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PORTLAND, FRIDAY, MAY 6, 1910.

FIXING THE BLAME IN CONGRESS.

The Republican party finds itself impotent in Congress, on account of factional disruption. The smaller faction, insurgents, demands that the larger one, regulars, submit and virtually pass under the yoke. Traits of human nature and habits of political organization make such surrender impossible. The majority element of Republicans in the lawmaking bodies refuses to be ruled by the minority. And the result of this deadlock, continued, will be failure of legislation to which the party stands committed, including enlarged powers of the Interstate Commerce Commission for regulation of railroad rates and postal savings banks.

The spectacle, ages old, of a rebellious faction calling in the enemy to help put down kin and brethren, is repeated in this rumpus in Congress, where insurgents, in order to triumph over their more powerful Republican rivals, have called upon Democrats to join them in putting their brethren regulars to rout. We may expect to see the invited invaders repeating history and refusing to move back home when the rout has been accomplished. Insurgents are certainly playing into the hands of Democrats, and nobody realizes this better than Democrats.

Insurgents represent, it is true, a strong body of dissatisfied citizenship, and some of their measures would please the country, as the Cummins amendment to require approval of rate increase by the Commission before it shall become effective, but the insurgent procedure is destructive of Taft legislation.

The Administration's measures will make for the well-being of the country and the fulfillment of pledges. Turmoil over tariff, which gave rise to insurgency, is wholly illogical and inconsistent, because protective duty cannot be logical nor consistent. For insurgents to contend that their interests are entitled to protective tariff and other interests are not is absurdity that smacks of demagogism and vainglory. If insurgents would stand on the issue of tariff for revenue only, then their feet would be on firm ground. "Revision downward" means nothing but buncombe, whether on the tongue of Republicans or Democrats.

But the biggest absurdity is that of a minority in Congress dictating what the majority shall do, to the extent of obstructing all important legislation. If insurgency is actuated by abiding principles, it need not fear that they will die should they not be enacted this session of Congress. Legislation and statesmanship are a balance of give and take. Willingness of insurgents to let Democrats triumph over both themselves and regulars, unless insurgents get all the things they want, would indicate that there are no basic purposes of party action on which they and the larger number of Republicans in Congress can agree. It reminds one of the O'Brien insurgency in Parliament, where a small faction of Irish members have called in the Tories and are resolved to ruin the whole Irish-Liberal programme of home rule, just because the O'Brien idea of budget and land tenure has been ignored.

Republicans cannot make any headway toward redeeming pledges against opposition of insurgents and Democrats, nor, of course, will the insurgent-Democratic combination enact Republican policies. It is clear, therefore, where the responsibility lies.

The worst of it is that Democrats are afforded opportunity to sound their tariff reform buncombe and perhaps to win the next House of Representatives.

RUSSIA'S GOLDEN HARVEST.

If Russia is really intending again to try conclusions with Japan, she is making excellent preparation in the way of replenishing her depleted war chest. In no previous season has Russia or any other country ever flooded the European markets with such immense shipments of grain as have been coming out of the Russian ports since August 1. This avalanche of grain has not only made up for all of the deficiencies in the exports from other countries, but it has sold at such high prices that the money actually paid for it has reached a sum so vast it has made its impress on the financial markets of the entire world. For the nine months ending May 1 the value of wheat, barley, oats, rye and corn shipped from Russia reached the enormous total of $331,000,000, of which nearly two-thirds was wheat.

Naturally these record-breaking grain shipments necessitated the movement of large quantities of gold, and no small amount of the heavy gold exports which have been going out of this country have been diverted to the land of the Czar in payment for wheat which was sold to the Europeans, who, in turn, had sold the Americans more merchandise, etc., than we could pay for with our declining exports of foodstuffs. This drain of gold from the United States has not yet reached proportions that have more than mildly affected financial conditions in this country, but it was the inroads it was making on the British supply that caused an advance in the Bank of England rate several weeks ago and, of course, a sympathetic effect was felt throughout the world.

The limit of grain production in Russia has never been approached, and it is difficult to determine the size of the crops that are now harvested. The present record-breaking shipments were drawn out by the abnormally high prices obtainable and by the pressure of the Russian government, which has more control over crop movements than is exercised or possessed by the men who grow the grain.

THE REAL QUESTION.

The Oregonian has today a letter from Mr. Zimmerman, a professional worker for state-wide prohibition. Mr. Zimmerman entirely evades the real issue as to prohibition. The question is not whether the loafers and idlers in the North End and at Burns make the saloons or the saloons make the loafers and idlers; nor is the question as to whether the laborers and herders on the stock ranches of Eastern Oregon go to town on Saturday night and get drunk. These evils may be conceded. The whole point is whether state-wide prohibition will cure them.

Does state-wide prohibition prohibit? It is known that it does not elsewhere. It is certain that it will not in Oregon. If the stockmen on the ranges are anxious to keep their men sober, why should they chase such a futile will o' the wisp as state-wide prohibition? What is the matter with county prohibition, which we now have? There is nothing whatever to prevent Harney County from voting dry its entire area, including Burns, if a majority of its voters feel that way. Harney County hasn't done it and apparently will not do it. Probably those thousands of stockmen have not so great faith in the efficacy of prohibition as this writer declares.

Doubtless a determined Sheriff or Town Marshal could drive out the blind pigs at Roseburg. If he did, he would send the dispensing of liquor merely to the kitchen saloon. The reason why Roseburg has not had such an officer and has not driven out and exterminated the blind pigs is doubtless that Roseburg does not want them exterminated. You may pass your prohibition acts in county and state, but if the sentiment of particular communities is not strongly against the sale of liquor, your prohibition law is there a joke and a farce. Prohibition will not be enforced at Burns or at Portland or at Roseburg unless those communities want it enforced. When they desire the absolute elimination of sale of liquors, they will elect local officers who will enforce the law. The failure of county prohibition in many communities of Oregon will not be relieved or made less ignominious by the substitution of the greater farce of state-wide prohibition.

EXPOSURE OF PINCHOT.

The Pinchot investigation of Ballinger has cleared up several matters; it has revealed the "get-even" animus of Pinchot; shown that Ballinger's worst offense was disagreement with the ex-forester; made plain the incompetency of heads of the Reclamation Service and Pinchot's displeasure at Ballinger's discovery of this fact; displayed Ballinger and his associates as most malignant foes of honest men who stand in the way of their hobbies—in short, uncovered the uncompromising obstinacy, willful insubordination and malignant intolerance of the Pinchot brand of conservation.

George Otis Smith, director of the Geological Survey, summarized the matter before the committee last week by reading the following excerpt from a letter written by him last August to subordinates, on his way back from the Spokane "explosion," last Summer:

> The whole conservation movement is now linked up with Mr. Pinchot's views on the subject so that orthodoxy in the cause means agreement with Mr. Pinchot. As I look at it, any issue is to be raised that can be against Secretary Ballinger, not because of that issue, but because Secretary Ballinger is to be overthrown because he opposes Pinchot's way of conserving.

Here was true prophecy, from a man who "saw things coming." And now, Pinchot, after making a miserable fiasco of his own testimony, has fled to Europe, leaving the "investigation" to shift for itself, and aiming evidently to escape responsibility for the outcome.

The dramatic advance statement of Pinchot, before he gave his testimony, told how he would prove Ballinger a rascal and a knave. Ballinger, before going on the stand, was requested for a similar declaration on his side, but replied pointedly:

"I will not follow in the footsteps of those who throw calumny on Government officials and then refuse to swear to their statements."

The investigation has been an exposure of Pinchot rather than of Ballinger.

MR. WEST'S SALE.

When Jersey cattle, bred in Oregon, bring at public sale prices ranging from $80 to $1000, there is no especial occasion for the dairymen of the state to feel depressed. The money which Mr. West's Scappoose herd brought at its disposal the other day ought to be an incitement to every breeder in the state to follow his methods. If they do so with faithfulness and persistence, they will certainly attain the same result. With high prices for land and feed, the day has gone by when the dairyman can expect to make profits out of cows which give low-grade milk and little of it. It is only the exceptional herds of the state which thus far show the results of scientific weeding out of the animal which does not pay its way, but all our dairymen must conform to the practice sooner or later. They must get rid of the unprofitable cow or she will be their ruin.

Mr. West's herd numbered 70 animals, all of the Jersey breed. It is not every dairyman who can maintain so large a herd on his land, but there is nothing to hinder any one from bringing his cattle up to the purity of breed and large productiveness of Mr. West's. This is merely a matter of intelligent perseverance with a purpose constantly in mind. Even if a dairyman cannot at once afford to purchase a band of registered cows, he can at least invest in a purebred sire and thus make a beginning of progress. Once started the rest is easy, for there is no more fascinating occupation in the world than the breeding of high-class stock and none among the legitimate callings that pays better. Cattle of select pedigree not only give better returns for the feed they consume, but they afford their owner a constant satisfaction which never arises from the ownership of scrubs.

The time will come when Oregon will have produced a distinct dairy breed of cattle as well adapted to its conditions as the Jerseys and Guernseys are to the Channel Islands, but in order to hasten that event we must work upon the foundation of what has already been accomplished. The ideal dairy cow of this region will not be bred up from any strain of wretched scrubs, but will be produced by mingling the blood of various specimens which have demonstrated their merit.

NOT A SUBJECT FOR JEST.

Mrs. Alfred Bayliss, of Macomb, Ill., is a woman who possesses the courage of her convictions. Rising before the Illinois Congress of Mothers, now in session at Rockford, Mrs. Bayliss gave vigorous tongue to the sentiment crystallized into a bill urged before the Oregon Legislature at its last session by Dr. Owens-Adair, which provides for the ultimate elimination of criminals and insane persons by the sterilization of these classes. The wisdom of this theory is apparent; it is supported by logic that is unanswerable; of its effectiveness as an economic and—broadly speaking—a humane measure there can be no doubt. But, like the theory which has more than once been advanced by medical scientists, that the lives of imbecile and hopelessly deformed children should be snuffed out at birth, for their own sake, the sake of the commonwealth and of the race, it is one which the public is slow to indorse.

A strained idea of the rights of the individual has battled successfully thus far with the enonomic and the humane idea which estimates creatures of distorted human mold, of vicious nature or void of mentality as a curse to themselves and to the world. A woman must have the courage of her convictions in full measure, to enable her to rise before a Congress of Mothers and advocate the idea so bravely set forth by Mrs. Bayliss at the Rockford congress Wednesday. Thoughtful, intelligent, truly humane people will hesitate long before they denounce the idea she so strongly presented as monstrous. Indeed, it may be said that men and women of this class, generally speaking, give this theory their unqualified, though perhaps, for prudential reasons, silent approval.

THE LAW'S DELAYS.

President Taft is not usually esteemed to be a rash man, but it will be conceded that there was some temerity in his remark to the Men's League at St. Louis that he could give the Socialists a lesson in fault-finding. Had he known what adepts those amiable people are in the art of quarreling with the world and all that it contains, he would have spoken with less confidence.

The particular subject upon which the President imagined that he could set the Socialists an example in reformative criticism was that of the law's delays, one which has invited the satiric wit of every social student from the time of Justinian to our own. The Socialists have been paying a little attention to the courts lately in their suave manner, as readers of their periodicals will easily recall, but it has not been exactly in the President's vein. Their darts have been hurled at the personal reputations of three or four Federal judges. Mr. Taft thinks that "if they were to object to our administration of justice and its delays, arising from traditional methods of courts, by which the man with the longest purse has the advantage, they would be getting, as the children say, pretty warm toward a subject which will bear full discussion and upon which we must have decided reform."

The President went on to point his tale by reminding the St. Louis business men that they were beginning to forsake the courts and settle their differences by arbitration because of the expense and delays of lawsuits. If the law's cost and procrastination have proved ruinous to wealthy merchants, what must the effect have been upon the poor? Sad experience has taught prudent people of all classes to shun the courts and either seek redress by private methods or go without it. Matters have come to such a pass that only the imprudent and hot-tempered among persons of moderate means ever dream of beginning a lawsuit. Those with proper care for their own interests will suffer almost any outrage rather than cast themselves into the clutches of the lawyers and experience the harrowing disappointments which attend the quest for what is ironically called justice. The Chicago municipal Court has achieved the miracle of trying cases and coming to decisions promptly. The celerity with which it brings debtors to retribution and convicts criminals makes the ordinary court stand even more completely paralyzed than it is habitually, but the Chicago court is an exception, a bright, but solitary light, shining in a world of confusion, indolence and delay.

Persons who have had the dire misfortune to sit on juries count among the most exasperating part of the ordeal the indifference to the value of time which is manifest in all the proceedings of the court. The judge is expected at 10 o'clock. He saunters in blithely at 11, with the witty excuse that in the law it is 10 o'clock for a whole hour. Of this legal maxim, and many others like it, the lawyers take every imaginable advantage. Not only is it 10 o'clock until 11, but it is Spring all Summer and part of the Fall. A case set for trial in the golden prime of May comes on with languorous dalliance in the middle of June. When it is finally called, one of the lawyers learns that his grandmother has had a bad dream and at his request the judge politely postpones it till October. The interest of the litigants is the last thing thought of. If the judge keeps his leisure undisturbed and the lawyers manage to live in a perennially serene Nirvana, nothing more is essential to the usefulness of the courts, according to the inner professional view. The ancient idea that judges are paid and lawyers employed to try cases and bring about speedy justice has faded utterly from the legal consciousness. The machine has become all important. The purpose of the machine is forgotten.

Mr. Taft thinks that the heart-breaking delays of the courts arise from their habit of clinging to traditional methods. Doubtless that accounts for much of the evil. But there is another factor which can only be designated by the harsh word "indolence." Traditional methods tie the hands of justice. Loyalty to obsolete practices makes her feeble and inefficient. But, after all, it is indolence which makes American justice the tardy and disappointing thing that it has become. British judges, with no more time at their disposal than ours, try and decide correctly ten times as many cases. Appeals from their rulings are much less frequent than here and reversals are far less numerous. There is such a thing as taking too much time to think things over and look up authorities. Every lawyer knows that there are authorities on every possible side of all questions and any judge may lose himself so completely in the ocean of precedents and citations that his decisions lose all individual character and fairly invite reversal. He that decides by precedents by precedents shall his decisions be slain. When it is manifest that a judge has sought and found substantial justice in his rulings higher tribunals are sometimes loath to meddle with his work.

The lacking factor in American justice is backbone. A judge with a stiff spine might work a great reformation almost anywhere in twenty-four hours simply by making the lawyers attend to business.

April receipts at the Portland Custom-House averaged something more than $3000 per day, which was not a bad showing for a dull month. This port handles less "in-transit" freight than some of the other Coast ports, but in actual business where goods are imported and duty paid we make a fair showing in comparison with some of our neighbors. The test of a port's importance is not how much is paid out for stevedores' and longshoremen's wages for handling freight that passes from the car to the ship, or vice versa, so much as it is how much of the freight imported or exported is handled by local distributors or exporters. Portland in both exports and imports makes a better showing proportionately than any of the Pacific Coast ports, for practically everything that is imported is distributed from here, and nearly everything that is exported is produced in this immediate vicinity.

For the past three years Professor P. J. O'Gara, of the Department of Agriculture, has been doing great work among the orchards of the Rogue River Valley in teaching growers to combat diseases and his efforts have had much to do with making that section famous for its fruit at home and abroad. Perhaps his greatest work was in demonstrating that blight and not frost, as all believed at the time, was ruining the pear crop. In his emphatic way he taught many lessons. Last year the Washington bureau ordered his return to the capital, but the Valley wanted him to remain and the request prevailed. Now he has again been called and will have to obey. The fruitgrowers of Josephine and Jackson Counties could make a profitable investment by hiring Professor O'Gara.

"If," says President Josselyn, "the property owners succeed in keeping the United Railways off Seventh street, I see no reason why arrangements should not be made for the use of our tracks on Seventh street." The assumption of President Josselyn is, clearly, that if the United Railways shall fail to hold Seventh street, the Portland Railway, Light & Power Company will not fail. Is it the prime object of the movement by the property owners, led by Property Owner Dunning, Councilman, merely to block the United Railways?

Senator Bourne made a "speech" yesterday, in defense of the Oregon plan of electing United States Senators. The only comment that need be made now in illustration of the utter failure and unspeakable folly of the Oregon method is that in this way Jonathan Bourne and George Chamberlain contrived to be elected to the Senate.

The beautiful Rogue River Valley has rich and fertile acres, tilled by a broad-minded people. It is unfortunate that their most noisy exponent is a newspaper with an editor whose mind is an inch and a quarter from east to west, with no dimension at all from north to south.

As wide and broad as is the ocean, a gasoline schooner coming up the Oregon coast plowed through a mile of salmon so closely packed that an hour elapsed before she got clear. That beats codfishing on the Banks in the day of Disko Troop.

The United States Steel Corporation has set aside $8,000,000 for a pension fund, and the Bureau of Labor finds that 2322 men at South Bethlehem work twelve hours a day, seven days a week, many for 12½ cents an hour.

Mr. James J. Hill says larger railroad terminals are the most necessary thing for Portland's growth. Public dock agitators, if they must have something to harangue about, might turn their voices in that direction.

Senator Bourne is shocked that McHarg should have come to Oregon and tried to get members of the Legislature to "disregard their pledges." Naturally. McHarg was encroaching on the great Bourne specialty.

Mayor Gill, of Seattle, will not allow City Engineer Thomson to make side money. Mayor Gill is a revolutionist and iconoclast from a "lower-down" point of view.

If one were compelled to get up every morning to gaze at the comet, it would probably be equally as irksome as warming the baby's milk.

The death of McCarthy, the prize-fighter, was accidental, and Colonel Swope may have died of typhoid. What's the use?

There are a lot of non-partisan lawyers who try cases in court and like to stand in with the non-partisan judges. Therefore, etc.

We note that the Colonel does not tell the monarchs of Europe that they ought to go before the people and get elected.

Pension money might be judiciously placed to the benefit of the worker long time before the obsequies.

When stories of graft "startle" Chicago, they must be something the like of which was never known.

The 1001th fender is a failure, as all will prove until cars go underground or elevated.

These local abstainers from all food will solve the cost-of-living problem in one way.

The City Building Inspector wants more help. Well, the town is growing.

COUNTY DIVISION TANGLES.

Voters Must Have Light.

Dallas Observer.

The contention of a few newspapers to the effect that the creation of new counties should not be voted upon by the people generally next Fall, but should be left to the people directly interested to decide, is so nonsensical as to be unworthy of serious consideration. The question will be printed on the ballots in every county in the state, and it is only reasonable to presume that thousands of voters will avail themselves of the privilege of expressing their approval or disapproval of the creation of more counties. Confronted by a condition and not a theory, it is the duty of every newspaper to throw all possible light on the subject, to the end that an intelligent ballot may be cast and the interest of the state safeguarded. Oregon will some day get its law-making system back to a basis of common sense. Until that blessed day arrives, the best we can do is to work together and do the best we can.

Partition of Lane County.

Eugene Register.

If all the papers in the state would take up the fallacy of the present method of forming new counties and stand for a law leaving settlement to the county or counties out of which said new counties are to be carved, the voters, generally, who are fair minded and not disposed to foist upon any locality legislation that might be unsatisfactory and unfair to it, would willingly vote down any and all division schemes that are left to the whole state and would stand for a general law, passed by the Legislature, providing for the only right and equitable adjustment of such matters.

Drumbeat Call in Umatilla.

Athena Press.

Athena and Weston will be found standing against division of the county as they always stood in the past and will always stand. To the taxpayer there is nothing in county division that appeals to him. It means to him a double burden of taxation when he figures correctly the maintenance of two regimes of government in a territorial area capable of supporting but one. He sees in the demand of the divisionists the needless expense of another county courthouse with its equipment of offices, the expense of carrying on the county government and readily computes the unnecessary burden that would be entailed in the birth of a new county. Then he reads the statement of the Treasurer of Umatilla County, showing the county to be out of debt, hunts up his last year's tax receipt and goes to bed damning county division.

TAGGART LEFT OUT? NOT AT ALL.

Indiana Boss on Top With Kern as Mate for Senator.

Washington Star.

Mr. Taggart defeated? Not a bit of it! He comes out huskily on top. The result must give him the liveliest satisfaction. Mr. Kern is more his man than, as the nominee, he would have been his own man. There would have been something so grotesque in his own candidacy for Senator against Mr. Beveridge, he and his party both would have been heavily handicapped. But Mr. Kern has claims to consideration among the intellectual men of the Indiana Democracy, and Mr. Taggart can work for him with a will.

That the Indianapolis boss will do this with all his heart is a certainty. His relations with Mr. Kern are most intimate. The latter, as a lawyer and Mr. Taggart's attorney, has defended what is called Taggartism in court. In the French Lick Springs scandal he appeared for his friend. At Denver two years ago it was the Taggart influence that nominated Mr. Kern for Vice-President. So that, as a matter of fact, the issue in Indiana, so far as the Senatorship is concerned, is Taggart against Beveridge, Mr. Kern again appearing for Mr. Taggart and masking the deficiencies and unattractiveness of his friend.

And the Taggart machine on the scrap heap? Not a bit of that, either! It is still in shape, and will obey its constructor perfectly in the campaign. No greater warrant could be required for believing this than Mr. Taggart's confession of wreck. He responds to the severe Democratic araignment of the machine by declaring that it has ceased to exist. On the contrary, it is very much alive; and, with its owner in charge, at Mr. Kern's service.

The convention "fell down" ingloriously on the tariff issue, but played boldly into the hands of the brewers and the distillers on the temperance issue. Instead of a ringing declaration for a tariff for revenue only, in the spirit of the old Hendricks days, and in keeping with Governor Marshall's expressed beliefs, it merely put forth a denunciation of the Payne law. The plank adopted does not rise to the level even of a straddle. It is an evasion.

Ruth Bryan's Romance.

Springfield Republican.

Ruth Bryan Leavitt, when she got her divorce last year, went to the Glenwood hot springs to recuperate. The day she arrived at Glenwood she was introduced to a young man whom she afterward laughingly described as "nice and clean-looking, but with oh, such a drawl." This chap was Reginald Altham Owen, whose father, William Owen, owns one of the largest tea plantations in Ceylon, besides being a heavy property owner in England and interested in many enterprises in America.

Young Owen's attentions to Mrs. Leavitt immediately became marked. Owen urged a speedy marriage, but Mrs. Leavitt's parents objected so strongly that she took up voice culture in Germany. She arrived in New York last Saturday and remained two or three days, reaching Lincoln last Tuesday. When Mr. and Mrs. Bryan went to South America last Winter they stopped at Jamaica and visited their future son-in-low.

Man's Pay for Her.

National Monthly.

Mrs. Kelly—Are ye takin' much stock in this attempt that a lot iv wimmen are makin' to get a vote for us, Mrs. Rafferty?

Mrs. Rafferty—I ain't botherin' me head about such things. I'm satisfied to let Dinny and the boys do all the votin' for my family. But I do think that a woman should get man's pay.

Mrs. Kelly—Well, I can assure you, Mrs. Rafferty, that I get one man's pay, or know the reason why, ivery Saturday night.

Unlike the Presidency.

Washington Star.

No grand opera impresario on retiring from the game undertakes to say that he has had a corking good time.

The Old Days.

Puck.

Up at Albany they speak of them as "the dear dead days beyond" the statute of limitations.

"Play Ball."

Washington Evening Star.

The umpire stands beneath the sky
With steadfast purpose in his eye.

The pitcher gives himself a twist
And stands, a mute contortionist.

The stick within the batsman's hand
Waves like some fierce magician's wand.

And yonder in the distance dim
Are figures all alert and grim.

No shout disturbs the air so warm;
It is the calm before the storm.

Oh, what care we, 'mid scenes like these,
For strife that threatens o'er the seas?

This is in life's enormous scheme
The moment of suspense supreme!

BALLINGER'S SAD BLUNDER.

Supposed He Could Disagree With Pinchot and Be Honest Official.

New York Sun.

It was the pleasure of Mr. Gifford Pinchot to convict Secretary Ballinger of countless offenses out of hand. The perfect conservationist looked, was displeased, and forthwith sentenced his victim without further delay. News of the crimes and the conviction was forthwith spread broadcast throughout the country vividly described by the most efficient of all publicity organizations.

Now, in the slow course of human events, a legal and orderly review of Mr. Pinchot's judgment is being held in Washington. As public interest in its proceedings has largely waned, following the unfortunate appearance of Mr. Pinchot on the witness stand, we take the liberty of accenting an observation made by Mr. Ballinger, when testifying in his own behalf yesterday. Said he:

"I had supposed that Pinchot was a man with whom other men might differ without being considered criminal."

There, indeed, was the summary of Mr. Ballinger's blunder. How sadly in error was his supposition with respect to Mr. Pinchot's fairmindedness soon became all too plain. Not only was Mr. Ballinger branded as a criminal as soon as he ventured to exercise his own judgment, but he was promptly condemned and sentenced to removal and oblivion by hasty Mr. Pinchot.

Judgment first and trial afterward was the novel order of Mr. Ballinger's case. But we hardly think that the American people are now in any mood to permit Mr. Gifford Pinchot to pass judgment for them again.

BALLINGER WAS T. R.'S CHOICE.

Taft Had This in Mind When He Named Seattle Man Secretary.

Springfield Republican.

It has often been asked how President Taft happened to select Mr. Ballinger for his Cabinet. Some have believed that the Secretary of the Interior was discovered by Frank Hitchcock and recommended by him to the President.

But Mr. Ballinger's own testimony may have cleared up the mystery. He produced telegrams sent to him by President Roosevelt in 1907, asking him to become Commissioner of the Land Office. "You must come and help me out," wired Mr. Roosevelt to Mr. Ballinger; and "I deserve the help of every man who believes in my way of doing things." Yielding to President Roosevelt's urgent persuasions, Mr. Ballinger reconsidered his original declination of the office and accepted the offer. When he reached Washington Mr. Roosevelt hailed him with the words: "I have no apologies to make, Ballinger. I'm glad you are here. Any man who could clean up Seattle as you did can clean up that Land Office."

Now, it occurs to us that Mr. Taft recalled Mr. Roosevelt's enthusiasm over Ballinger, when he made up his own Cabinet, and, wishing to carry out the Roosevelt policies in the Interior Department, he, too, summoned the Seattle lawyer.

The Vanderbilts Not to Move.

New York Dispatch.

No matter how far up Fifth avenue business may move, Harry Payne Whitney will continue to live on the southwest corner of that thoroughfare and Fifty-seventh street—at least as long as his mother-in-law, Mrs. Cornelius Vanderbilt, continues to live at the northwest corner, and indications are that will be as long as she lives. It has been rumored for some time that the Vanderbilts and their family connection desired to get away from stores, art shops, bakeries, dressmaking establishments and the like, but a statement given out by Mr. Whitney last night sets these rumors at rest.

Land of the Lonesome Census.

Everybody's Magazine.

At the International Sunday school convention at Louisville, in answer to the roll call of states, the reports were verbally given by the various state chairmen. When the Lone Star State was called, a brawny specimen of Southern manhood stepped out into the aisle and with exceeding pride said:

"We represent the great State of Texas. The first white woman born in Texas is still living—she now has a population of over 3,000,000."

There was a pause of bewilderment for a moment, and then a voice from the gallery rang out clear and distinct:

"Send that woman out to Wyoming—we need her."

Henry Sienkiewicz to Visit America.

Kansas City Star.

Arrangements are being made in Galicia for an extensive representation of Austrian Poles at the Polish National Congress, which will be held in Washington, D. C., in May. The delegates will include all the most prominent Polish leaders and representatives elected by the county government districts. Henry Sienkiewicz, the author, will accompany the party.

Strange Proximity of Twin Children.

Cincinnati (O.) Enquirer.

In three adjoining houses in Youngstown, O., dwell four sets of twins. This Rooseveltian community is composed of Mr. and Mrs. "Ben" Wilmer and their twin children; their next door neighbors, Mr. and Mrs. Thomas Griffiths and their twin children, and next door, Mr. and Mrs. James Aitken and their two pairs of twins.

Let Her Down Easy.

Philadelphia Telegram.

Young Husband—Did you make those biscuits, my dear?

His Wife—Yes, darling.

Her Husband—Well, I'd rather you would not make any more, sweetheart.

His Wife—Why not, my love?

Her Husband—Because, angel mine, you are too light for such heavy work.

Cosmopolitan Candor.

Washington Star.

"I suppose you saw many strange people while you were traveling around the world?"

"Yes," replied the candid man. "I strongly suspect that some of those foreign people looked as queer to me as I looked to them."

CURRENT NEWSPAPER JESTS.

"This anecdote you have printed is rather old." "But the Congressman I hitched it to is comparatively new. Just serving his first term."—Louisville Courier-Journal.

Wareham Long—You've heerd 'o the milk o' human kindness, hain't yuh? Goodman Gonrong—Yes, but I hain't never seen any but wot's been skimmed.—Chicago Tribune.

"My," said the first man, reading a newspaper at the club, "aren't those bridge disasters terrible?" "Does your wife play, too?" answered the second man, absentmindedly.—Buffalo Express.

"This work might have been greatly simplified," said the census enumerator. "How?" "Instead of requiring us to apply direct to each family, they should have let us go after information by asking the neighbors."—Washington Star.

"Scribbles has been writing diligently for years and has never had a line of his stuff published." "It's a wonder he doesn't become discouraged." "He would if it were not for the fact that he dreams of posthumous fame."—Birmingham Age-Herald.

"See here, young man," said the irate father, "your college principal says he doesn't know of anything you would be likely to make a success of. Now, sir, I'd like to know what you intend to make of yourself?" "Give it up, father," replied the young man. "How do you expect me to answer a question that even a college professor can't answer?"—Chicago Daily News.

JUDGES BOTHERED BY NOISE

County Court Will Be Asked to Solve Courthouse Problem.

The entire circuit bench of the Portland district will appear before County Judge Cleeton and the County Commissioners this morning in an effort to work out some solution of the difficulties under which the courts are at present working. While many cases are awaiting assignment, it was possible to set only one case yesterday for the reason that of the five judges only three could find any place in which to hold court.

Judge Gantenbein, having the Morris case, sat in Judge Bronaugh's large courtroom, and Judge Gatens, hearing a personal injury case before a jury, took Judge Morrow's room. Judge Cleland, sitting in the Grover-Hawthorne suit, occupied Judge Gatens's room downstairs. The two courtrooms on the east side of the building are made untenable on account of the roar of the riveting hammers on the new building and the hundred other noises from that source.

The judges all feel that matters have reached a point where it is impossible longer to transact business without other arrangements being made. At all times a noisy and even almost a noisome place, the Courthouse, since the commencement of the new structure, has been bedlam. The necessity of keeping all east windows down to keep the racket out makes ventilation impossible and the cars on Fifth street add one more discordant element to the din.

So, in order that business may proceed, the judges will lay the problem before the County Court, though they are at a loss to offer any feasible solution. It has been suggested that rooms in the Y. M. C. A. building, across the corner, may be secured. In case a jury trial was to be held in the rooms thus secured it would be necessary to draw the jury at the Courthouse and then move to the new quarters, but court officials believe that even this would be better than the present condition.

SUIT OF HAWTHORNES ARGUED

Governor Risked Criticism to Save Friend's Fortune, Says Lawyer.

That ex-Governor Lafayette Grover saved Dr. J. C. Hawthorne from bankruptcy, but in doing so assumed a burden of political criticism, was declared by Attorney White in the case of Grover against the Hawthorne estate, before Judge Cleland yesterday.

"Right there was the foundation of the Hawthorne millions," said Mr. White, dramatically, "and now the beneficiaries of that fortune are here in court demanding their pound of flesh from my client."

The lawyer declared that Dr. Hawthorne, on the strength of his contract with the state to care for its insane, had become heavily indebted by the purchase of buildings and land in East Portland. Without warning, he said, the Legislature was about to leave him with this property useless upon his hands. Mr. Grover, then Governor, braving hostile criticism and misconstruction, stood in the way of the project of building an asylum at Salem until Dr. Hawthorne could make other provision for himself, he said. "And now, when we offer to pay the Hawthornes every cent my client owes them, with interest, they demand all of his property, worth from $100,000 to $200,000," Mr. White added.

The suit to determine whether a certain instrument given by the ex-Governor to the Hawthornes is a deed or mortgage reached the closing stage in Judge Cleland's court yesterday. Argument by counsel was made on the merits, but some briefs as to matters of fact and law to be submitted and the final determination of the suit is not expected for some time.

HUSBAND PICTURED AS BRUTE

Wife Says Jay Potter, While Drunk, Abuses Family.

Alleging that Jay Potter came home drunk when their two children were sick with scarlatina, and made threats of violence against his mother-in-law, who was nursing them, Annie D. Potter asks for a divorce from him, in a suit filed in the Circuit Court yesterday. Potter was before Municipal Judge Bennett a few days ago on a charge of drunkenness, at which time he set up a plea in extenuation that he had two children at home sick. This, in the opinion of the court, only aggravated the offense and he was given a suspended sentence on the rockpile.

In her complaint, Mrs. Potter states that she and the defendant were married in Portland in 1906 and have two children, one 3 years and one 6 months old. She alleges that her husband has become an habitual drunkard, has used great cruelty toward her, cursing her in the presence of her children and on one occasion slapping her face. She asks for $1000 absolute alimony, $100 suit money, $35 a month maintenance, one-third of the property and the custody of the children.

Forest Grove May Oil Streets.

FOREST GROVE, Or., May 6.—(Special.)—The committee which is looking forward to sprinkle the streets with water during the Summer months has estimated the cost at $700. Many believe that the expenditure is too great and favor sprinkling with oil.

IN THE MAGAZINE SECTION OF THE

Sunday Oregonian

STORY OF RAINBOW MINE, BAKER COUNTY, OREGON

Romance of toil told by the toiler himself; how a woman's bravery put new hope into a discouraged man's heart and won a fortune.

PRESERVING FOOD BY VERTICAL HEAT RAYS

After years of experiment, a Portland man promises to revolutionize the preservation of fruit, vegetables and fish.

WHEN THEODORE MET WILLIAM IN BERLIN

This is a report of the event by the Japanese Schoolboy, who is not hampered by facts.

WHEN JEFFRIES WON THE CHAMPIONSHIP

Victor's account of the greatest fight in recent years, together with some hitherto untold secrets.

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