

SUPREME COURT FAVOR OF HANGING

Need of Law Carrying Death Penalty Is Seen.

LIFE TERMS DISCOURAGED

Judges McBride, Johns, Bennett, Harris, Burnett and Benson Take Decided Stand.

SALEM, Or., Nov. 26.—(Special).—That the time has arrived when the people of Oregon should think seriously, cast aside maidlin sentiment and restore to the criminal statutes the extreme penalty of capital punishment, is the opinion openly expressed by the seven members of the supreme court of this state, Attorney-General Brown and other officials.

"The several brutal and cold-blooded murders committed in Oregon within the past few weeks should furnish conclusive proof of the need of drastic and uncompromising laws in handling the more desperate class of criminals," said Thomas A. McBride, chief justice of the supreme court. "Men who commit murder have no place in society and the quicker they are tried, convicted and sent to the gallows, the better it will be for all concerned. When the man who takes human life is safely covered with six feet of earth he will have robbed society of any opportunity to commit further depredations. In sending him to the penitentiary, he fattens off the taxpayer, eventually is paroled or pardoned by some kind-hearted executive and is turned out again to prey on society.

"During my 17 years incumbency as circuit judge of Clackamas county, I sentenced nine men to life terms in the penitentiary, but in each instance the prisoner was paroled. Not one of them served out 10 years of his sentence. I voted against the abolition of capital punishment when it was referred to the people of Oregon in the year 1914, and I expect to contribute my mite toward restoration of the penalty at the next election."

"Prior to being elected circuit judge of Clackamas county, Mr. McBride served for a time as district attorney. He has been a member of the supreme court for more than 10 years.

Murders Arouse State. "There is but one punishment befitting the murderer, and that is hanging," declared C. A. Johns, a member of the supreme court. "The criminal events of the past few weeks have aroused the people of this state, and it is my opinion that the death penalty will be restored when referred to the voters at the next election. Men of prominence and good standing in the community have been shot down and killed in cold blood, and yet there are some sentimental-minded individuals who would spare the murderers from the gallows.

"While I do not believe that capital punishment will eliminate all murders, I am convinced from my observations that such a penalty will have a telling influence in reducing crime in this state.

"I am glad to say that I voted against abolishing capital punishment when it was referred to the voters in Oregon in 1914, and I fully intend to work for its restoration at the earliest possible opportunity." Prior to taking up his duties as supreme court justice on June 1, 1919, Mr. Johns practiced law in Portland for a number of years and had considerable experience with criminal cases. He was elected at Baker, where he held a office of mayor and other equally responsible positions.

"I am a strong advocate of capital punishment," said Lawrence Harris, member of the supreme court, and I want to say now that I will vote for its abolition in the year 1914, and stand ready to assist in its restoration at the law. The recent order are sign to the criminal and the recent murders in Oregon indicate the need of drastic laws. The people of the state to awaken and provide penalties befitting the crimes committed. The murderer who kills for the penitentiary, but the thought of hanging has deterred many a man from committing the capital offense. The usual sentiment which has shadowed the good judgment of the voters of the state in 1914 should be cast aside, and the death penalty should be restored at the earliest possible moment."

Before entering upon his duties as a member of the supreme court on January, 1919, Judge Harris served as circuit judge for ten years, and prior to that time acted as assistant district attorney.

Jury Decision Favored. "I am heartily in favor of restoring the death penalty," said Justice S. Bennett, "but in order to protect against any possible miscarriage of justice, I would give the jury trying a person charged with murder the discretion of fixing a sentence of life in the penitentiary or hanging. The recent murder of George Peringer and the outrages committed upon our soldiers at Centralia, Wash., and the killing of a few hours ago, and I will be found casting my ballot for its restoration at the next election."

"There was never a time when I was opposed to capital punishment," said Justice Burnett, "and I was one of the minority who voted against its abolition in the year 1914. The many murders committed in Oregon during the past few weeks make it sufficient to arouse the people to action, and there should be a decisive stand against the criminal. The penitentiary, rather than being a resort of punishment for the man who commits murder, is a fatiguing cradle, and in cooperation with the state can do a few hours no terrors. Hanging, while looked upon by some sentimentalists as brutal, is just and is the only penalty befitting the murderer. Nothing short of the restoration of the death penalty will clarify present conditions and put the fear of God in offenders."

"Prior to being elected a member of the supreme court Justice Burnett was a number of years circuit judge, and in that capacity sentenced a number of men to life terms in the penitentiary. In almost every instance they were released within a few years and again allowed to menace society.

Hanging Is Preferred. "The scaffold furnishes the only penalty which will fully avenge society for murder," said Henry L. Benson, who has served as a member of the Oregon supreme court since January 1, 1915. "The man who kills his fellow human being should be readily exterminated, not in the mere role of

INTELLECTUAL POSEURS NOW CAN VOICE REAL OPINIONS

Madame Marie Horgan of Alcazar "Mikado" Company Tells of Insincerity of Americans Who Profess to Admire Distasteful Music.

BY LEONE CASS BAER. "THERE are any number of so-called intellectual poseurs who pretend to admire what in their secret hearts they either dislike intensely or know nothing at all about. I refer to Wagnerian zealots."

Madame Marie Horgan was skillfully adjusting the fuzzy gray wig, punctured through with dozens of tiny fans, above Katisha's countenance. It had been Madame Horgan's countenance, full of character and womanly charm, when I first entered her dressing room at the Alcazar, but rapid manipulation of her busy fingers and application of make-up on her smooth cheeks, tufts of wool on each brow, and semblance of wrinkles had made a metamorphosis. It needed only the adjustment of the ravenest wig with its bobbing flowers at her ears, and Madame Horgan was ready to blacken out her teeth in a process which leaves Katisha without a single beauty spot to lean upon.

"Well, may Katisha pride on her shoulder blades, which men come miles, and boast of her circulation—the largest in the world," sighed Madame Horgan. "Do you suppose any woman ever so homely really lived?" I asked. "She might have existed before the days of beauty specialists," opined this famous delineator of the ugly heroine Gibber and Sullivan's "Mikado." "But her type is extinct now. A modern Katisha would have turkish baths and well-lighted dressing and bathroom floor till she was so thin she wouldn't have to wear corsets. She would have her face skinned into perfect arches, and if she had a kink in her hair she'd have it removed. If she didn't have a kink she'd have one put in. In that respect Katisha would be like all her sisters. She would be manicured, pedicured and certainly, oh certainly, she would see a dentist," smiled Madame Horgan in a self-friendly, inky black smudge in which one lone unblackened tooth shone out. Then she said, apropos of music:

"It will be a splendid thing for real art in America when the laymen of refinement and education develop sufficient courage and honesty enough to say 'I do not like, or I do like' this piece of art or that piece, and be able to give a reason for his preference or dislike. There will be neither progress nor understanding of music just as long as the poseurs pretend an enjoyment that is not felt."

"I have never been abroad, but I have met any number of tourists who drop into poses of ecstasy and gibberish entranced exclamations of the piece from old masters, when they pass by splendid examples of painting done right here in America. These artists would rush right on to praise with no understanding where, oftener than not, they should weep, for it is a well-known fact that many of the old masters painted atrociously, but in order that society may forever be rid of his presence, the fiendish murder of Mrs. Eunice Freeman, followed by the brutal slaying of George Peringer and J. N. Burgess emphasizes beyond a doubt that the people of Oregon made a serious mistake when in 1914 they voted against capital punishment."

"The death penalty is merely a vacation for many criminals, as they are not sentenced to life terms, but their crimes will be forgotten and they will be paroled or pardoned by some sentimental soul the sooner it is returned the sooner the criminals will take to other fields. I voted in 1914, and I am now one of the strongest advocates for its restoration. Justice Benson, before being elected supreme court justice served as circuit judge and district attorney of the city today, previously expressed in the presence of other members of the supreme court, his opinion that capital punishment should be restored at the earliest opportunity. Attorney George M. Brown, who served as district attorney in southern Oregon 21 years and who has had almost unlimited experience in handling criminal cases, says there is no doubt but that capital punishment has deterred many criminals from committing murder.

Case Is Cited. "Only a few years ago," said the attorney-general, "I prosecuted a case involving two young men accused of highway robbery. One of these youths told me that had it not been for the fear of the death penalty he would have killed one of his victims. This is only one of many cases, according to the attorney-general, which the death penalty proved its worth in preventing crime. In order, however, that men convicted of murder might have every prospect of a sane and merciful justice, Mr. Brown would have the testimony of the lower court reviewed by the supreme court before carrying out the order of execution."

At the election held in 1914 there were 106,522 votes cast in favor of abolishing capital punishment in Oregon, while the majority pointed 100,000 votes. The majority against continuance of the death penalty was less than 200 votes.

SARAH E. MILLER DIES AGED WOMAN RESIDENT OF OREGON SINCE 1871. Charter Member of Westminster Presbyterian Church Reached Age of 90 Years 5 Months.

Mrs. Sarah Esther Miller, who was the first president of the department of Oregon for the woman's relief corps and a charter member of Westminster Presbyterian church, died Tuesday at the home of her son, E. E. Miller, 311 Eugene street. Her death was the result of a fall in which she sustained a fracture of the hip about 3 weeks previous. She was 90 years and 5 months old.

Mrs. Miller came to Oregon in company with her husband, DeWitt C. Miller, who died 13 years ago, and her two small children in 1871, making the trip by way of the Union Pacific line to San Francisco and from there by the steamer Constellation to Portland.

The Miller family first settled on a farm near Wheatland and afterwards on the old Ben Cornelius place near Forest Grove, about 40 years ago they came to Portland.

Mrs. Miller was accomplished in needlework and at the Lewis and Clark exposition was awarded a prize for a design in art needlework, at that time being well along in years. Mrs. Miller, whose maiden name was Wells, was born in Elmira, New York. She was an adventurous girl and in 1852 made the trip around the world, returning to her home in



Marie Horgan, who is filling special engagement at the Alcazar.

clously, and were vastly inferior to our modern draughtsmen and wretched colorists besides. Still your Minnie Flah tours Europe's art galleries in two days and comes back home to gasp and fall into rapture every time someone mentions the old masters. It's the same way with music. Public opinion has been forced to put its cards on the table since the war, and now a great many folk who used to pretend to admire the ghastly dullness of Wagner's music, because of fear of being thought provincial or a Philistine, can now be honest about it and say truthfully that they hated Wagner's operas. I have never been a Wagnerite, and it didn't take a political upheaval for me to say so years ago when I began my career.

"My mother was a singer before me," continued Madame Horgan, "and so was my dear sister, whose passing away a year ago has been the big grief in my otherwise happy life. We were all musical, and when I was 13 I made my debut with the opera company in Boston. The role I sang was Little Buttercup. I weigh 165 pounds, and my dream was some day to sing Katisha. Well, I grew fatter every year, and I've sung Katisha over and over. It is my favorite role, its dramatic appeal balances its decided comedy values and I am perfectly happy when I'm Katisha."

It might be added that so, too, is everyone happy who hears Madame Horgan when she is Katisha. Her engagement is for this week only at the Alcazar.

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HOOD TO AID RED CROSS

\$1250 of Funds Raised to Be Used for Public Nurse.

HOOD RIVER, Or., Nov. 26.—(Special).—Featuring the plans of appropriating half of all the funds to be raised in the Hood River county Red Cross roll call for 1920 for the local public health service, the local executive committee expects the campaign to be waged December 1 to 6, inclusive, to result in a membership of 2500, in excess of that of last year by 200. The executive committee met yesterday at the commercial club and appointed district takers for the drive. It is hoped that \$1250 will be raised today. Coetny, commander of the "Lenine Boys," being the first of 16,000 to be arraigned. Osery pleaded that he had only performed his duty. He denied many other instances of executions and recited several instances in which he claimed Bela Kun gave direct and explicit orders for murders.

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Bishop Lumber Plant at Montesano to Discontinue Operations.

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Eugene Soldier Returns.

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"Too few people use horses for drawing pleasure vehicles," says Mr. Weber, "and as for that matter, the horse, while still in evidence, has been superseded to a great degree by the motor truck in hauling freight. My business in harness has dwindled to a point necessitating the addition of

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EDWARD KIDDLE IS MADE COMMISSIONER

Governor Names Successor to Late J. N. Burgess.

PUBLIC ACTIVITIES MANY

Appointee Prominent in War Drives and Road Bond Campaigns; Seat Held in Senate.

SALEM, Or., Nov. 26.—(Special).—Edward Kiddle of Island City, Union county, was today appointed by Governor Olcott to succeed the late J. N. Burgess as a member of the state highway commission. His term will expire on March 31, 1922.

Mr. Kiddle has spent his greater part of his life in Union county, being prominently identified with milling and stock industries. While he has always been actively identified with matters pertaining to the public interest of his county and state, he had held one state office, when he was a member of the senate in 1913 and 1915 from Union and Wallowa counties.

During the recent war Mr. Kiddle was prominent in Red Cross and other patriotic activities and took a leadership in the drive for the issue of the \$1,000,000 road bond issue in Union county. He has always been more or less interested in good roads activities. He was manager of the Pioneer Milling company, with control cards on the table since the war, and now a great many folk who used to pretend to admire the ghastly dullness of Wagner's music, because of fear of being thought provincial or a Philistine, can now be honest about it and say truthfully that they hated Wagner's operas. I have never been a Wagnerite, and it didn't take a political upheaval for me to say so years ago when I began my career.

"I know Mr. Kiddle personally, and have come in contact with him frequently. I have the highest regard for his business capacity, and am certain that he will make a valuable addition to the commission. Mr. Kiddle has been highly successful in a business capacity. He has a keen appreciation of the necessity for giving a thoroughly efficient business administration of the affairs of this commission, which are of such enormous importance to the people of the state of Oregon. I believe the state is fortunate in being able to secure his services. His dramatic appeal balances its decided comedy values and I am perfectly happy when I'm Katisha."

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Don't Be Penny Wise and Dollar Foolish. Cheapness is not always economy. Quality is always cheapest in the end. Royal Baking Powder costs so little more per can than common baking powder that the difference represents about one penny in the baking of a cake. But that penny insures the quality and wholesomeness of the cake, protects you against waste of dollars in materials, time and labor, to say nothing of the wholesomeness it guarantees. Moral: Don't risk your cake for the sake of a penny when you can "Bake it with ROYAL and be Sure" Contains No Alum—Leaves No Bitter Taste.

Harness Shop Becomes Auto Accessory Store.

Hood River Business Goes Way of Blacksmith Shops.

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Hood Ratio Not Changed.

HOOD RIVER, Or., Nov. 26.—(Special).—Jasper Wickham, county assessor, has been apprised that Hood River county's tax ratio in the levy of the state assessment will remain at 54 per cent, the same as on last season. The state tax commission has announced a tentative ratio of 45 per cent. Mr. Wickham has figured out that the general average of county ratios will be 69 per cent. Hood River's state tax will be approximately the same as on last year.

Eugene Elks Choose Speaker.

EUGENE, Or., Nov. 26.—(Special).—Dr. T. W. Harris of this city has been chosen by the Eugene lodge of Elks to deliver the memorial address at the annual lodge of sorrow to be held at the Elks' temple on Sunday, December 7. Judge E. O. Potter will deliver the eulogy. Whitten Swafford, C. E. Harbison and N. L. Fry are members of the committee in charge of arrangements for the services.

Boys Held for Hotel Robbery.

ABERDEEN, Wash., Nov. 26.—(Special).—R. Page and George Smith were arrested yesterday by Deputy Sheriff Williams of Oakville on a charge of having held up Tom Glover of the Glover hotel and taking \$25 from him. The boys were each about 19.

Legion to Spot Anarchy.

TACOMA, Wash., Nov. 26.—(Special).—The American legion is this week organizing precinct committees here for the purpose of canvassing the loyalty of all residents and marking persons of anarchistic tendencies.

Read The Oregonian Classified Ads.

of the eyes by my perfected system will reveal the CAUSE of your eye troubles. Any refractive defect I can remedy with proper lenses. More than twenty years' experience and knowledge, used in conjunction with scientific instruments, makes it possible for me to relieve your eye troubles with Perfect Fitting Glasses.

DR. WHEAT

Eyesight Specialist Second Floor Morgan Building Entrance on Washington

IS THE 'FLU A NEW DISEASE?

Reappearance of Epidemic Leads to Discussion on Subject.

The reappearance of 'flu at many points brings up the old question as to whether it is a new disease or a new form of some very common ailment. The general consensus of medical opinion is that it is a germ disease of a virulent type which first attacks the membranes of the nose and throat and then spreads to some vital organ where it develops very quickly and does fearful work.

The symptoms of 'flu are about the same as those of a cold in the head, and for that reason it is now positively mistaken for a cold. Even if the cold has your attention. Treatment should be started as soon as the head starts aching up, the nose starts running, or the sufferer starts sneezing. Let these conditions run for 24 hours and acute trouble is liable to develop. Possibly resulting in an attack of pleurisy, pneumonia, or other ailments.

If Grip-Flu is taken when the cold is starting, relief may be expected in a single night. Even if the cold has reached the Grippe stage, 48 hours' treatment is usually effective. Grip-Flu contains nothing but the drugs your physician would order, a full list of which is given on every box. It will relieve the closed up condition of the head, stop the fever, bring the mucus to the surface and tone up the system.

Be prepared. Have Grip-Flu in the house. Be sure to get the original Field's Grip-Flu. It is on sale at all druggists at 25c per box.—Adv.

After lengthy experimenting, New Zealand government chemists have succeeded in separating dirt from kauri gum and increasing its yield of oil, largely used in varnish making.

Living Room Comforts for Cold Winter Evenings