

PLEA FOR CAPITAL PUNISHMENT FILED

Ample Safeguards Provided, Says Committee.

WEAK SENTIMENT IS HIT

Amendment Provides for Disposition of Those Who Kill Deliberately, Not in Anger.

SALEM, Or., Feb. 27.—(Special.)—The contention of so-called sentimentalists that all criminals are mentally sick and should be coddled and cured instead of being made to pay the penalty for their crimes, is not based on sound logic and is ridiculed by the leading criminologists of the country, according to the argument favoring capital punishment filed with the secretary of state today.

The argument was prepared by Senator B. L. Eddy, of Douglas county, and Representatives K. K. Kuhl and David F. Lofgren, of Multnomah county, and will be printed in the voters' pamphlet.

The strongest argument against capital punishment, according to the legislative committee, is usually based on Christian teachings as found in the Bible. In combating this argument the committee says: "Jesus condemned private vengeance, not the vengeance of the civil law. Besides, a Christian accepts the old testament as well as the new. Some seem to have forgotten that when human government was established under Noah and his sons, God ordained that 'Who sheddeth man's blood, by man shall his blood be shed.' This was never repealed. It was not a Jewish ordinance. It was promulgated centuries before there was a Jew on earth, and was for all mankind."

The argument, as prepared by the committee and filed with the secretary of state follows:

"Senate joint resolution No. 8 proposes to amend the constitution of the state of Oregon by striking out the amendment adopted in 1914, which abolished capital punishment, and provided that the maximum punishment which may be inflicted shall be life imprisonment, and by adding a new provision, namely, that the penalty for murder in the first degree shall be death, except when the trial jury shall in its verdict recommend life imprisonment, in which case the penalty shall be life imprisonment."

Cold-blooded Cases Considered. The proposed amendment is easily understood. Let us remember that in the first degree is defined in the Oregon criminal code as follows: "If any person shall purposely, and of deliberate and premeditated malice, or in the commission or attempt to commit any rape, arson, robbery, or burglary, kill another, such person shall be deemed guilty of murder in the first degree."

We suggest that those who are unacquainted with this definition, and who are disposed to vote against capital punishment, read it again, and be sure that all its elements are mentally grasped, and that the proposed amendment has nothing to do with the act of one who slays his fellow in the heat of passion, or who is mentally incapable of deliberation or premeditation and not in the act of committing another serious crime. It is proposed to affix a death penalty to deeds such as that of the murderer Johnson, who with deliberate premeditation and in cold blood, shot and killed his benefactor, Mrs. Freeman, who had procured his parole from prison. We assume that the memory of that case is in the minds of all who will read these words.

Prior to 1914 the constitution contained no declaration upon the subject of capital punishment, but the "if" clause had power to prescribe and did prescribe the punishment of death for murder in the first degree. It was the purpose and effect of the amendment of 1914 to take this power from the legislature. The amendment now proposed will amount to the fact that when a jury finds a person guilty of murder in the first degree, the punishment shall be death, unless the jury shall recommend life imprisonment, and then the penalty shall be life imprisonment.

This new provision means that the jury shall have the constitutional power to say, in effect, that because the defendant is convicted on circumstantial evidence, or there is a possibility that there was premeditation, or because the character of the defendant appears to be such that repentance and reformation are reasonably assured, or that because of any other reason, the ends of justice will be satisfied and society sufficiently protected by life imprisonment.

No Reason Required. Of course the jury will not be required to give any reason whatever for its recommendation of the lesser penalty. This throws a great safeguard around the institution of the death penalty, and should satisfy the scruples of those, for example,

who point out that occasionally an innocent man has been hanged upon circumstantial evidence. Experience shows that the average jury is chary of sending any man to the gallows. Under the operation of this proposed amendment in only the clear and flagrant cases will the jury fail to recommend life imprisonment.

Capital Punishment Effective. While the finer sentiments of the human race strongly oppose brutality, in all its forms—and the thought of capital punishment brings to the human mind the thought of brutality and arouses the finer sentiments—let us not be weakly sentimental. Let us not lose sight of the brutal methods employed by the cold-blooded murderer in destroying the life of the innocent, or of the fact that the punishment intended to be inflicted for the crime of murder, is not so much to wreak vengeance as it is to destroy the power of the murderer to commit further crimes.

Sentimentality should not outweigh justice; life is dear to all of us and should be safeguarded and protected to the full extent against the brutal cold-blooded murderer. Under this proposed amendment a person who willfully commits murder shall be put to death—the state merely executes the judgment."

The amendment providing for recommending capital punishment in Oregon will be submitted to the voters at the special election on May 21. Arguments against the death penalty will be printed in the voters' pamphlet prior to the election.

REIGN OF ARSON FEARED

DANGER FROM SUGAR PLANTATION STRIKERS LOOKED FOR.

Eviction of Workers From Houses Gives Evidence of Incendiarism Through Nine Fires.

HONOLULU, T. H., Feb. 27.—(Special.)—Hawaiian sugar planters fear that a reign of arson in the cane fields of the islands will be in effect shortly now that it has been decided to evict the strikers from their plantation cottages. Already there is evidence in the setting of nine fires in seven different sugar cane fields on the island of Kauai, where 30 acres of cane have been burned. Two strikers have been arrested in the case.

Since the Filipinos went on strike in January there have been numerous small cane fires of incendiary origin.

Roads on Oahu are cluttered up with Japanese families moving away from their plantation homes. Every form of vehicle is being utilized from the "filiver" to the wheel barrow.

While the Filipino strikers are rather short of funds, the Japanese appear to be well financed and their leaders boast that they have enough cash on hand to carry on the strike for one year. It is apparent that the strike has developed into a racial fight between the planters and the Japanese with the Filipinos being mere catspaws of the Japanese.

CO-ED DEBATE WIN

Men's Team at Pacific University Defeated in Final Clash.

PACIFIC UNIVERSITY, Forest Grove, Or., Feb. 27.—(Special.)—The intramural debate series closed last night with a victory for the Kappa Delta literary society. The young women defeated the Alpha Zeta men's team, which upheld the affirmative of the question, "Resolved, that the present wave of anarchy in America is due to unjust labor conditions in this country." The members of the winning team were Margaret Martin, Forest Grove, and Maud Barrett, Bridgeport, Neb. The men's team was Julian Penning, Forest Grove, and Glen Shelley, Vernonia.

The question is the one to be used in the women's debate in April between Willamette and Pacific. The local tryout for this occurs next week.

Foster is afflicted with tuberculosis, and was transferred from the prison to the tuberculosis hospital in January of this year.

COLLUSION IS ALLEGED

Paving Contract Ordered Canceled by Washington Bureau.

TACOMA, Wash., Feb. 27.—The state bureau of inspection and supervision of public officers today ordered a \$250,000 paving contract between Pierce county and the Independent Asphalt company canceled because of alleged collusion of bidders. The order was handed to Prosecuting Attorney W. D. Askren.

The report of the bureau declares that testimony of officials of the independent showed that three paving concerns agreed to split the profits on the bid.

The contract was one of the first awarded in the county's \$2,500,000 paving programme for which bonds were voted last year.

Accused Slayer Acquitted.

CALDWELL, Idaho, Feb. 27.—(Special.)—Bertram Dresser, charged with murdering his father-in-law, Prince Bennett, in this city last August, was acquitted by a jury after 29 minutes' deliberation. Bennett was killed in a scuffle for possession of the gun and doubt existed as to whether Bennett or Dresser was responsible for the shot which killed Bennett.

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A breezy satire on New York society. Studio scenes, beautiful gowns, society "stunts," romance and love. It is undoubtedly the best offering of the week in Portland.

COLUMBIA ORCHESTRA Director Knowles has arranged a score that fairly sparkles with lively, bright numbers, ranging from the latest "hit" to "Caprice Viennois."

ORCHESTRA MATINEE 2:30 to 4:30 It beats the night line.

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COLUMBIA

That boy of yours is thinking that it's about time for a new SUIT

There's a pleasing and a satisfactory solution to the clothes question at this store, and that is—

Wearpledge

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Read this extract from the policy issued by the makers of Wearpledge clothes; its every guaranty will be fully met in every Wearpledge garment that leaves my store:

"This Policy INSURES the reasonable life of the WEARPLEDGE Suit or Overcoat under the number appearing hereon.

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DOORS OPEN AT 10:45 A. M.

DATA ON U. S. ARE STOLEN

Safelowers at Seattle Take Papers but Leave Money.

SEATTLE, Wash., Feb. 27.—Robbers blew open the safe at Fort Ward, near here, during the night, and stole government papers and data, according to reports telephoned here.

Money in the safe was not touched.

Forestry Official Promoted.

PENDLETON, Or., Feb. 27.—(Special.)—W. W. Cryder, for the past six years in charge of the Umatilla Na-

tional forest, announced today that he has accepted the position as supervisor of the Malheur National forest. He will have headquarters at John Day and will leave here the first week in March. An increased salary and larger territory go with the new position. J. C. Kuhns, supervisor of the Wenaha National forest, will have charge of the work here upon Mr. Cryder's departure.

Influenza Situation Improved.

LA GRANDE, Or., Feb. 27.—(Special.)—The influenza situation is much improved in La Grande in the past week. Only five residences are

quarantined for the influenza and one for the smallpox. The total number of residences quarantined during the whole epidemic was but 55.

New Manager for Centralia.

CENTRALIA, Wash., Feb. 27.—

(Special.)—F. W. Olsen has been appointed manager of the North Pacific Public Service company in Centralia and Chehalis, succeeding M. C. Hancock, who has been promoted to the management of the Aberdeen and Hoquiam gas plants of the company, and who leaves for Grays Harbor county Sunday. Mr. Olsen was at one

time connected with the Centralia-Chehalis system and for a number of years past has been superintendent of the Aberdeen-Hoquiam plant.

Odd Fellows Convene Today.

PENDLETON, Or., Feb. 27.—(Special.)—Odd Fellows from 18 lodges in

Umatilla and Morrow counties will gather tomorrow at Milton for the annual district convention, the first held since the United States entered the war in 1917. Initiation of a large class of candidates and a banquet will be among the attractions.

Read The Oregonian classified ads.

LIBERTY NEW TODAY LIBERTY

Here's the same beloved Mary Pickford in an entirely new role, that of a mountain girl fighting her feudal battles and afraid of "nothin' or nobody."

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IN "HEART O' THE HILLS"

THE THIRD PICTURE FROM HER OWN STUDIOS

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BEGINS TODAY

A startling, lavishly produced picture far greater than any of Miss Young's former productions—and one that marks the era of superb achievement in the silent drama. Miss Young's magnetic personality and alluring beauty add life-life vividness to this lavish production. Gorgeous gowns and elaborate settings depict in full the luxury of wealthy Parisians. See this startling revelation of night life in Paris—all its emotion—passion and wickedness.

HAROLD LLOYD In His Fourth \$100,000 Comedy

"His Royal Snyness" is funnier than ever. Lots of shapely maidens full of jazz n' everything. "Bumping Into Broadway" was good; "From Hand to Mouth" was better, and—"His Royal Snyness" is best.

PATHE NEWS

Cecil Teague

Cecil Teague at the Wurlitzer renders an original accompaniment which is inspiring and a vivid musical interpretation of this soul-stirring drama.

SUNDAY CONCERT 1:30 P. M. PROGRAMME:

March Militaire.....Schubert
Hand in Hand Again.....Whiting
Quartet, "Rigolotto".....Verdi
Patches.....Roberts
Old Colonial Songs.....Arranged by C. Teague

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