the Mississippi stourboats. Explosions became so frequent that a law Explosions reconners in receivery to have was passed making it necessary to have Government inspection of every bollin, and without a Government cartificate no steamboat could run. Soon afterways there was a most terrific explosion on one of the steamboais, and so direful was the disaster, it is said, that crew, passen gens and every part of the vessel blown to atoms. The only thing could be found afterwards perfectly Was that served was the Government*certificat inspection, stating that the boiler was all right."

. . . The News Bureau correspondent goes on to may:

to say: "The deposits of the failed bank were almost \$3,000,000, of which \$500,000 approx-imately were Okishoma funds, including \$50,000 of the state guaranty fund itself. for the The loss made it necessary Bank Commissioners to levy an addi al special assessment on the state banks of 3-4 per cent of their deposits to make good losses to depositors. This means an verage of nearly 4 per cent on the capi-al stock of all state banks. It means three or four months' profits for many of the banks, and the bankers are protest-ing against the levy. Most state bankers want to know what is being done with the money. If it is being deposited in the failed bank to make deposite with which failed bank to make deposits with which to reopen, they feel that it ought to be

The guaranty fund when the bank failed was \$300,000; since then there has been a regular assessment of 1-5 per cent, bringing in \$55,000, and an emergency as-sessment bringing in \$28,000. State bank-ers declare that, if there ware liquid assets in the banks, they should have been converted into cash, and no extra assess-ment made. If the bank is recognized, as now seems probable, and the guaranty fund is left in it as a deposit, the state will have nearly \$1,000,000 deposited in this one bank, and no statement of the real condition of the bank will ever be made

public.' The Kansas City Sunday Star in its letsituation in the testing of the guaranty law in connection with the fallure has been developed by the demand of the Oklahoma School Land Board, upon cer-tain surely companies, for the payment of \$140,000 piedged by these companies for

the safety of \$192,000 of school land funds on deposit at the bank at the time of its failure. It says: "The sursty companies are willing to

pay their obligations, but they desire to know if the School Board has asked the State Bank Commissioner and the State Banking Board in charge of the bank for payment of the state's claim, inasmuch as there is no apparent reason pro guaranty law why the state should not be paid out of the guaranty fund, in the same maner as any other depositor "If the State Banking Board is able to

pay the School Board, then the surety npanles see no reason why they should one required to pay, as the school land und has suffered no loss. If the School Board has not been paid, however, the fact is shown that the guaranty fund has been inadequate to meet the obligation of he bank. At least one surely company swilling to pay its surely bond if the school Board will turn over to the company the state's right to a part of the posit equal in amount to the bond. ompany then would be in a position demand payment as a depositor, and if this payment should be refused the courts would be open to force payment, inaa-much as there may be no discrimination and if in the payment of depositors. This pro-posal will be made to the School Board at Guthrie next week."

The recent decision of the United States Circuit Court in Nebruska declaring the guaranty bank law unconstitutional is another step in stamping out this heresy. One point made by the court is worth One point made by the court is worth quoting: If the state possesses the power to single compatible of the state of business solvity and compatible of the state of the state of the the losses of strangers, whose only relation to him is that their business is known by the same general term, why may it not ro-quirs all those engaged in one occupation to pay the losses of those engaged in other occupations? And it the state may require those of one class to contribute to the losses of the same class, it is but a size further to require the fortunate to bear the financial bases of the less fortunes. The pro-vision pertaining to the depositor it guaranty fund cannot be sustained on the theory that society is discharging an oldigation it owns to those pauper and dependent classes who have always been resulted as priper all-debtor, and this act is not confined to the relify of fortune, but payment is required to all depositors, whatever their financial con-ultion may be. quoting: United States Sopreme Court and if that court concurs, we shall have an end of the whole matter in all the states. One of our Southwestern correspondents

insinuative style of solicitation, and rotten argument, in advocacy of

And all this has been done against ing the people that they are their chapter. more than an opportunist politician,

Look, in particular, and attentively attempts have been made in the Legischange. In those days the Legislature didn't presume to attempt the act result was rejected by a poll of 26,262 to rates. 15.028. This settled the question for Justices of the Supreme Court from general election of 1905 by a vote of 50,591 to 30,248. A few months later the Legislature, incited by a political gang led by Governor Chamberlain, boldly repudiated this second emphatic expression of the will of the

a newspaper reporter. At that work was quite successful, and, had he ontinued with it, would undoubtedly today have been respected and

spectable us a live citizen instead of a dead drunkard 'he prizefighting game lured Willis

Britt away from the paths of respectability. From a boxer and fighter himself he developed into a manager and matchmaker for prizelighters-a posiion on nearly the same social level as that of macquereau or procurer. It is, of course, impossible to determine what Willis Britt thought as he seared the end of the primrose path. Early evidence of his intelligence. however, makes it reasonable to sume that during his lucid intervals he must have felt a deep longing to return to the paths of decency from which he strayed in quest of some easier of llving than by hard work and hon-

st effort. It pays to be decent. always has paid to be decent, and it will so continue to the end of the _

FARMERS ARE LEARNING.

A representative body of Umatilla County farmers and business men met in Pendleton Saturday, and in a set of ringing resolutions denounced the attempt of the Seattle Merchant Marine League to induce the Government withdraw foreign colliers from mpetition in the offshore trade out of Pacific Coast ports. The importance of a meeting of this kind cannot be overestimated, indicating as it does

that the producers of the country have at last gained a clear understanding of the effect that present restrictions have, and prospective restrictions will have, on the profits of the producers' work. In noting the presence of some of these foreign colliers on the Pacific Coast the Senttle Railway and Marine News, under the caption "Will the Navy Department Keep Its Promise? among other comment says that as a of these colliers being here

'rates for wheat from here (Seattle) to Great Britain have dropped from 32 shillings to 28s 6d for steamers while sailing ships are begging at union As a single one of these foreign col-

liers will carry to the European markets the product of more than 100 farms, it is easy to see that the interest of the Seattle Merchant Marine League is directed in behalf of the one owner as against the interests of the 100 farmers. Quite naturally, the Umatilla farmers object to this one-sided arrangement, and it is also quite natural that they should not care a rap what fing flies over the ship that carries their wheat to market. What the

what all other producers in the United

months beginning with Novemb would insure a supply that could be relled upon as fresh and wholesome and hence well worth the price.

The housekeepers of Portland are now paying 40 and 45 cents a dozen for eggs. Not infrequently two of three in every dozen are unfit to use Not infrequently two or while there is seldom a really fresh egg in the lot. If is not the price which complaint is made, though that is high enough, and will be much higher by Thanksgiving. It is the fact that money will not buy fresh eggs in this market for at least quarter of every year. Clearly, then, If the Portland Junior Poultry Assoclation brings, through its efforts, relief in this quarter, it will promost beneficial organization and a profitable one as well.

OUR NEXT NEW RAILROAD.

Completion of the North Bank Rail-oad, the fierce rivalry between the road, Hill and the Harriman forces for van-

tage in the Central Oregon field, and the steady increase of electric-line mlieage in the territory adjacent to Portland, may have caused us tempor-arily to lose sight of a highly important trade field that will be opened up next year. The road to Tillamook, for which Portland has been working for years, will be an accomplished fact next year, and, in anticipation of its early completion, a large number of ne / settlers are rushing into the country. The possibilities for trade in this new field, as yet scarcely touched, can be partly understood when it is stated that the value of the cheese output

alone from the fifty-two factorie the county will this year exceed \$500 .-000, while other dairy products, fruit and fish will add as much more to the wealth of the county.

For permanent value, the dairving and agricultural industries are proportionately the most valuable assets of Tillamook County, but the traffic that will pour millions into Tiliamook and the other coast regions to be tapped by the new road is that which will fol-low exploitation of the timber resources of the county. Tillamook County alone has 30,000,000,000 feet of

merchantable timber. While this is being marketed employment will be given thousands of men who will there make homes and in time transform the wilderness into a garden. The Tillamook region is an ideal dairy country, but it has been demonstrated also that fruit, vegetables and other farm products will all reach a high degr.s of excellence. The showing that has been made by the county, ham-pered as it has been by lack of trans

portation facilities, assures a wonder-Umatilia County farmers desire, and ful development as soon as the rallroad shall be completed next year. With this big project well on toward

by shooting up the lodg humor of the thing. They have established a precedent

Undoubtedly Judge Gaynor is looking forward to the time when he can bridle his tongue, withdraw his libel suits and settle down to a peaceful and happy career in the New York Mayoralty. But the judge is in need of rest, restraint and retirement.

Strange situation in New York. will be Gaynor probably elected Mayor; yet only one newspaper in the city-the World-supports him, and he has sued it for libel. But the brute force of Tammany will probably carry Gaynor through.

One box of Albany apples was knocked down Saturday to a wealthy Portland man for \$21.50. It's easy to Portland man for \$21.50. keep Oregon apples in Oregon when you have the price.

That New Orleans audience received your uncle Joseph Cannon's defiance of the insurgents with shouts of approval. There is more approval than votes in Louisiana for Uncle Joe.

Another reason for Democratic hostility to Republican nominations by convention is that Democrats cannot participate in a Republican assembly, as they do in Republican primaries.

The next explorer who is determined on making his claims stick should be sure that among his companions are two corroborating, disinterested with nesses and a notary public.

In the crusade of officials for pure milk the fondest expectations have already been realized; price of milk has advanced and provision is making for two more city inspectors.

A heretic is a person who dissent from another person's notion of the Almighty. Naturally, heretics are the ommonest individuals in the world. The people have voted twice to limit

Oregon's Supreme Court to three udges, in accordance with the constitution. Shall the people rule? It may have been cold and freezing up at the Pole, but it was certainly

ot enough for Explorer Cook in that Hvely Montana town. Mr. Jeffries and Mistah Johnsing are

certainly the greatest fighters who ever They have surpassed all others Hved. in telling about it.

There are many more liars, evident. ly, than will ever scale high peaks or reach the North Pole.

This is fine weather. No joy riding

At least, the "sub-conscious mind" that

are least, the sub-conscious hind that rould engags in the house wrecking bus-ness which, took place at the Sanders' one ought to make an extra effort to conscious and rational at once and abandon further exhibitions of isual intelligence." T. T. GEER. Charles and the

Paladino a Common Swindler,

New York Times. Almost the last thing Cesaro Lom-rose did was to promise to communicate with his friends, as soon as he could after death, through the clumsy juggler, Eusapia Palsdino, a woman whom his stoutest defenders charge with practicing fraud whenever oppor unity offers. This woman, after care-

tunity offers. This woman, after care-ful investigation by the British psychi-cal researchers, was dismissed as a common swindler and nothing more. It is a pathetic ending of a career that promised so well, and in which not a

promined so wer, and in which not a little was accompliabed. Of course the "communications" will come, and of course they will be ac-cepted by the predestined dupes as proving the claims of spiritualism.

"I-t-'s Ver-y Like-ly."

Eugene Guard. The Oregon building at the A.Y. P. Ex-position has been sold for \$1501. We pre-sume that President Webrung of the commission, will turn the odd dollar into the State Treasury and charge the very reasonable sum of \$1500 for making the

A New Job for Explorer Weilman.

Kansas City Star. Why doem't the esteemed Chicago Rec-ord-Herald assign Walter Wellman to ascend to the topmost pinnacle of Mount McKinley?

A Great Joke.

Pittsburg Gasette-Times. The Hon. Champ Clark says the next Congress will be Democratic. Champ-you know, says more things that win a leugh than any other man in Congress.

Waiting

John Burcoughs. Berene I fold my arms and walt, Nor care for wind, or tids, or sea; I rave no more 'gainst time or fate, For lo! my own shall come to me.

stay my hasta I make delays, For what avails this caper pace? stand amid the oternal ways, and what is mine shall know my face.

Asieep, awake, by night or day, The friends I seek are seeking ms; No wind can drive my bark astray. Nor change the tide of destiny.

What matter if I stand alone? I wait with joy the coming years; My heart shall reap where it has sown, And garner up its fruit of tears

The waters know their own, and draw The brook that springs in yonder height; So flows the good with equal law Unto the soul of pure delight.

The flowerst modding in the wind Is ready plighted to the bee: And, maiden, why that look unkind? For hal thy lover seeksth thes.

The stars come nightly to the sky; The tidal wave unto the sea; Nor time, nor space, nor deep, nor high Can keep my own away from me.

wires us in reply to inquiry as to the

wires us in reply to inquiry as to the present situation: The whole business is in a muddle. The state officials refuse to give out any in-formation. A new state bank, called the Central State Bank, with \$100,000 capital opened in the rooms of the oid bank and took over some of its assets, but no state-ment as to how much has been made. At the same time, the Bank Commissioner oc-cupies a dask in the bank, settling up the affairs of the oid bank. Charges of publical influence, etc., are boing made. No definite information is obtainable.

Gaynor.

Gaynor. New York Tribune. The York York Detrong the standar-the standard s

Yes, it is not firewater in his belly but the coal of fire in his head that makes him go on so.

CURRENT SMALL CHANGE.

"What a June!" "That abort girl? Don't you think that is a mimonus?" "No; she's a Miss Smith."-Baltimore American.

Said he-"Since I met you I have achy one throught." Said she-"Well, that's ens more thron you had when we met."-Chi-cago Daily News.

"Lady," said Workless Walter, 'I have had a checkered enterr" "And it's your move now," rapiled the hady as the reached for Tige's chain-Princeton Tiger.

for Tige's chain.—Princeton Tiger. "And did you enjoy your trip through switzeriand?" "Yes, very much. Thoy had such attractive post cards all through that country."—Chicaro Record-Howald "And whore is your husband?" "Alas! He is in the future state! "Pardon net, I ddn't know he was dhad. "He alr't. He's homesteading a claim in Arisons.—Cleve-land Lessder. "Nell—Judging from the way Miss An-tions zuards the family Hible she must be accessingly food of L. Ehe wyen karge H under look and key. Belle—Yes, you know, the date of her birth is recorded in R.— Philadelphia Record.