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PORTLAND, SUNDAY, NOV. 8, 1908.

THE NORTH DAKOTA CASE.

For Oregon there is special interest in the opinion in the North Dakota case, involving the effort to enforce a pre-election pledge on candidates for the Legislature, by popular vote, for support of a particular candidate for the United States Senate. That the statement and the opinion by the Supreme Court of North Dakota may be examined and understood throughout Oregon, we print the document entire today.

How the members of the Legislature may discharge a duty devolved on them by the Constitution of the United States cannot come under the review of the court; for the Legislature itself and the Senate itself will pass on all questions as to election and qualifications of their members. What the court in this case does pass upon, is the law of the state which requires the candidate for the Legislature to pledge himself in advance of his election that he will, if elected, vote in a particular way, or rather for a particular individual, for the Senate. This is held by the court to be, as it obviously is, the requirement of an extra-constitutional pledge, because it exacts an additional test, not required by or known to the Constitution, either of the state or of the United States. The laws of North Dakota and of Oregon differ in a detail but not at all in principle. That of North Dakota requires the candidate to pledge himself to "vote for that candidate for United States Senator of the party in which I am a member, who has received a majority in the primary of such party vote." That of Oregon, which the member must take an oath to support, with all other laws of the state, is in these terms, to wit: "That we, the people of Oregon, hereby instruct our Representatives in the Legislative Assembly, as such officers, to vote for and elect the candidates for the United States Senate from this state who receive the highest number of votes at our general election." The pledge provided in the primary law of Oregon is of similar import. Both the pledge and the law are attempts to make conditions for election of Senators not known to the Constitution of the United States on the one hand, and additional to the tests required by the Constitution of the State for members of the Legislature on the other.

In a political sense the statute of North Dakota is less objectionable than the statute of Oregon, since it only requires the candidate for the Legislature to pledge himself to vote for the candidate of his own party for the Senate who may have received the majority of his party's votes in the primary; while the Oregon pledge and the statute that attempts enforcement of it put it up to the candidate, first to take the pledge and then to obey the statute that requires him to vote even against the candidate of his own party, and for the candidate of the opposite party, in case the latter shall have obtained the highest number of votes at the general election.

In both cases the proceedings are extra-constitutional and wholly void. Moreover, in the case of Oregon, the proceeding amounts to the denial of the right of citizens to associate in parties and to enforce their political views in the constitutional way. The authority of the Legislature to enact laws for the purpose of securing purity in elections does not include the right to impose any conditions which will destroy or seriously impede the enjoyment or use of the elective franchise, or to compel the conversion of the action of the elector from the support of his own party to that of another. Oregon's primary law begins with an elaborate statement of the necessity of political parties in our system; yet the initiative statute which follows it, and which the member of the Legislature is sworn to obey, proceeds with a requirement which not only expressly destroys parties, but undertakes to compel the members of one party to support for the Senate and to "elect" the candidates of another. The system is contradictory, fallacious, absurd and unconstitutional throughout, and violative as well of the citizen's political rights and of the member's constitutional duty.

But read the decision in the Dakota case; read it through. It is not asserted, indeed, that such opinion has any force of authority here, save in a rational and moral way; but it is highly useful for illumination of this whole subject, and for exposure of the fallacies with which this chimerical attempt at "reform" abounds. No one could suppose that the Supreme Court of a state would presume to lay down any duty for the Legislature of the state, or for the Senate of the United States. This statement deals only with those things that are nearest to the people, in their political capacity. It deals with the antecedent rights and requirements, on which all things that follow depend. This new and absurd attempt is a refinement of plebiscite tyranny; it attempts to set a faction that juggles with politics and plays its game, above the general will of the people. Had Bryan and Chamberlain been candidates together, the one a candidate for the Presidency, the other for the Senate, who supposes Chamberlain would have fared better than Bryan? We shall cut these indirections and juggles and bunco games out of politics. No state will follow Oregon's example; and Oregon, in turn, will correct herself. Even in North Dakota, they didn't try to compel the members of the Legislature of one party to elect the candidate of the opposite party to the Senate, as "the reform method" in Oregon does. When a mistake has been made by a people they cannot too quickly correct it, nor turn too short a corner to get into the straight-forward constitutional and rational way again.

HISTORY IN BRIEF.

"Many," says the New York Herald, "agree with Colonel Watterson that as it took a great war to overthrow the long domination of the Democratic party so a further lease of power to the Republican party may so intrench it that only a revolution will ever dislodge it."

But it didn't take a war to overthrow the long domination of the Democratic party. The war was the rebellion of the Democratic party against the result.

The election of Lincoln in 1860 was brought about by perfectly orderly and proper constitutional means. The war that followed was simply the refusal of the militant section of the Democratic party to submit to the result, and of its appeal to arms against the result.

It required no war to dislodge the Democratic party. But after it had been dislodged the party resolved to destroy the Government that it could no longer control. One section of the party, therefore rushed into secession and rebellion; the other section insisted that there was no constitutional method of opposition to the effort. This belongs merely to the history of the country and of political parties.

THE HOUSE AND THE SPEAKER.

Uncle Joe is candidate for Speaker again, yet may not be elected. A few Republican members are said to have declared, when questioned by their constituents, that they would oppose him. Moreover, there are several candidates for the office and its honors, and each will have his friends and supporters. Cannon may win finally, in the caucus; may not. From members who have not been allowed to "spout" as much on the floor at all times as they have desired, there is opposition; but members of this description must be shut off by the Speaker—whoever he may be—or the House never will be able to do business.

The House must have a master, or it will talk and talk, and never accomplish anything. Members are continually wanting to make speeches for Buncombe. When the Democrats have had the House their Speaker, too, has been obliged to "choke off" the gabby and blabby members, so as to give necessary public business a chance. They roared against the Reed rules, and then adopted them. Czar Reed, Republican, was followed by Czar Crisp, Democrat.

The House must always have a Speaker who will control and direct the course of business. There must be sharp rules and they must be sharply enforced; else there will be eternal babble and nothing done.

LABOR CANNOT BE DELIVERED.

Why did Taft carry the great and pivotal cities of New York and Chicago, and thus win the election? The Republican nominee, of course, had enough votes without either New York or Illinois, or both; but it is undoubtedly true that, if these states, with their far-reaching commercial, industrial and political influence, had gone for Bryan, they would have carried enough other states with them to win the election. Tammany betrayed Bryan, but that does not account for the mighty upheaval in Greater New York. The vote for Chanler, whom Tammany did not betray, and whom large numbers of "sporty" Republicans favored, was far below the normal Democratic majority. In Chicago, which is usually, though not always, Democratic, there is now a heavy Republican majority. What is the reason?

The reason probably is that Samuel Gompers drove away from Bryan more labor votes than he and his great injunction issue attracted. Organized labor doubtless cast many votes for the Democratic nominee; but unorganized labor did not; for it would not follow Gompers; nor would a large part of the labor unions. The Gompers assumption that he controlled union labor was deeply resented and actually lost votes with many union men; and it unquestionably repelled thousands of other laboring men who do not belong to the unions. The result in New York and Chicago, the greatest labor centers in the United States, proves that the labor vote cannot be delivered.

ORGANIZED CHARITY.

The persons who, from time to time, say harsh things about organized charity, may be divided into two classes, those who know better and those who do not. With those of the first class it is useless to argue. They assume the pose of ardent sympathy with the suffering poor for an end of their own and, until that end is subserved, whatever it may be, they will keep on posing. Nothing in the way of reason can be expected to avail to change an attitude which is essentially unreasonable. The motive which may inspire a man to assail organized charity when he knows it is unjust to do so may be revenge for interfering with an unlawful business, it may be spite against the personnel of the organization, or it may be any one of a hundred other unworthy feelings.

But there is another class of persons who join in the cry which is periodically raised against organized charity and they do it because they know no better. They honestly seem to believe that, if scientific methods of guiding benevolence were abandoned and charity were to go back to its old, ignorant, unsystematic, helter-skelter ways, the poor would be better for it. To persons who make this mistake it may be worth while to point out that organized charity never yet diverted one penny from any person who deserved relief. On the contrary, it has vastly increased the sums available for the deserving by stopping foolish gifts to the undeserving. To bestow money upon frauds and humbugs may minister to the self-satisfaction of indolent vanity, but it is not charity. People who indulge in this species of idiocy must not flatter themselves that they are doing good. The truth is that every penny they thus bestow does harm. At the foundation of organized charity lies intelligent investigation into the real needs of applicants. Knowing their real needs and the causes of their distress, help can be given with the certainty that imposture is not being encouraged. Indiscriminate sentimentalism squanders its gifts on persons who do not need them. Organized charity discovers and helps the deserving poor. There is the difference between them.

THE WESTWARD MOVEMENT.

In Massac County, Illinois, one of the counties of that state that border on the Ohio River, three days ago a celebration was held in commemoration of the expedition of George Rogers Clark, which crossed the Ohio from Kentucky, 130 years earlier, and pushed on into the Illinois country, captured British outposts scattered through it, took Kaskaskia and Cahokia (Ill.) and then after an arduous and most difficult march, captured Vincennes (Ind.). His force consisted of about 170 men. Through this effort the Valley of the Upper Mississippi, to the Great Lakes came into possession of Virginia. It was from Patrick Henry, Governor of Virginia, in 1776-78, that Clark obtained his commission as leader of the expedition.

At the close of our Revolutionary War, the whole territory from Lake Superior down to the southern boundary of what is now Kentucky belonged to Virginia, whose backwoodsmen had conquered it from England in 1778-79. George Rogers Clark was eldest brother of the family of which William Clark of Oregon fame was youngest. His name is perpetuated in all the Middle West, through counties named for him, in Ohio, Kentucky, Indiana, Illinois and Missouri. His name is borne by one of the great streets of the city of Chicago. Peoria (Ill.) was once called Fort Clark, but the name was so much in use that it was changed to the Indian name.

Virginia, in the year 1780, virtually ceded to the United States all the territory north of the Ohio River, and later ceded Kentucky; but the region which is now Tennessee belonged to North Carolina, which had begun to make settlements there as early as 1758. The Western movement steadily increased, and in 1780, several thousand pioneers from the Carolinas and Virginia had already settled west of the mountains. From these sprang the greater part of the forces that united for overthrow of the loyalists under Colonel Ferguson at King's Mountain (N. C.), in the midst of the Cornwallis campaign. It was certain, to all who looked into the future, that the South and West would fall into the hands of the people moving from the older colonies. A few years later the conclusion of peace, with independence, gave assurance to the new Nation of consolidated power; and Count Aranda, representative of Spain in the negotiation of the powers, wrote a letter to his King, in which he uttered this notable prophecy: "This Federal Republic is born a pigmy. A day will come when it will be a giant, even a colossus, formidable in these countries. Liberty of conscience, the facility of establishing a new population on immense lands, as well as the advantages of the new government, will draw hither farmers and artisans from all nations. In a few years we shall watch with grief the tyrannical existence of this new colossus." What a prophecy of the Spanish War of 1898, and of the loss of the Philippines, Cuba and Porto Rico, by Spain!

Everything intimated in this prediction followed; slowly at first, more rapidly afterwards. The story has been written out in many books, but in none with more splendid spirit and excellent amplification of detail than in Theodore Roosevelt's "Winning of the West," written and published before he became famous in high politics and creative statesmanship. While these four volumes are a most spirited narrative, they however remain incomplete, since the author's story of the winning of the West does not cover the movement to the Pacific. His energy may find employment in completion of the work, after his retirement from the Presidency. He will hardly spend the rest of his life hunting lions in Africa. That may do for a short and slight pastime; but we believe the best of the man's literary work is yet to come.

THE FAIRIES REBUKED.

At a meeting of the local Board of Education at Passaic, N. J., this Autumn, a list of books was, according to custom, submitted by the City Superintendent of Schools for approval. These books are in the nature of "auxiliary reading," and the list submitted is usually accepted and ordered without investigation, the laymen of the board modestly deferring in the matter to the professional discretion of its highest officer. The spirit of modern inquiry was, however, at this meeting aroused. A vigilant member scanned the list and was astonished and, indeed, horrified to find that the children of the primary grades were to be introduced to Andersen and Grimm through the delightful fairy tales for which these names stand; that an innocent-looking volume contained some of Mother Goose's Melodies, while—crowning horror!—there was on the list an edition of the "Ballad of Robin Hood" and "The Last of the Mohicans" in simplified form and attractive binding. This good "deestrict father"

> Seen his duty a dead sure thing
> And went for it thar and then.

Why, he asked in tones tremulous with righteous wrath, should such books be purchased and placed in the hands of young children, when copies of the multiplication table and of the Constitution of the United States might be bought instead?

He moved, therefore, that the frivolous books be cut out of the list, pending investigation. Since the plan and scope of the proposed investigation were not disclosed, the following questions have been suggested as pertinent:

> Were there really ever any such persons as fairies, and, if so, when did they become extinct in Passaic, N. J.?
>
> Of what variety of bean was Jack's beanstalk, and why isn't it sent out by Congress in the free seed distribution?
>
> Did the cow really jump over the moon? (Answer to be accompanied with diagram of route and record of all attempts, successful or unsuccessful.)
>
> Why did the crow crow?
>
> Was Robin Hood really the Earl of Huntington, and if not, why?
>
> Was Uncas a good Indian until he was dead?

The pertinence of these and questions of like grave import to the education of the children of the primary grades, not only of the public schools of Passaic, but to children throughout the land, is obvious. It is a matter of regret, therefore, that the proposed investigation was not ordered nor were the books whose titles offended the protesting member stricken from the list. In consequence of this grave dereliction of duty on the part of the majority of the School Board in this instance, the unsuspecting mind of childhood will continue to be deluded and entertained with tales, the scientific accuracy of which may never be fully determined. The tale of "Jack and the Beanstalk" will still be read by young boys who might instead be conning the various specific statements of which the organic law of the country is composed, and it is not improbable that thoughtless mothers, unmindful of the unproven statements made therein, will, when importuned for "a story" in the nursery, respond with "Once upon a time there was a beautiful Princess," etc., when, according to the stern dictates of duty, they might declare sententiously, "My child, twelve times five are sixty," or "Multiplication is a shorter method of performing many additions," or "Latitude is reckoned north and south from the equator," or a thousand and one equally true and well-proven statements.

MR. ROOSEVELT IN AFRICA.

Preliminary arrangements are being made in Cairo, Egypt, for the great event of next year—the exploring and hunting tour of President Roosevelt in Africa. The trails into and through the depths of the Dark Continent that were blazed by Dr. Livingstone and Henry M. Stanley are no longer attended by the dangers and sufferings that wasted these explorers at every step. A British railroad now carries travelers far on their way from Mombassa toward the great lakes, while between there and Khartoum, from which point it is said the President will make his way down the Nile, a caravan for the accommodation and safety of travelers makes its way through the wilderness.

It is not conceivable, of course, that Mr. Roosevelt will confine himself to the beaten paths of such civilization as has invaded Africa, but he will not be so short-sighted as to waste his strength in overcoming obstacles that he may avoid without in the least detracting from the main purpose of the expedition, of which hunting big game will only be an incident. Physical exhaustion was inseparable from the work of the early explorers. Their efforts and discoveries were painfully limited by it, as they themselves sadly deplored. The facilities afforded for travel in British, German, French and Belgian territory enable the explorer or the hunter to save his strength with which to fight the enervating miasms of the still unexplored jungles and morasses of the Zambesi, the Congo and the Upper Nile.

The Roosevelt expedition is spoken of in Cairo and Khartoum as scientific and not wholly, or even primarily for the purposes of the chase—an estimate that is probably correct, though in the United States it is generally regarded as a "hunting trip," the prime object of which is to bring down "big game" and return laden with the trophies of the chase.

CHARLES ELIOT NORTON.

Occurring in the noise and excitement of the Presidential campaign the death of Charles Eliot Norton on October 21 passed by without much public notice. There was nothing tragic about the end of his life, for he was an old man, the measure of his work was full, and he was cheered by the loyal affection of friends many and distinguished; still it would hardly be seemly to permit a career like his to close without some appreciation of what he was and what he did. Through the years of his prime, Mr. Norton was professor of art in Harvard University, but he began life as assistant to a Boston merchant. His first trip abroad was not to the shrines of art in Italy or Greece, but to India as supercargo on a trading vessel. He came back to Boston by way of Egypt and Europe, and his life on shipboard together with what he saw in the Old World convinced him that business was not his calling. He was born to higher things, or lower, according to one's point of view, but at any rate for something different.

By ancestry and education Professor Norton belonged to the provincial and somewhat vinegary school of literary men and scholars who flourished round about Boston in the second quarter of the last century. His contemporaries were such men as Lowell, Emerson and Longfellow, with all of whom he was intimate, as well as with many interesting Englishmen like Ruskin and Carlyle. By birth Norton was a child of Harvard, his father having been one of the arid prophets of Unitarianism in the divinity school, and his mother an aunt of President Eliot. But in one respect Norton was as remarkable as President Eliot himself. Instead of being subdued by the spinsterish puritanism of his environment, he transcended it, and developed a life which was as broad as the world and as comprehensive as humanity. In his writings there is nothing either of Lowell's placid conceit or of Longfellow's contentment with traditional faith and culture. He ended his life as a declared agnostic; his canons of art, far from being childishly commonplace like Longfellow's, had all the courage of Ruskin without his lethal romanticism, and all the moral vigor of Tolstoi without his atavism. One of his principles of criticism was that there ought to be no beauty apart from righteousness. This is the same as Tolstoi's dictum that the only standard of worth in art is religion, but Norton did not find it necessary, as the great Russian prophet has, to condemn pretty nearly the whole of civilization in applying his canons.

"Art for art's sake" was no part of Norton's creed and the same moral criterion by which he judged poetry, painting and letters he applied also to life. Though famous as the translator of Dante into classic English prose, he was no medieval recluse. Though a voluminous editor of other men's correspondence, he was no mere scholarly drudge. Carlyle's memory owes to Norton the refutation of Froude's misleading reminiscences. He edited the letters which passed between the British apostle of individualism and the pantheistic Emerson. He published the numerous letters he himself had received from Ruskin, and as a discriminating editor who garbled nothing, who knew exactly what to reveal and what to pass over, Norton carried off the palm among his contemporaries. But with all these scholarly activities drawing upon his attention, he never lacked time to interest himself in the affairs of his neighborhood and of the country. Norton bore his part in the Cambridge agitation which freed the precincts of Harvard from the saloon. The farmers around Ashfield, where he had a Summer place, found him a constant friend. He was long president of a convivial club in Boston. During the Civil War there was no better patriot than Charles Eliot Norton in spite of his culture, or perhaps because of it. Culture ought to mean development rather than perversion and emasculation of the faculties. The more one has of it the more of a man he ought to be. This was the case with Norton. No American has ever had more complete cultivation than he; none was ever more devoted to his country's good.

Through the Civil War Norton edited the pamphlets which the Loyal Publication Society sent broadcast to the newspapers sustaining and encouraging the friends of the Union. He saw the greatness of Lincoln and spoke out in his behalf when almost every other educated man in the East could discern nothing in him but an unkempt and semi-barbarous demagogue. At the close of the war Norton, with Lowell, assumed the editorship of the North American Review. This was a time when disinterested patriotism was even more essential to the country than during the active struggle between the North and South, and Norton made the most of his opportunity. For the next four years he preached sound political doctrine to the Nation, but he did not succeed in preventing the orgy of commercial immorality which he foresaw and prophesied against. Besides these services to his country Norton was one of the founders of the New York Nation, which Lawrence Godkin made such a power in our National thought, and which is still the organ of a circle as enlightened as it is restricted. Add to all this the fact that Norton had a hand in establishing the Atlantic Monthly and we are in a position to estimate something of his services to his time. His voice was more often one of protest than of commendation. During the Spanish war his strictures on men and motives excited bitter hostility to him even from such men as Senator Hoar. The latter said harsh things about the Harvard professor, for which he afterward apologized. In a country like ours, where we all incline to an optimistic confidence in destiny, the voice of protest must be esteemed and encouraged even when its message stings.

EDUCATING WOMEN.

If the twentieth century woman goes to perdition it will not be for want of good advice. The preachers, college professors and editors are all struggling to store her brain with gems of wisdom. If the gems turn out to be false occasionally there remains the consolation that some of them are real. But who shall help our fair sisters discriminate between the advice which ought to be followed and that which is merely meant to fill up a lecture hour and then be forgotten? The editor of the Sociological Review told a woman's club in Chicago the other day that girls ought to stop eating chocolates and flirting with young men and direct their energies toward acquiring a useful education. Nor did he neglect to specify what he meant by useful education. It included five accomplishments in his opinion, to wit, sewing buttons on old clothes, baking bread, washing dishes, washing silk underwear and kitchen industry.

All these things are useful. Some of them are noble. But why is it a girl's duty any more than a boy's to learn them? The art of sewing on buttons would seem to be much more useful to men than to women. The latter fasten their clothes with pins or hooks and eyes while the sterner sex always employs buttons. Men are, as it were slaves of the button as Aladdin's genie was of the lamp. Oftentimes when far from home and friends a man loses a button with no woman around to sew it on for him. If he cannot do it for himself woe betide him for he is reduced to sticking a nail through his suspender or fastening his wristband with a toothpick.

Some impostor, whose name oblivion has justly swallowed up, once invented a button which did not need to be sewed on. That is, he claimed it did not. As a matter of fact it could not be sewed on and it would not stay without sewing. Imagine the sad lot of the men who witlessly invested in these deceptive begullements and trusted to them to hold up their trousers. It is fairly certain that some changes must be made in the current education of women, but it is not likely that they will be in the direction of sewing on buttons or washing dishes. The manifest tendency is to do such things by machinery.

SHALL A JURY DELIBERATE?

In one of the Valley counties a prominent man was recently tried upon a criminal charge and was found guilty. A day or two afterward a local paper made the verdict the occasion for discussion of the duties of jurors, the verdict in this instance being criticised. It was stated that on the first ballot one or more of the jurors were for acquittal, but afterward agreed to a verdict of guilty. The position taken by the critic was that a juror should adhere to his views even if by so doing he prevents the jury from reaching a verdict. In other words, the idea advanced was that the twelve men should go into the jury-room, take a ballot and each man stubbornly adhere to his first opinion, whatever the other jurors might think of the case and whatever arguments they might offer to convince him that he was wrong. To any reasonable man it will at once be apparent that adoption of such a practice would lead to the grossest abuses and make jury trials a farce.

In the jury-room more than in any other place is there demonstration of the truth of the old saying that a wise man changes his mind; a fool never. Every one has heard the story of the jurymen who, after remaining out many hours, were called in and asked by the judge whether they could not agree upon a verdict. One replied that he could, but that the other eleven were too stubborn. This story fairly illustrates the view of a juror's duty maintained by the paper which criticises men because they change their attitude after the first ballot. If such a plan of procedure were contemplated by law, there would be no need for a jury to retire to a jury-room, but a ballot could be taken in the jury-box, and if the twelve men did not agree they could be discharged at once. The sole purpose of sending them to the jury-room is that they may deliberate, and deliberation means that they must discuss the case and form their opinions according to the weight of the evidence as it then appears to them.

The requirement that twelve men shall join in a verdict is not in the interests of justice. It is almost as absurd a provision as the old system of trial by fire, when an accused man was subjected to intense heat upon the theory that if innocent he would be unharmed, and if guilty he would be burned. It is scarcely to be expected that twelve men, of different temperament, of different habits, of different character and widely varying degrees of education, should be of the same opinion upon a question which admits of dispute. In a large majority of cases where there is room for discussion at all, if a verdict is to be reached it is almost certain that some members of the jury will give up their opinions with some feeling of doubt as to the correctness of the verdict. When they do so, they assume that a large majority is more likely to be right than a small minority, and they put into practical effect the method of arriving at a verdict which should be authorized by law. A three-fourths majority—nine out of twelve—should have the power to find a verdict, except, possibly, in capital cases.

Nearly every lawyer of extensive experience knows men who delight in hanging juries. They first ascertain how the other members stand, and then take an opposite view and refuse to listen to reason. There is another class of men who lack assertiveness and who ascertain how the others stand, and then quietly fall in line regardless of the judgment they would form if the decision rested with them. But in almost every instance a large majority of the members of a jury are reasonable men, and the verdict they will agree upon will be as near an approach to justice as human infirmity can attain. When one unreasoning man can prevent eleven men from agreeing upon a verdict, it is certain that injustice will frequently be done.

In no other department of government do we require unanimity in reaching a decision. Public officers are elected by majority vote. Laws are enacted by a majority vote of the Legislature. A bare majority of the judges of a state or United States Supreme Court can decide a case over the opposition of a strong minority. It is only in the jury-room that we expect all men to be of one mind. Some time we shall abandon this ancient and absurd requirement and permit a jury to agree upon a verdict, notwithstanding two or three of its members cannot see the facts as the other nine or ten see them.

Whatever may be the sentiment of smokers toward the new rule against the weed, established last week by the Portland Railway, Light & Power Company, it is certain to curtail the use of tobacco. Thousands of suburban residents must abandon their after-breakfast smoke or get up half an hour earlier and dispose of pipe or cigar before they start to the day's work. It seems that cheerful obedience was given at once to the new rule. Conductor or motorman needed only to call the passenger's attention to the modest little placard; smoking ceased. Suppose, however, a man smoking in the front vestibule declined to quit puffing. If he is larger and stronger than the conductor and inclined toward belligerency, will the conductor attempt to put him off? What are his legal rights as to smoking after he has paid his fare? Does he violate a city ordinance when he reserves to himself a privilege that has been accorded him for many years and is now arbitrarily withdrawn? If he doesn't, and still is ejected, isn't there foundation for a suit by some "damage" lawyer? Of course Portland is not going to forget her good manners and will obey the new rule; still, now that politics is out of the way, the question of smokers' rights—assuming that they have any rights the public is bound to respect—may serve as a topic for fruitless discussion.

Uncolored dispatches from New England, the Middle States and manufacturing places in the West, disclose unmistakably the pre-election attitude of many great industries. Honest capital asked only to be safe from unwarranted attack. The election of Taft gave such assurance. Funds held in idleness for several months will now flow into business channels. Work at good wages is offered to a great multitude who have been idle since the panic. Labor promises to be scarcer than ever and better paid. Capital and labor are to be congratulated on the result last Tuesday.

Incidentally, it may be remarked that this month is a very good, if indeed not the best time, to plant bushes whose blooms will be the essence of next year's Rose Festival. It is not too early for various suburbs to get together in preparation for competitive displays. There can be no such thing as an excess of roses for private enjoyment. Bushes planted for personal pleasure add to the sum of the public delight; you can't conceal the flowers when they bloom.

Portland's bank clearings last week showed an increase of 13 per cent, while every other Pacific Coast city appeared in the decrease column, as follows: San Francisco, 21 per cent; Seattle 21, Los Angeles 5, Spokane 18 and Tacoma 15. Every line of business is on the uplift. It will not be long before Portland's clearings, reflecting the commercial and industrial activities, will be up to the high-water mark of 1907.

Now that the tariff is to be revised, every interest likely to be affected by any change is stirring around to prevent it. There are the lumbermen, for example. They want to let well enough alone. And wool, too. How can a Republican Congress have the heart to lower the wool tariff when every county in Eastern Oregon went Republican last Tuesday?

A wise maxim in politics is to concede nothing until the votes are counted and the result disclosed. Take Missouri, for example. So, too, there is nothing yet to prove that Oregon has gone 25,000 for Taft. It may be only 24,999.

Mr. Hill did not say much about his plans, but he had pleasant words for Portland and its people. Pleasant words are cheap, of course, but when they are backed by a $45,000,000 investment they mean something, likely enough.

The third misguided female has married Nat Goodwin, the actor. Goodwin's domestic instincts are very strong, for, next to a demijohn, he does dearly love to have a wife around the house.

President-elect Taft wants it distinctly understood that he went to Virginia Hot Springs to play golf, and not to make cabinets. Very well; the newspaper reporters will take that difficult job off his hands.

Count Johann Heinrich von Bernstorff will be the new German Ambassador to the United States. Never heard of him, but he sounds all right.

The Southern Pacific now thinks it may be able to get off of Fourth street with steam cars in about a year and a half. What's the hurry?

SILHOUETTES

BY ARTHUR A. GREENE.

Insolence is the self-defense of the ignorant.

* * *

One may trust his dog always; A man only as far as the first opportunity.

* * *

In our generation it is unfortunately true that mothers know too little and young girls too much.

* * *

There is one river which is never closed to navigation. It is called the Styx.

* * *

To assume indifference is the surest way to reform a flirt.

* * *

Thank heaven the fashions in epitaphs never change.

* * *

When a man over 60 is addressed by his first name it is a sure patent of good-fellowship.

* * *

Often when we have merely outgrown our vices we flatter ourselves we are becoming virtuous.

* * *

A woman—say of 30—who is witty, wise and pretty is the noblest work of an All-Wise Providence—and the milliner.

* * *

Most people prefer being comfortable to being good.

* * *

The Fate of Yorick.

Alas, poor Yorick! I knew him well.
He was an actor gentleman and I will tell
You somewhat of his lot.
A fresh and earnest youth he entered the "legit"
And in his time did work for Jacob Litt.
"In Old Kentucky," methinks that was the play,
He was the horse-race and all the critics say
To that great part he did scarce not a thing
But eat it up. He always wore a sad
And haughty air, also an overcoat
Ornate with costly fur, and oft would he
Recount before the bar such mighty deeds
As vain Othello never did wot of.

His sole concern to elevate the stage it seemed,
And never yet had he his Art demeaned,
Though once 'twas known the manager was so crass
As to require him to "double up in brass"
This was in repertoire at ten, twent, thirt
Upon the Feed Trough circuit and his bond
Did force on him the role of Uncle Tom
When erst the night before he had appeared
As Richard Three Times and sought Richmond's gore.
In "Rip Van Winkle" he did oft essay
To stand them up in Nyack and Green Bay
Where many patrons did he turn away.

No wandering minstrel he, nor burlesque man;
Upon them both he'd set a final ban.
In childhood's days he'd one ambition got,
To tread the boards in buskin and in sock,
Although betimes his wardrobe he did hock.
'Gainst Irving's jealousy and Booth's ingratitude he strove
'Til in the one-night stands his treasure trove
Most richly did he find.
His genius Arden Benedict enriched
And though Corse Payton did his "business" steal
E'en Sothern his unworthiness could feel
When billed against this Yorick.

So prospered he until one night in Creede—
The ghost had walked to make his fate more sore—
He and his troupe put on their greatest hit
And in the hall the vulgar mob did sit
Until there was no room for any more.
The play was Julius Caesar, but revised
To bring it up to talents of the size
Of this great artist.
No Pompey's statue did his "props" include
So that a barber-pole he did provide
By giving to its owner comps to see how died
The noble Julius.
The part of Brutus did our hero play
And with a gun great Caesar did he slay
At which the audience rose up en masse
And filled poor Yorick full of lead, alas
Because, forsooth, they said the job was raw
In that he gave his friend no chance to draw;
And so upon that barber-pole with Caesar he did fall—
The mightiest tragedian of them all:
He was me friend so I his story tell.
Alas, poor Yorick, I knew him very well.

* * *

Do your good deeds today and postpone your iniquities until tomorrow. Tomorrow may never come, and besides there are more venal sins than those of procrastination.

A Yarn.

Chicago News.

"Two can live as cheap as one,"
Yes, they can! They can, like fun!
You ask any one who's tried it;
See just what he'll say.
Most of us are satisfied it
Goes the other way.
Toughest yarn was ever spun,
"Two can live as cheap as one."

"Two can live as cheap as one."
No one ever saw it done.
No one in his sober senses
Has the slightest doubt
If he figures on expenses
How that's coming out.
When uphill the waters run
"Two can live as cheap as one."

"Two can live as cheap as one."
Fifteen hundred makes a ton.
Woman never's money spending,
Does not care for dress;
So if marriage you're intending
Living might cost less.
No, don't swallow that, my son,
Two can't live as cheap as one.

Two Schools of Literature.

Denver Republican.

("Impulsionism" is the name of a new school of poetry in Paris. Its devotees are supposed to write under the influence of real emotion, and to wait hours, if necessary, for the purple mood of genuine inspiration.—Washington (D. C.) Post.)

It must be grand to write on impulse only—
To spend long hours, introspective, lonely
And wait until
You feel the surge of A-one inspiration
And dash, at frenzied heat, a lucubration
That's bound to thrill.

But who, alas! can scorn the moving finger
E'en o'er this verse I find I cannot linger,
Though it's ill made—
What chance has Art when butchers most sardonic
Are given to this prose form, grim, laconic:
"Your bill's unpaid!"