# The Oregonian

PORTLAND, OREGON.

Entered at Portland, Oregon, Postoffice as econd-Class Matter. subscription Rates—Invariably in Advance.

(BY MAIL). (By Carrier).

CBy Carrier).

Daily, Sunday included, one year..... 9.00
Daily, Sunday included, one month.... 75
How to Remit—Send Postoffice money order, express order or personal check an your local bank. Stamps, coin or currency are at the sender's risk. Give postoffice address in full, including county and state.

Postage Bates—10 to 14 pages, 1 cent; 16 to 28 pages, 2 cents; 30 to 40 pages, 3 cents; 40 to 60 pages, 4 cents. Foreign postage double rate. Eastern Business Office—The S. C. Beck-with Special Agency—New York, rooms 48-50 Tribune building. Chicago, rooms 510-512 Tribune building.

PORTLAND, THURSDAY, MAY 12, 1010.

UNTIMELY RESPITE FOR LIBERALS. Accession of a new King in Britain has had a staying effect, for the time at least, on the agvement of radical politics. The government acts in the name of the crown and makes use of the royal prerogative. The King is the hereditary member of the government and its nominal head. Now that a new personage is vested with the fiction of sovereign and the more or less active power of the crown, the warring parties pause. Hitherto in this contest the hereditary succession of the King has not been involved with the issue of the hereditary power of the Lords. King Edward was so adroit that this question was not raised. Unless King George shall possess political skill, in some large degree approaching that of his father

easily be brought in the contest. The British people are devoted to forms of royalty and to fiction of monarchy. Even radicals are seeking to avoid issues that could develop from actions of a King bent on asserting old-time royal prerogative and defending it from encroachments of the cabinet government. There are signs that the Liberal government fears revulsion of public sentiment from the change of Kings and return of a balance of popular power to the Tory side. At any rate, accession of a new King makes both parties desirous of finding out what manner of King the new incumbent is going to be, before going on with their struggle. Amid grave crisis confronting the tion this unlooked-for question is of high importance.

his residuary or latent authority can

The powers of the crown are large and many in the government of Great All these powers are at the of the cabinet, which may demand their use in any direction, and the King is bound to comply. The cabinet is composed of heads of the executive departments, selected from among members of the dominant party in the House of Commons. King therefore is a cort of ex-officio hereditary member of the government, nominally its head and monyet actually its servant. King may be said to reign without governing. His relations with the cabinet require skill and shrewdness in judging the temper of the nation and in complying with the will of his ministers. This tact was possessed in fortunate t. easure by King Edward and Queen Victoria. It strengthened the hold of the nominal monarchy upon the people and regained for it some of its former influence and au-All political parties accepted the kingship of Edward without pro-Now the question rises whether the personality of the new King will inject further complications contest that has upset the politics of the nation.

that it is not possible to foresee his attitude. Yet his policy probably cannot be much different from that of his father and his grandmother. In one report he is represented as shy, retiring and the opposite of self-assertive. In another he is said to be bolder and less liberal, more assertive of the kingly prerogative and inclined to view the asser-tions of Liberals against hereditary peers as implied threats against th throne. So far as the outcome of the present conflict is concerned, it is likely that neither of the two reports really foreshadows the future.

However, the change of Kings has deprived Liberals and Irish of their immediate opportunity of precsing their fight against the hereditary Lords and confronts them with uncertainties that were not in their path hitherto. Respite could not have come more favorably for the Conservatives.

# THE RAILROAD SLAUGHTER.

More than 1000 killed and nearly 22,000 injured is the terrible record of the American railroads for the closing quarter of 1909. Details of this awful slaughter have just ap-peared in a report issued by the Interstate Commerce Commission accordance with the "accident" law of 1901. While the loss of life is slightly less than in some preceding quarters, when modern safety appliances were less generally used. record, as compared with that of the year previous, is far from favorable. In the three months ending with December, as covered by the report, there were killed on American rallroads 105 passengers and 968 employes, compared with 93 passengers and 700 employes for the same three months in the preceding year. Details and explanatory notes which acthe theory that prosperity is condunoticeable when there is a great surplus of labor and every man is keyed up to a high degree of efficiency in order to protest himself in his

Without disclosing the name of the road or the locality in which the accidents happen, the Commission's report presents tables showing for the principal Among these the greatest fatalities are directly traceable to carelessness on the part of employes. For examtilled and twenty-three injured and the property loss was \$90,000, was caused by the engineer misreading his and five injured because the flagman Three were killed, fortyone injured and more than \$20,000 of property destroyed when an engineer ran past the automatic Another engineer forgot his meeting order, a switchten- bility to frame up a tariff law that

der disobeyed orders and five were killed, fourteen injured and \$8000 worth of property destroyed through

his carelessness. Numerous other lapses of vigilance on the part of switchmen, engineers, dispatchers, flag men and other em ployes brought a large proportion of these tragedies under the classification of preventable accidents. One of the most serious wrecks of the quar ter in which twelve were killed, twenty-nine injured and \$48,000 worth of property destroyed was caused by a broken rail. had been in service three years, and, until the accident revealed a flaw in the manufacture, there was no apparent method by which any weak ness in it could be discovered.

The record for the quarter is not pleasing one to contemplate. It simply emphasizes the fact that all the inventions and safeguards that can be thrown around railroading are powerless to prevent wrecks unless are properly regarded by men in charge of trains and yards.

#### NON-PARTISANS.

Why a non-partisan judiclary? We shall learn tonight when the special ommittee makes its report to the Bar Association. The lawyers ought to have a say, of course, in the nomination and selection of judges, for the awyers have a great and immediate interest in the make-up of the courts before which they practice. It ought to happen, then, that the lawyers will adopt such measures as will manifestly be for a speedy, orderly, lawful impartial administration

tustice. But where has arisen the complaint that our judges in Oregon have been political partisans on the bench? Or is there any such complaint? If there is, we should know who such judges If there is not, why about it?

We have several non-partisans or the bench in Oregon now. They were placed there by the late so-called nonpartisan state administration. Can it be possible that the present agitation has its inspiration in a desire or purperpetuate their incumbency of judicial office?

### CONSERVATION QUACKERY.

Industry in Alaska is prostrated by fads of conservation. Stream waters and agricultural land of the public domain in the Pacific Northwest are locked up from use in violation of aws and practices that have given this country its growth hitherto and that have built up every state west of the Alleghantes. In the past year 100,000 American citizens have sought land in Canada, taking with them from Uncle Sam's regions \$100,000,-000. Hosts of officials have been created to "rule" the new system and live off taxation. The productive re-sources of the Nation have not been expanded to meet the demands either of taxpaying citizens or of taxeating

In Passalc, N. J., last Monday, Pres ident Taft said that a law is needed from Congress to ratify the withdrawal of 60,000,000 acres of West ern land from use and settlement, else there is very grave doubt whether this withdrawal, "if subjected to the test

of legality in the courts, could stand." The Administration is controlled in this fad of conservation by unreaso ing demands in Nastern States for federalization of Western resources The President has endeavored to "and out something of a square deal by or-dering some 4,000,000 acres of agricultural land restored to entry and by fairer treatment of law-abiding users of the public domain by public officlais.

But there is too much of this reser

vation business. Besides, vast tracts of timber land that would be more valuable for agricultural uses are withheld from entry by forestry and land department officials outside reserves by unlawful regulations and arbitrary reading of the law. For ests are alleged to be needed to preserve water sources and vice versa, according to false Pinchot doctrines This country has grown great through use of its lands, minerals and streams. Before these resources were used they we - conserved thousands of years by savages and wild beasts There is vast quackery in so-called conservation.

# GOOD TARIFF FOR REVENUE.

The most radical freetraders have seldom entered any serious objection to a tariff for revenue only. As the present tariff bill is admirably fulfilling such functions, it may in time be accepted with a better grace than is now shown by enemies of the Administration. Insofar as it has succeeded in replacing a deficit with a surplus, the new tariff law has certainly jus-tified President Taft's assertion that it was the "best law ever enacted." Official figures for the ten months ending May 3 show receipts for customs nearly \$38,000,000 in excess of those for the corresponding period in the previous fiscal year. The total receipts under the new law for customs, internal revenue, corporation tax and miscellaneous collections in the ten months mentioned, \$543,659,878, as compared with \$493,-199,632 for the ten months to May

The advantage to the Treasury, by this heavy increase in receipts, was further enhanced by a great tion in expenditures. The deficit for the ten months ending May 3 last year was more than \$70,000,000. while this year it was but \$17,000,000 If this remarkable increase in imports continues through May and June, as now seems certain, the end of the fiscal year will find a substantial sur-plus to the credit of the Treasury Department operations, instead of a deficit. This fine showing was made after the payment by the Treasury of \$27,000,000, on Panama Canal account. No bonds have yet been sold to make good this expenditure, and if this item, which properly belongs in the classification of "extraordinary" expense be eliminated, the Treasury would actually have shown a surplus for the ten months of ap-

proximately \$10,000,000. The big increase in import business was in a large part due to a reduction in the tariff which encouraged the importation of large quantities of goods which would not be brought here under the old tariff. This reduction, when considered by individual items, was apparently small, but amounted to \$5,000,000 on the dutiable importations; and in the articles restored to the free list by the new law, there was a saving to the

importers of nearly \$15,000,000. It would, of course, be an impossi

would prove satisfactory to all of the interests affected. The law now under fire in this respect is put to an extra hard test for the reason that building of the Panama Canal, the requirements of the new Navy, heavy increases in pension and other branches of government expense have necessitated a greater revenue than any previous tariff bill was called on Thus far, the new law to produce. has proved more of a success than was expected.

## THE PULLMAN RIOT.

No doubt the students who raised riot at the Auditorium in Pullman Wash., the other night, were actuated by excellent motives but orderly peo-ple cannot approve of their behavior. If the show which they broke up was indecent, the officers of the law ought o have attended to it. The students might have shown their moral superiority by staying away. However the fact that they rebuked the managers of the show in the best they could think of has its encour

aging aspect. It proves that the miserably de praved entertainments which parade the country appealing to the lowest taste of the lowest classes are not popular everywhere. A revolt against their indecency, even when it takes the regrettable form of open violence not wholly to be condemned. must be conceded that rotten eggs and tin cans have a distinct value in aiding the censorship of the theater, especially when the legal authoritie incline to laxity. The fundamental preference of American citizens, both young and old, is for orderly obediice to the law, but when those appointed to execute the law fail sigally to do their duty then our countrymen are very apt to discard forms and reach after the substance with-

out ceremony.

This is the secret of the prevalence of lynch law in the United States. is the last resort of the people for the prevention and punishme when regularly constituted methods have proved inefficient. It may be objected that in this case the remedy is worse than the disease, and very likely it is, but the question is one that admits of argument. is something to be said on both sides Out of lynch law may possibly emerge a new and better criminal jurispru dence than we have yet seen in this country. The evil is probably tran-sitory. The desirable consequences which may flow from it will perhaps be permanent. At any rate it ought to stimulate our courts any lawyer. to think out some civilized remedy for the legal futilities we suffer under.

## CONCERNING HELL.

The word "hell," which cuts such figure in the exhortations of Evangelist Hart at the Hawthorne Park tabernacle, is characterized by the scholarly and orthodox Encyclopedia Biblica as "an unfortunate rendering of the scriptural words Sheel, Hade and Tartarus. No two of these term eans exactly the same thing, though Mr. Hart makes not the slightest dis tinction between them. Sheel is the Old Testament name for the grave or the abode of the dead. It carries no implication whatever of punishment or even restraint. Saul called the spirit of Samuel from Sheol by ald of the Witch of Endor, and in fact reap pearances of the dead from that abode were frequent throughout Old Testament times. Originally Sheo signified a single grave where each member of the Hebrew tribe per-formed the rites of ancestor worship Later it was extended to mean the common abode of dead members of the tribe and thus came ultimately to signify the place where all departed

souls resided. The New Testament words, translated "hell" in the King James ver-sion, which Mr. Hart evidently believes to be literally inspired, are Hades and Tartarus. All educated ping from all over the world, people understand that neither of much work has been done on these terms signified a place of pun-Like the Hebrew shment. they referred to the abode of the dead which the Greeks supposed to be situated somewhere under the In Hades were the Elysian fields where the souls of the blest forever dwelt in perfect happiness To translate this term by the word 'hell," which has come to signify a place of torment, is hardly accurate

Hell is an Anglo-Saxon word which may be found in all the Scandinavian ongues in one form or another. Icelandic, for example, it was hel. There was also a Scandinavian goddess named Hel who presided over lower regions where dwelt the dead. Originally the word implied no punishment whatever, but the translators of the King James version may have used it in the Miltonic and Dantean sense, which is far from be-ing the scriptural sense, of a place of torment. The popular notions of hell which Mr. Hart portrays so vividly are not derived from the authentic Bible at all, but largely from Milton's Paradise Lost. With the concepts of the British poet are mingled some of Dante's medieval ideas also. Dante gave his funcy free rein in describing the torments of the damned in hell because he wished to devise a different punishment for each of his enemies, who will all be found there by the readers of his poem. Some of the tenacity with which modern believers of a primitive type cling to an unscriptural idea of the place ture punishment may probably ascribed to a motive very much like Dante's. The fire and brimstone which are supposed by the vulgar to abound in hell are transplanted from volcanoes. The abode of the dead was in the underworld. Volcanoes send up fire and brimstone from the underworld. The inference is plain Is it not singular that an audience of 5000 people should have listened in rapt attention to a sermon by Mr Hart which was composed almost wholly of heathen notions derived from Scandinavian, Greek and primi tive Hebrew mythology mingled excerpts from Miltonic and Dantear fiction with hardly a vestige of Christian doctrine? Are we really a Chris tian nation or are we still pagans with only a thin veneer of comething

To illustrate how far Mr. Hart stands from the doctrine of Jesus Christ, we shall venture to quote passsage or two from the report of his Tuesday night's sermon. The following will do as well as any: we say that the criminal, the thief and the murderer shall go to heaven upon death? You may believe that they do, but I do not." Again, "There is no place in heaven for the mur derer or the thief." How little this sounds like the words of Jesus spoken

thou be with me in Paradise." Which probably knows more about the arrangements in heaven, Jesus or Mr. Hart? God, who understands all, is able to pardon all. Some modern evangelists, who understand very little, deny pardon to everybody who does not accept their ignorant views of the meaning of the Scriptures. But let us look closer for a moment

at Mr. Hart's strange ideas of the purpose of punishment. Here is what says about it: "But let me say that hell is not a place for reformation any more than the prison is for reformation. It is for restraint." it is for restraint only, what is the use of the fire and brimstone? Do Do they help restrain the inmates? Would not the Miltonic walls of adsmant suffice? Could not the Almighty restrain the lost without tormenting them incessantly? But, passing this over, what rational reason can Mr. Hart advance for holding that the purpose of earthly punishment is not to reform? The Constitution of Oregon expressly declares that reform is the purpose. It differs from Mr. Hart, but we think it is sound for all that It is impossible to find a single modern humanitarian writer on criminology who will concede that the purpose of punishment is anything else than reform. Of course restraint is assential, but only while the reformation is proceeding. After it is complete, further restraint is a cruel absurdity. All our modern prison betterments are based upon this theory Mr. Hart would destroy them for the sake of his medieval and unscriptural theology. He truly says that "the principle of God is justice." What justice does he discern in tormenting a helpless victim to all eternity? It is bad enough for a finite being to inflict needless pain upon those who cannot escape him. Would it be any better if it were done by the

Mr. Samuel Untermeyer's recent address on "Evils and Remedies in the Administration of the Criminal before the American Academy of Political and Social Science was a remarkable utterance. The Oregonian prints extracts from it today, but the entire address is well worth reading. It may be obtained from Mr. Untermeyer, whose address is New York. This lawyer of international repute takes the position that it would be unwise to deprive accused persons of rights of apwhich they now enjoy, nor would he forbid the higher courts to reverse verdicts because of technical errors in trials. He does not believe that these are the real defects in American criminal jurisprudence. The most important evil to his mind American is the immunity from answering que tions and producing evidence against themselves which corporations are allowed, though he specifies a num ber of others. Perhaps the most in-teresting section of Mr. Untermeyer's address is the one in which he de-scribes the gradual crumbling of this pernicious immunity under the attacks of the courts.

The conference committee on the rivers and harbors bill has agreed to retain all the amendments inserted in the Senate for the improvement of Oregon rivers and harbors. This practically assures sufficient appropriations to carry on the projects now inder way, and also provides for new work at Tillamook and other coast With the money that is now in sight for the work, the channel at the entrance of the Columbia River should within a year show more than thirty feet of water. Funds are also provided for further deepening of the Columbia River between Portland and the sea. No small share of the cradit these appropriations for the Co lumbia is due the Portland people who have spent millions in building a channel which has attracted ship-So much work has been done on th river that the Government can never again with a good grace refuse t provide funds for aiding in the work that is so highly beneficial, not to Portland alone, but to ever part of the Columbia River basin that produces a ton of traffic.

Establishment of the propos first-class steamship service between Portland and San Pedro will offer travelers a thousand-mile sea-trip along a coast which in scenic attract tions and other interesting features is hard to beat. The lower Columbia while not equaling the upper river in scenic beauty, when viewed from the deck of such palatial steamships as the Beaver and the Bear, will prov a rare treat to those who seek relief from traveling in stuffy railroad cars. The run down the Oregon coast is nearly always made in sight of land and the Golden Gate as a half-way presents interesting features which are world-famous in song and At the southern terminus of this tri-city service is Los Angeles which in some respects is esteemed as beautiful and interesting

The Circuit Judges are overworked no doubt. However, if it were not for the imperative legal necessity of adjourning court whenever there is an opening of a baseball season, or other public similar event of great note of which judicial cognizance must be taken, the work would not be so far behind.

Of course if the State Grange Assembly should "resolve" against Republican assembly, it will beg the people's pardon for holding one of its OWIL.

Besides, an assembly of lawyers has no business to tell the sovereign peo-ple how to select their judges by making recommendations of any kind.

In choosing the name George, the new King of Britain did not seek to the people of the United States. Some folks are sore because Jeff

has a grouch. They are probably the same gentlemen who egged him on to fight a "nigger." Higher cost of living the last few years has also had the effect of raisng the bottom of the strawberry box

nearer the top. Andrew Carnegie says his wife made him what he is. It's a rare woman that makes her hubband rich

A woman has named her baby Gifsounds like the words of Jesus spoken on the cross to the dring thief, "Ver- Large was not attending.

ily I say unto thee, this day shalt PINCHOTISM NOT PROBED ENOUGH | OREGON'S FREAK LAWS DEFENDED | ADMINISTRATION OF CRIMINAL LAW Still, Investigation Has Revealed Muci Conservative Fakery.

Lewiston Tribu If it is a fact, as declared, that the de sired testimony is all in, a radical departure from the agreed schedule is indicated, in that the Administration had promised a ventilation of Pinchotism too with Secretary Ballinger as the inquisitor. It is a great misfortune if that po tion of the proceedings has been abandened, as the country is entitled to know what Pinchotism means—its destruction by disuse of the National resources, its cre-tion of a servile citizenry dependent on the favor of bureaucracy for its rights tion of a service citizency dependent on the favor of bureaucracy for its rights and opportunities, and having no lawful standing for either its property or its hu-man interests when within the public do-main, its thousand and one monstrosities revolting to every principle that consti-tutes free men and free institutions. The abundant of that part of the inquiry abandonment of that part of the inquiry is doubtiess due to the interposition of President Taft, through the fear of Colo nel Roosevelt, in pursuance of the in structions he had previously given Secre tary Ballinger in the letter printed Satur-day, urging him to prevent any criticism of Mr. Pinchot by himself or by other officers or subordinates of the Interior Regrettable as that omission is the

emission of public information concerning the operations of the Forestry Bureau-the hearing has been one of the most satsfactory and useful hearings ever held be isfactory and useful hearings ever held by Congress. The clouds and the mists in which the Western country, its resources and its people had been enveloped by President Rooseveit as his excuse for seizing the public domain and converting it into a political asset for himself and Mr. Pinchot, have been very generally swept away. There is little left of the maze of monumental falsehood, condemnation, incrimination and machination in nation, incrimination and machinetion i which those two worthles involved the Western country and prostrated much of it, and the good effects thereof are al-ready apparent. Many of the great Eastern papers are now seeing clearly, when before they could not see at all.

A great change has undoubtedly come over the public mind, but it would not be

over the public mind, but it would not be fair to attribute it wholly, or perhaps even mainly, to the hearing. Politics, vilialnous politics, is as much responsible for the change in sentiment now as it was for the support necessary to establish the system in the first instance. All the gray woives who upheld Roosevelt's hands when he was making decrees whose heartless and disastrous consequences as a National policy have had no quences as a National policy have had no quences as a National policy have had no parallel since the revocation of the edict of Nantes which drove a million Protestants and hundreds of millions of money from France, are now upholding Taft's hands in trying to liberalize the system, and of course they carry the whole pack of party organs, bottle-holders and coffee-coolers along with them. ers and coffee-coolers along with them Many influences, including large capital istic influences, have helped to change the popular opinion, and whatever they are, they are now serving a great and good end, even if in a Machiavellian

## Smokeless Locomotive.

The world is waiting for a smokeless ocomotive, and one burning bitumino oal has been developed in Chicago, group of railroad men and members se smoke committees from several cities scently saw the "Doylair smokeless locomotive" draw a train of cars from the stockyards in Chicago a distance of S miles without any display of smoke or gas, and with but little firing necessary. It is claimed that the device on the locomotive produces something like per fect combustion, and thereby effects aving in fuel consumption of between 5 and 60 per cent. This seems almost on good to be true, and yet there is n nherent impossibility in the claim mad the fact that the outsiders who witnessed the demonstration were greatly im-pressed by it is most encouraging. This ought to be the beginning of a determ-ined public demand that this smokeless device be used on all locomotives, to the speedy retirement of the smoke-emitting nuisances that not only dectract from the pleasure of traveling, but sadly pollute the air. It will be a great triumph for civilization when results like those produced in this Chicago experiment have become commonplace.

# She Had the Right of Way.

Philadelphia Press.
With the palm of his left hand extended forward and his right hand olding high in the air a stick, a stal morning high in the air a stack, a stat-wart patroliman stood at Broad street and South Penn square yesterday after-noon bringing to a standstill all traffic at this, the busiest point in the city. Automobiles, auto trucks, wagons, carriages, taxicabs, public and private vehicles of all kinds were massed against each other in a solid phalanx on either side of a narrow passageway across the most prominent street.

While all the traffic was thus held While all the traffic was thus held at bay there passed safely between the walls of vehicles, puffing impatiently over their enforced inaction, a young woman trundling a gocart in which rest-ed a little babe. Who else in Philadelcould better claim the right of

#### Returning Sanity in the South. Boston Herald.

Reports from Tennessee Indicate that the prohibitory law is openly flouted in the larger towns and cities, and that strife arising from the contest over prohibition has reached a stage where almost anything may be expected in the way of personal violence. Parties, families and churches are divided, and the social situation is tense and strained. Alabama's vote the other day shows that the experiment with "state prohibition" there has proved far from satisfactory, and that ere long there satisfactory, and that ere long there will be formal return to the local option law, under which, as Massachusetts found out long ago after experiment with both systems, there can be adjustment of policy to the varying standards of rural and urban communities, and something like fair enforcement of the law when ratified by nonument of the law when ratified by popu-

No Lack of Candidates. Cleveland Plain Dealer. It is estimated that there are in the United States between 50,000 and 100,-000 Democrats who are wondering if they couldn't be elected to Congress next Fall.

Enjoyment Will Be Modified. St. Louis Globe-Democrat.

Democrats who bestow wild applau
on insurgent Republicans will not enj themselves so much when called on to deal with insurgent Democrats.

Tall Too Heavy. San Francisco Chronicle.

A kite with too heavy a tail can't fly.

That seems to be the reason why the Prohibition party leaders don't want to

Not Mollycoddles.

Washington Star.
Whatever else may be said of them, the surgents cannot be dismissed as molly-

On the Negative Side Washington Herald.

Some of our wise men might take a short cut and enumerate the things Mr. Roosevelt is not going to do when he gets back.

An Innovation

Toledo Blade.
There is a proposition in New York make the Governor's salary as large that of a big league president.

No Wonder Senators Bourne and Cham berlain Favor U'Renism.

Los Angeles Times. We notice that Senator Jonathan Bourne of Oregon enlightened the members of the senate the other day on the wonderful effects of the peculiar laws under which his state is working at the present time When Mr. Bourne had ended his expost ion of U'Renism in Oregon, Senator Brown of Nebraska, a rampant "insurgent," promptly moved that 59,000 copies of the Bourne speech be printed at pubic expense and circulated as a campaign

No wonder Senator Bourne la in favor of the queer laws. They landed him in the Senate. He bears the brand of Republican politics, but would not bear a est as to his being true to the brand No doubt his colleague, Senator Chamber-ain, would be quite as enthusiastic in his support of the Oregon system of conduct-ing elections, for did they not also land the Populistic Chamberlain in a seat in o Senate right alongside of Republicar ourne? Moreover, the Oregon Legisla-re which elected Chamberlain was Reican by a large majority, and but for he freak laws that prevail in the Web-oot State Chamberlain would not repre-ent Oregon in the United States Senate

Now the question goes deeper than this statesman would have us pursue it. Sen-tior Bourne and Senator Chamberlain may very well be in favor of the U'Ren aws. It is very doubtful if either of laws. It is very doubtful if either of them could have ever reached this high distinction without the very peculiar laws that prevail in their state. The question is not whether it was a good thing for these two Oregon Senators, but whether it is a good thing for the people of Oregon. As for Mr. Bourne, he bears the reputation of being a very practical politician. He is known to be exceedingly wealthy and rather lawish and ostentations in the display of his wealth. He bears the reputation of being particularly liberal in the use of money when he is liberal in the use of money when he is interested in a political campaign per-sonally. He also has the name of being 'one of the boys," an exceedingly "good fellow.

So with Mr. Chamberlain. Mr. Cham-berlain may well stand for the laws of Dregon. They stood for him. A man is nuch inclined to take a favorable view of the bridge that carries him across the stream; but for the freak laws that pre-vall in Oregon Mr. Chamberiain could never represent that state in the United States Senate. He is a Democrat, free-silverite, a free-trader, probably was not particularly intent in the old days on the preservation of the Union. But Oregon is a Republican state, a gold-standard state,

a protective-tariff state.

Now conceding the beneficial effects of the U'Renated laws for the two statesmen who represent Oregon in the Senate, the question still remains whether or not these peculiar laws are good for the people of Oregon. For ourselves, we would prefer a man of a little higher normal type than Senator Bourne to represent us n the Senate, and we would certainly be loath to see laws adopted in our own state which would result in compelling a protective-tariff, gold-standard, Republi-can Legislature to return a free-silver, free-trade disloyal Democrat to the Uni ted States Senate

# Sunp Shots.

Dalias (Tex.) News, A word to the wise is unnecessary. Sometimes a stitch in time saves guyin'. The best way to keep your health is to avoid all the chances you have to lose it. The kind of man who is satisfied with himself rarely ever is satisfactory to any About the easiest thing in the world for

girl to do is to get ready to go riding if the truth were known, the Venus of Milo is no better off now than if she had worn corsets. f she had worn corsets.

There is scarcely anything a man can become reconciled to as quickly as not

There are fools of various sizes, but the iggest of all is the one who doesn't profit by the foolishness of the others. Our idea of a brute is a woman's husband who makes her mad right after sup-per so he can read quietly till bedtime. About the hardest thing in this world for a lunch counter waiter to believe it that the man who asks for a napkin isn't

The reason a schoolboy wants to stay in the house and get his lessons after supper is because there is a big boy out-The kind of boy who has never wished he could play first base for the home team ought to be watched. He may become addicted to poetry.

Forty Acres Enough for a Family. rom "The Fat of the Land," a Story of An American Farm, by John Williams Streeter.

A great deal of farm land is distant from markets and otherwise limited in its range of production, but nearly every 40 which lies east of the 100th meridian is competent to furnish a living for a is competent to furnish a fiving for a family of workers, if the workers be in-telligent as well as industrious. Farm lands are each year being brought closer to markets by steam and electric roads; telephone and telegraphic wires give immediate service; and the daily distribu-tion of mails brings the producer into close touch with the consumer. The day of isolation and seclusion has passed, and the farmer is a personal factor in the market. He is learning the advantages of co-operation, both in producing and in disposing of his wares; he has paid off his mortgage and has money his mortgage and has money in the bank; he is a power in politics, and by far the most dependable element in the state. Like the wrestler of old, who gained new strength whenever his foot touched the ground, our country gains fresh vigor from every man who takes to the soil.

## Read Out. Chicago Record-Herald.

"Where is your father, Johnny?"
"I dunno."
"You don't know? Can you tell me
when he will be at home?"

"What is the matter?"

"He got to thinkin' too much to suit himself and ma read him out of the fam-

Untensified.

New York Sun.

The cow had just jumped over the moon,
"I have no patience with the folks who
are afraid of the comet!" she cried.

# CURRENT NEWSPAPER JESTS.

"He's a star after-dinner speaker, isn'
?" "A star? He's a moon." "How?"
"he fuller the brighter."—Cleveland "Why is the delivery boy always in such a rush," asked the idler in the grocery. "So that if in his haste he delivers anything wrong, he will have time to right the matter," the grocer explained.—Buffalo Express.

"But his table manners are poor," ob-served the old-fashioned mother. "Poor! Why, mamma!" exclaims the dashing daughter. "He took me to lunch with him at the St. Gorgeous, and ordered nothing but the most expensive things on the menu!"—Judge.

"You never quote poetry in your speeches?" "No," replied Senator Sorghum; "quoting poetry is too often like sending an anoymous letter. A man resorts to it when he wants to say something and shift the responsibility of authorship."—Washington Star.

ship."—Washington Star.

"At this point, your honor," said the attorney who was making an eloquent plea in behalf of his client, "you will pardon me if I quote a bit of poetry that seems peculiarly—" "I will pardon you unless you wrote it yourself," interrupted the court; "in which case I shall not. This time of extending clemency to poets has been overdone intelly. Perhaps you'd better proceed with the argument, Mr. Sharpe."—Chicago Tribune.

Machinery of Justice Broken Down in

Attempts to Punish Crimes. rom an address by Samuel Untermeyer. New York, before the American Academy Political and Social Science, at Phila-

f Political and Social Science, at Phila-elphia. None of the many difficult problems that confront the present generation is more urgent or perpiexing than the reform of the administration of the criminal law in our country. Our wealth and importance in the financial world have increased by such leaps and bounds that we have completely out-srown the laws which were enacted to meet the earlier conditions in our history.

It will be no easy task to secure the changes that are necessary to meet and curb the cupidity of the criminal rich, nor to enforce those laws when enacted. Strange to say, the chief obstruction the administration of justice in crin

to the administration of Justice in criminal cases lies in the undue shelter afforded by our Constitution.

The prescribed remedies against crimes of violence are, on the whole, fairly administered, though there are still many abuses capable of correction. It is in the attempts to punish the crimes born of greed and cunning in the financial world that the machinery of justice has broken down and the law is administered in a spasmodic and hysterical way.

Intil the decision in 1885 in the Boyd.

Until the decision in 1885 in the Boyd case it was not generally supposed that the provision against unreasonable search and seizure applied to the en-forced production of books and papers under subpena for use in a criminal case, so as to permit a man who was able to secure possession of evidence of this character to thwart the ends of justice. It was, to say the least, a surprise to the legal profession to find that to require obedience to a lawful mandate for the reduction of such books. the production of such books, was a "search and seizure," and more surprising still to learn that it was an "unreasonable" seizure. But such is the law, unless recent decisions of the court can be said to have modified the rule in the

Boyd case.
Yet it is not clear to me that the framers of our Constitution ever meant that the Fourth Amendment should be held to forbid the courts to use the writ-ten evidence of a criminal act against the person charged with the commission of the crime, where that evidence can be secured from him through the orderly process of subpena. In the last few years the Supreme

Court has been face to face with the difficulty of proving crime where the de-fendant can be permitted to withhold his books and papers from the operation of subpena and has found it necessary to "distinguish" the Boyd case so as to mitigate, in so far as possible, the many difficulties to which it gave rise. That great court realizes the necessity.

above all things, of certainty in the law and so it rarely overrules its own decis-ions. But it is a progressive court. Progress is more necessary than consis-tency, and so it has begun the process "limiting" and "distinguishing" Boyd case. The next stage will be to 'forget' it. Let us hope so. Boyd case.

Within the past few days the U. S. Circuit Court in New York decided in the case of U. S. vs. American Sugar Company, that the corporation could be forced to produce its books without granting immunity to anyone. This case is cited as illustrating the

In case is cited as insuranting the lengths to which the court has been driven in order to preserve even a vestige of its machinery to detect and punish crime, with these constitutional provisions in its way.

I submit, but with hesitation—not be a submit, but with hesitation—of the ause of doubt as to the wisdom of the suggestion, but because it will appear like sacrilege to the uncompromising worshipers of our Constitution—that the irst and greatest existing evil in the ad

ministration of the criminal law, and one that should be corrected, is the undue protection still afforded to persons of the Constitution and like provisions In the state constitutions.

We may somewhat mitigate the evil by bold judicial legislation. That is the process we are now undergoing with respect to corporations. But the prosecution of corporations, which can result only in a fine, is a farce—we cannot strike at the root of the trouble without amending our Constitution. in the state constitutions.

The provisions quoted from the Fourth nd Fifth Amendments of the Constitu tion (not the entire amendments), and like provisions in the state constitutions, constitute today the great and only baror between the people and the execuof their will against these violators

of the law. The second great evil in the administration of the criminal law, and for that matter, of all laws in our contry, is the prevalence of perjury, due to the non-enforcement of the laws enacted for its punishment. I think it will be generally admitted that in no civilized country is admitted that in no civilized country is willful false swearing so prevalent as here—due largely to the fact that the penalty imposed under the laws of the various states is too severe, and that it It has been said, and I think rightly, that the crime of perjury is committed in at least three out of every five cases tried in the courts in which an issue of fact is involved. It has become so genfact is involved. It has become so genfact is involved. eral that the courts regard it almost as

a part of the inevitable accompaniment of a trial.

It should be made obligatory upon It should be made obligatory upon the court on the trial of every issue of fact before a jury to require the jury, in addition to its general verdict, to answer the question as to whether any party or witness has been guilty of willful false swearing, and if so, to name the party or parties or witnesses so guilty. Where the trial takes place before the court without a jury, the court should be required to answer such a question. If the court or jury (as the case may be finds that there has been perjury, it should be incumbent upon the prosecuting officer to act upon such finding.

The next evil, but to my mind not the greatest by far, but the one that has re-

greatest by far, but the one that has re-ceived most attention from the public and those in authority, relates to the law's delays.

law's delays.

Some of the remedies that have been suggested seem to me far worse than the disease. Chief among them, and the one that appears most generally to be favored; is that of restricting the right of appeal in criminal cases. At a time when other nations are granting and enlarging this right, we are considering

one of the worst abuses of the present One of the worst abuses of the present system is not the delay in executing the judgment, but the undus and indecent haste in requiring a defendant to undergo the sentence whilst his appeal is pending. We have constant object lessons in the brutailty of the law in that respect in the cases of those who have undergone all or most of their terms of punishment, to find that the judgment under which they were disgraced and

undergone all or most of their terms of punishment, to find that the judgment under which they were disgraced and imprisoned was without lawful authority. What, then, is the remedy?

The state has its public prosecutor. Why not its public defender to care for those who are unable to defend themselves? It is quite as much to the interest of the state to rescue the innocent as to punish the guilty.

Nowhere in our social fabric is the discrimination between the rich and poor so emphasized to the average citizen as at the bar of justice. Nowhere should it be less. In an ideal state of government the lines would be made to disappear here of all places. Money secures the ablest and most adroit counsel, whose characters and reputations are powerful factors in their client's cause. Evidence can be gathered from every source and all the legitimate expedients of the law availed of. The poor must be centant to forego all these advantages, but surely the state should not take an unfair advantage of his helplessness.