

The Oregonian

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PORTLAND, SUNDAY, SEPT. 9, 1906.

EAST THIRD STREET. That East Third-street franchise again. As now in the hands of the Mayor for the purpose of providing (Sec. 11) that cars from the Southern Pacific East Side lines be switched to warehouses on East Third free of charge; same to East Side lines of the Southern Pacific. But from and to the N. P. terminal, similar privileges will require payment of \$5 a car. That is, Section 12 extends to other lines when required by the City of Portland, payment of switching privileges at \$5 a car. But such cars are to be hauled only to or from warehouses along the East Third-street line, and in no case to be hauled to or from any other line. It is treated in the ordinance simply as a line to furnish facilities to car lines. No provision is made for switching cars from other lines over the East Third line, to or from the terminal grounds, to connect with any other new lines.

It is treated in the ordinance simply as a line to furnish facilities to car lines. No provision is made for switching cars from other lines over the East Third line, to or from the terminal grounds, to connect with any other new lines. The Oregonian is still unable to see why the city should give away one of its most valuable franchises, in order to bottle itself up.

THE IDEAL TRUSTEE. It is safe to say that not one citizen in ten knows what the qualifications and duties of a trustee or administrator are, under the recent rulings of the courts. Many erroneous ideas upon this matter linger in the popular mind, which no one can be held responsible for, but what is much more deplorable, excite scandalous comment upon the conduct and character of holy men. For example, many persons still believe that it is the duty of a trustee or administrator to foster and increase the estate which he has charge of for the benefit of the widow or the embarrassed debtor who owns it. This was the law; but such conduct on the part of a trustee would now be considered antiquated, if not a little ridiculous. The first duty of a trustee or an administrator is to get what he can for the estate for himself. Recent court decisions sustain this view.

Let us take the case of a man who has built a theater, and finding himself unable to pay off a mortgage upon it turns the property over to a trustee to manage for him. This is equivalent to making a gift of the theater to the trustee, on the principle that a man who should wade into water where there were sharks swimming about, would be presumed to have waded to commit suicide. The trustee is encouraged by the law to set upon the property and swallow it. Of course, it is understood that he will donate a generous fraction to the cause of foreign missions, and provide liberally for the Young Men's Christian Association out of the plunder; but these are the only duties which the main point is that the law no longer looks upon a trustee as bound to act for those who trust him, but solely for himself.

Suppose a man dies, leaving an estate in charge of a trustee who has posed as his friend for many years, with instructions to pay the debts and administer the property for his widow and children, and suppose the trustee secures also the powers of administrator. It is the duty of the trustee-administrator under the law to do the exact opposite of what his dead friend had requested. He must not pay any of the debts. On the contrary, it is his duty to make them larger and larger, so that he may collect the more interest for his own purse. If there is a nice little bit of city property belonging to the estate, the law requires him to organize himself into a corporation, buy the land from the trust estate at half its value and sell it to himself as a matter of course. It is a beautiful device, much esteemed, for it enables good men to rob the poor and keep right on praying all the time they are doing it.

The ability to pray volubly and fervently is essential to the success of an ideal modern trustee. If he could not pray, the chances are he would not have much chance to rob. The two arts work together like the web and fangs of a spider. The one jures the prey, the other disposes of it. After it has been lured, prayer is one of the most valued resources of the highest finance in all departments, but it is especially useful to trustees. The modern definition of a trustee is, "One

who absorbs, or merges." According to recent decisions, his principal duty is to merge the trust estate in his own. To that end, his private wealth should always be ample, so that the absorbed substance of the widow and orphan may not make a disagreeably conspicuous bulge. It must go down smoothly and easily, and he entirely out of sight in the holy man's stomach. Many trustees fall short of their duty under the law, on account of a weak sympathy for their own victims. The trustee should remember that widows, orphans and unfortunate debtors were made by the Lord to be victims. That is what they are created for, and he choose to go about the streets with woeful countenances, bewailing their losses, they forget their duty to be humbly submissive to the decrees of Providence. They ought to feel that it is a sacred privilege to contribute to the estate of one who uses wealth as nobly as the ideal trustee does. Think how blessed it is to build a theater to educate the heathen Hindoos!

How thankful the heirs ought to be to realize that the pelf which they make such a fuss over helps maintain the Y. M. C. A. and other holy institutions. If they had any sense of duty at all, they would kiss the hand that robs them, instead of disturbing the whole city with their importunities for a share of their father's estate.

Just as many roses must be sacrificed to produce one perfect flower, so many trust estates must be merged to make one fortune which is adequate to the demands of the church, the missionary societies and educational institutions. The trustee should be ennobled by the chief of modern pirates through his beloved son, and it must therefore be accepted as the authentic creed of the ideal trustee. The World's Work says that most of our eminent financiers work on the Rockefeller plan and that they have a hearty sympathy with the "mob" denunciation of that consecrated man. This is probably true. Therefore, everybody who puts an estate in trust must expect to be "Rockefellerized" out of it; he must expect the humble but to be sacrificed to help make the one perfect rose of a millionaire fortune. Who would not willingly live poor all his life to forward such a noble end? Who would not die, if need were, to augment the wealth of our best people?

THE HUMAN STAMPEDE. Fear is the most unreasoning of all the human emotions, not excepting grief. It is the basis of all religious excitement, and, when venerated with veneration, it develops a fanaticism that scouts at reason and develops men of the Dowle and the Creffield types and women of the Esther Mitchell stamp. In its more active stage, it is the basis of all religious excitement, and, when venerated with veneration, it develops a fanaticism that scouts at reason and develops men of the Dowle and the Creffield types and women of the Esther Mitchell stamp. In its more active stage, it is the basis of all religious excitement, and, when venerated with veneration, it develops a fanaticism that scouts at reason and develops men of the Dowle and the Creffield types and women of the Esther Mitchell stamp.

The mad rush of a herd of buffalo over the plains in a past era, and later the cat stampede of the great ranges, were formidable and awe-inspiring examples of fear changed by some trivial sound or slight into fright—and that in turn into the wildest terror. To witness the power of the same emotion in transference to the human race, in the case of animals, it is only necessary to cry "fire" in the vicinity of a crowded building. In an instant every dictate of prudence is forgotten in the mad swirl of fright, and worse fate than that which they dread comes upon hundreds of the stampede but temporary loss of reason.

The spectacle presented by such an event is pitiful in the extreme, and pity grows into horror when, as was the case in the panic caused by a cry of fire in the vicinity of a crowded school building in the Chicago ghetto a few days ago, the victims of fright are fathers and mothers, seeking in the unreason of massing themselves together, to rescue their children from the danger that the cry heralded. Teachers in this instance attempted to stem the tide of fright—the alarm of fire being a false one—by assuring the mad mob of crushing parents that there was no danger, only to be swept down and trampled under foot by the throng. Ignorance, the powerful ally of fear, and the hand-maid of disorder gave impetus to the onset, and these teachers, many of them mere girls, were overruled while braving fathers and stalwart, shrieking mothers cried out that the school authorities were trying to burn their children to death.

These same conditions in every battle that is waged against fright. In this case the teachers appeared calm in the face of the danger that menaced them and their charges—not a fire-dancer, since there was no fire in the building, but a true fire-dancer. Any human being, however well-balanced, may, it is said, become suddenly panic-stricken, and, in that state, lose all sense of reason, but this instance goes to prove that intelligence may battle successfully with fear in the midst of a stampede, while ignorance makes no stand whatever against its sudden and unreasoning challenge.

NOT A LOCAL FAIR. California seems to have just reached the stage of state fair experience which Oregon passed several years ago, when the fair ceased to be a local institution and became an exposition of the resources of the entire state. According to a prominent California cultural paper, the attendance at the fair now in session at Sacramento is almost entirely local and the exhibits are without merit. There are few exhibitors and the public manifests no interest. The people of Sacramento attend, not because they have an interest in the fair, but because they want some place to go and it is the best place to spend an afternoon or evening. Of most of the paintings in the art department it is said that they "look as if they had been painted with a whitewash brush by an intoxicated man in a dark room. Instead of hanging the pictures the opinion has been expressed that the artists should have been hung instead." The only commendation it is said that the management has succeeded in doing is that the fair has been a success, and that it is not merely a pacing and gambling event. It is admitted that this has detracted somewhat from the interest with a certain class of people, but the paper quoted says that if a fair cannot be conducted along proper lines and made a success, then it is time to abandon it and devote the money to some better purpose. Oregon knows how to sympathize with its sister state, for there was a time when the Oregon State Fair was a dismal failure even as a local fair. Too many grafts and too much incom-

petence put the fair on a downward course and kept it going in that direction. The people lost interest in the fair and resented its management. They sent few exhibitors and gave poor attendance. Public sentiment would not approve increased appropriations and public patronage was not sufficient to enable the fair to pay expenses. Reorganization of the board was the only remedy, and the remedy was applied. Since then the fair has been, as a rule, upon a business basis and has been conducted upon broad lines and in the interest of the entire state.

EVERYBODY AS A CRITIC. Elbert Hubbard occasionally, and many regularly, a little periodical published by Elbert Hubbard, which he called "The Jungle." It was a ragged piece of brown wrapping paper, with a grocer's advertisement printed in the middle, and perhaps it would be well if the ugly little publication were nothing more than this. But it is much more. It usually contains several pages of self-interest, and is a collection of opinions on men and things, which outrage both morality and good taste.

The style is bumptious, vulgar and egotistic. It impresses the reader much as would the spectacle of a naked lunatic, exhibiting himself in a park. Still, offensive as the Philistine is, it is seldom dull. Like the fool whom Shakespeare introduces in his plays, Mr. Hubbard commonly makes a good deal of himself, and is self-rightfully. He always emits an odor of decay, but he is not often stupid. Sometimes, however, Mr. Hubbard is dull as well as vulgar and vicious, and the number of the Philistine which contains the review of "The Jungle," by Upton Sinclair, a spiteful and his literary work in that lamentable mood.

"The Jungle" is a novel which purports to record the fortunes of a laboring man and his family, in the neighborhood of the Chicago stockyards. Like all literature, a distinct from work of science, the book makes a fundamental appeal to the emotions. It aims to convince by exciting the feelings of the reader in behalf of the hero. If Mr. Sinclair does this his book is an artistic triumph, though every circumstance which he describes is purely imaginary and every statement which he introduces to the detriment of the packers, the Chicago police and the capitalist system in general were a libel. In fact, if all his alleged facts were false and libelous the greater would be the artistic merit of the work. Having produced the illusion of reality and wrenched the hearts of his readers, How foolish, then, is Mr. Hubbard's remark that no judge nor jury would accept "The Jungle" as evidence in a trial. Would they accept "Hamlet" or "The Merchant of Venice" as evidence? Ary Scheffer's picture of St. Augustine and St. Monica, sitting with clasped hands in the lonesome desert while their eyes pierce beyond the heavens to God, as proof that they are not on earth today they actually did sit? Hell is probably not quite what Dante said it was, in its minute details, but he has conceived the state of the damned as in essentials it must be, whether their torment, come from flame or the inner fire of remorse, is the same. Lost in the one particular, at least that he describes, a place of torment, Upton Sinclair is like Dante, and the validity of his art can not be impeached by the discovery of circumstantial flaws. The only question he needs to ask is whether the picture as a whole is true or not.

But even of the details, so plentifully strewn through the paragraphs of "The Jungle," not one has yet been proved erroneous. It has been said by many others than Mr. Hubbard that they are libelous, but it is noteworthy that no action has been taken. It has begun in court. Why not? Would it not be worth some millions in hard cash to the packers to print in their vast advertisements the verdict of a jury, convicting Mr. Sinclair of libel? Would not such a verdict be more convincing to the general public than the vituperation from Mr. Hubbard or even from Mr. Armour himself? Nor must it be forgotten that the report of the expert investigators sent to Chicago by the President showed that Mr. Sinclair had understated his facts rather than that the packers had lied.

But we insist again that these facts are of no consequence from the point of view of the literary critic. "The Jungle" might be a great work of art even if every statement between its covers was inaccurate. No one need be troubled that George Edward's "march" contains a single historical statement; on the other hand, no one would deny that it gives a perfectly convincing picture of English provincial middle class life. It is the literary quality of "The Jungle" which will make it live or die. It is to oblivion. A critic who really wished to judge the book with instruction to his readers would speak first of its style. Style will keep a book alive which lacks every other source of vitality. "The Jungle" has many others, but this stands first.

Its style has two elements of power, both terrible in the hands of a master. The first is restraint, the other is direct statement. All through "The Jungle" the words are like fiery steeds tugging at the reins, the driver never for a moment relaxes his hold. The words are every epithet; he is parsimonious of adjectives; the superlative degree never appears—not even in that tremendous scene where Ona makes her confession and Jurgis leaves her. This scene is the climax of the book. It is pitiful, heart-breaking, woful, but the language keeps to its even tenor. The style remains cool, half taciturn. One might almost imagine it was Dante describing a parting in the "Inferno," so perfectly does the author give up his words, so awful is their portent.

It may perhaps be conceded that Mr. Hubbard makes a point against "The Jungle" when he remarks upon its lack of humor. There is not a single laugh in the book, he says. One might say that there is nothing to laugh at; still, one of the greatest masters of Mr. Sinclair's art have not disdained to relieve the deepest tragedy with smiles. Dickens does not forbid his readers to see something amusing, even in Dotheboys Hall. There is a great joke in "The Scarlet Letter." On the other hand, Mr. Hubbard would vainly seek for his laugh either in "Jane Eyre" or in "Vanity Fair," two books which perhaps mark the high water mark of English fiction. Shakespeare allows his humor to creep in while Lear loses his reason in the hut, but it is not the kind of humor that would make Mr. Hubbard smile, one imagines. "Paradise Lost" contains one joke, and only one. The poets are agreed also that the poem would get along quite as well without it. In fact, jokes have never been included among the essen-

tial elements of great literature, though it may be admitted that they impart a certain charm to the old order of things and the introduction of a new and better one. Of course, if the axis has not changed, then nothing of this sort will happen. Whatever may be the fact about this, we may agree with the believers in spirit rappings and gyratory furniture that "the present disturbances are but the death throes of the old civilization." Everything that happens is a death throes, for that matter. In the midst of life we are in death. "The old order changeth, giving place to new," and it changes all the time. Panta rei; all things pass; nothing remains the same. The civilization of today is not the same as yesterday's, and tomorrow's will be something still different. But we must disagree with our spiritualist brethren in their belief that the changes to come will be cataclysmic. They will rather come imperceptibly, so slowly that we shall know nothing of it and beat our breasts in despair that the hoary wrong persists and the springing right seems not to grow. The old order changes slowly, but it takes directions which no man can predict beforehand. Nobody who labors for a reform knows what it will look like when he gets it. No socialists, twenty-five years ago dreamed that some of his ideals would be brought almost within sight by the trusts. The socialists did not invent trusts; they are a sort of a godsend, and as the Government likes them into shape for swallowing, the Utopia of the emergent world is from the shades. Moreover, if the Government does not allow them they will swallow the speed limit of safety to pedestrians in the street, such a verdict incompatible with the plainest dictates of common sense. Contributory negligence, however, may be justly alleged, where the victim is a man of impaired hearing and sight due to the accumulation of years. In any event, such a case is exceedingly distressing and the responsibility of public men, appealing to the relatives of the victim.

THE FREE SEED ABUSE. The war against distribution of free seeds, by members of Congress, through the Department of Agriculture, is likely to be renewed with increased activity this Fall. Some progress was made in doing away with this custom or abuse at the last session of Congress. The fact was brought out that the public, generally, as represented by the press and various organizations allied to farming, is against the practice, as one that confers unusual privilege. It is, moreover, wasteful, not one-tenth of the seeds with which the mails are burdened by the ton under the "M. C." frank being planted, and not one-tenth of those that are planted producing anything of value.

The seed dealers, of course, among the leaders of the anti-seed movement, for the reason that it injures their business, and they argue that the Government has no right to compete with them in business any more than with men in other business. The situation represents a remarkable growth from very unreasonable to their desire to have it so administered as to enable them to get something out of it. Their complaint has been that the estate has been administered chiefly for the benefit of the principal creditor, who also is the trustee and administrator. It may well be doubted whether the aggregate amount spent in Summer outings by citizens who could afford them was so conducive to pleasure as was the relatively small sum spent in providing these concerts.

Concerts in the parks of the city, in the course of the Summer, were well patronized and thoroughly enjoyed by the army of stay-at-homes, always much larger in any working community than that of Summer resort visitors. The attendance especially at the smaller parks was thoroughly representative in character, having been drawn from the homes, to which Hawthorne, Holladay and Chapman Squares parks are contiguous. The cost of these concerts was relatively very small, and was met by voluntary subscription, the sum provided for the purpose being less than \$5000. There were thirty concerts; the attendance upon each was large, and the people at all times were orderly and appreciative. It may well be doubted whether the aggregate amount spent in Summer outings by citizens who could afford them was so conducive to pleasure as was the relatively small sum spent in providing these concerts.

Does the heirs of the Johnson estate have been very unreasonable in their desire to have it so administered as to enable them to get something out of it. Their complaint has been that the estate has been administered chiefly for the benefit of the principal creditor, who also is the trustee and administrator. It may well be doubted whether the aggregate amount spent in Summer outings by citizens who could afford them was so conducive to pleasure as was the relatively small sum spent in providing these concerts.

All loyal residents of the Willamette Valley must view with pride and appreciation the work of the Willamette Development League in its recent convention at Forest Grove. A new Oregon, without prejudice to the donor of Oregon of the forefathers; a united Oregon and a progressive Oregon—these were the watchwords of the convention. The influence of the league, under the auspices of enthusiasm and good fellowship, cannot fail to promote the development of civilization and, through that, the progress of the state along intellectual as well as material lines.

The annual election in Maine is due this week. For the state, the principal issue is the question of the liquor question, on which the Republicans are "standing pat," as on the Dingley tariff. In the Second District there is a tremendous effort to beat Littlefield for re-election to Congress, by appeal to the labor unions; and men of National fame have gone there to help him. Undoubtedly the Republican majorities of former years will be cut down, for there are many resumption Republicans, and the fight against Littlefield is one of peculiar energy.

And now it seems Mr. Schwerin can't do too much for Portland's best traffic. He finds it is bound to have more ships, if not Harriman's, then somebody else's. Portland is proving itself a more important port than Mr. Schwerin thought could exist north of the California line—which can be proved again or whenever he shall fail to supply the needed ships.

This, from that prim, exact, cold and "congealed" newspaper, the New York Evening Post is the limit of Portland. Vice-President Fairbanks is a guest of the Irrigation Congress at Boise, Idaho, this week. It was not known before that the congress favored ice water for its ditches.

It seems that the Ladd Bank has less resources than it got out of the Johnson estate. Take the statement of the bank to the Assessor for it. Where are the rest of the resources? These things puzzle everybody. "O, day and night, but they are wondrous strange!" President Roosevelt is a mighty great personality. No man like him. Look at the vote of 1904. But President Roosevelt, with all his popularity and power, will hardly be able to commit the country to the Josh Billings or Artemus Ward system of spelling. The Vladivostok bank might have been "shaken down" for \$107,000 quite as successfully by its president and directors as by "hold-up" men. But either method does very well.

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