

### PENAL COLONY PROPOSED AS CURE FOR CRIME EVIL

W. A. Cusick Cites Australia as Example of Moral Awakening of Felons. Present Parole System Illogical in His Belief.

PORTLAND, Or., Aug. 25.—(To the Editor.)—There is perhaps no more profound, comprehensive and lucid exemplification of the quality of mental and moral characteristics and the tyranny of fixed habits than that presented by Robert Louis Stevenson in his book entitled "Dr. Jekyll and Mr. Hyde." No one will question our possession of an absolutely definite physical structure and these are equally conclusive evidences going to prove that we all possess a similarly definite intellectual and moral constitution, each side demonstrating its existence by manifestations, from time to time, of mental and moral attributes, prompting the individual to the performance of good or evil deeds.

Giving full consideration to the influence of environment as a molding factor of human character, still I think we must recognize the free moral agency of every rational being and that he is given the power to differentiate between right and wrong, and to choose and determine his course of life. In short, he may elect to personate the embodiment of wickedness, as represented in the person of "Mr. Hyde," or the noble, grand and benign qualities of a "Dr. Jekyll," as he wills. If man is not responsible for his acts, then there can be no crime, unless it is in depriving the so-called criminal of his liberty.

#### Penalty Follows Violation.

We find the "Lex Talionis" of universal application for violation of primal law, as enacted by the genius and wisdom of the original lawmaker, here is a penalty inflicted for every violation of his law, from the smallest infraction to the greatest, and from the infliction of these penalties there is no escape. The penalties also, will be observed to correspond with the enormities of the transgression.

I think a careful consideration of the underlying philosophy of just punishment for violation of law will prove it to be conservative and an incentive to human moral progress, as, for every violation and infliction of penalty, the individual so offending is vividly reminded that such act on his part never contributes to his own welfare nor peace of mind and is less and less disposed to repeat it or continue in the role of violator of this or other laws, and thus it becomes a contribution to his progress.

#### Hope of Escape Costly.

The writer believes that the commission of a big percentage of violations of both temporal and primal law arises not so much from inherent wickedness of the perpetrator, as from the delusive idea that sometimes he will escape discovery and the infliction of the penalty, hence, strict and certain enforcement of the law has a conservative as well as preventive effect. The same man is not usually disposed to repeat a criminal act which works injury to himself and if he does, it proves positively the necessity of incarceration and punishment as a protection of the innocent members of society.

Unbiased students of criminology must admit that a reasonable certainty of discovery, prosecution, conviction and resulting punishment exercises a deterrent effect on the criminally disposed. We recently read of 500 murders committed in Chicago, with 2 per cent of convictions, and later we read that the said city is so overwhelmed with criminals that it is unsafe and in many streets it is absolutely dangerous for residents to leave their homes after nightfall. Is not this a perfectly legitimate result of making a football and farce of pretended enforcement of law and the almost certainty afforded criminals of escape from punishment?

#### Respect for Law Wanes.

The "indeterminate sentence" and "parole" systems are used, more frequently than otherwise, to emasculate the law of all restraining influence on the criminal, and until a verdict of guilty means infliction of a definite and certain punishment, consistent with and in keeping with the crime, we may look with perfect assurance for a continued increase of criminals and crimes until

all respect for law will become a thing of the past.

It is well to bear in mind that the person to be reformed must do it for himself—no one can do it for him; and to make the effort reasonably successful one should marshal all the various influences to his aid which can be of assistance, and all the otherizing aside, the certainty of prompt and certain infliction of penalties has a marked restraining influence and cannot be dispensed with.

#### Method Not Practical.

Putting a criminal on his honor only can hardly be expected to succeed when the same effort by such means, is so often attended with failure when tried on persons outside of penal institutions. The advocates of reform of criminals by simply putting them on their "honor" would not for a moment, if conducting a bank, pass out their money to applicants with no other bond or security than that the borrower pledge his honor. Neither would the dealer in dry goods or groceries trust to the honor alone of their patrons. If this be true of those outside of prisons, it is hard to see wherein the criminal class has a more valid claim on our confidence, especially the more confirmed of the criminal class, who may be said to have become confirmed in the "criminal habit."

Acute and sporadic reforms are easy and common, especially in the "good, gray dawn of the morning after," but with the habitual criminal, made so by past associations until he has come to regard organized society as his enemy, the type of reform which gives him a soul anchorage and refuge from himself and keeps him safe until death, is very little in evidence. The reason is found in the fact that on gaining his freedom, he feels that every hand is raised against him. He is subjected to a constant feeling of humiliation and defeat. He has become a stranger to outside conditions. He feels himself comparatively alone and friendless.

#### Conditions Bring Reaction.

Is it in the least strange then, that he gravitate by immutable law, to those who have passed through a similar experience and who give him a welcome greeting and are not ashamed of him, and will divide anything they possess with him? Thus, impelled by these feelings and emotions, he passes out of the prison gates and after a little desultory wandering drifts with almost perfect certainty back to the old haunts and associates, becomes promptly re-infected with the virus of crime.

He can, with rare exceptions, tell you truthfully "he had no other place to go." His pledged "honor" goes for naught, as the mighty current running against him, proves too much for his fallible nature. Viewed in the light and knowledge of poor, frail, erring human nature, the picture is indeed a sorrowful one, and leads one to ask if in the day of final reckoning, perfection is exacted, who of us shall see salvation?

#### England Meets Problem.

It will be seen that the writer doubts the efficiency of and ultimate success of a reformatory effort which depends on putting the criminal class simply on its "honor," however worthy and charitable the purpose of its advocates. It does not seem to present the broad and comprehensive grasp of the issue which gives hope of success, even to a limited extent.

In our groping efforts to seek out some kind of humane disposal of our ever-increasing criminal class, it might be well to remember how England made Australia a dumping ground for its criminals, more for relief from criminal congestion than otherwise, but nevertheless, out of that enterprise, one of the brightest jewels of England's crown has arisen, which some day may outstrip the mother country.

We have the Philippine Islands to "throw away." What England has done, America can do, and more. If you wish to reconstruct the "prison-do-what" of whatever type, give him material personal interests, give him acres, a home and family, if you please, which bring a realization of responsibility, make them feel that they are factors in the world's economy, and out of a criminal colony we may, like England, grow a great state and a great people.

W. A. CUSICK.

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### PIONEER ZEAL KEYNOTE OF FIRST STATE FAIR

John Minto, Member of Original Committee to Advance Movement, Tells of Obstacles Encountered by Founders.

SALEM, Or., Aug. 25.—(To the Editor.)—The writer was a member of the Marion County Agricultural Society in 1857; also a member and exhibitor before the Oregon Pomological Society, the merging of which with the State Agricultural Society, formed the basis for the first State Fair held on the east bank of the Clackamas in 1861.

George Collier Robbins was the first elected president, who, resigning, was succeeded by Emerson Francis, who delivered the first address.

The first fair was begun in doubt, but closed as a success, but the less than a dozen who had prepared for it were convinced that its locality was not the best, and three counties of the Willamette Valley were left to prepare for the second State Fair. They were Yamhill, Linn and Marion. The members of the Marion County Society waited until they were informed that nothing could be done for the fair in 1862 in Linn or Yamhill Counties. Major Joseph Malone canvassed the then village of Salem for subscriptions one day and received signatures for over \$1700. It was a good showing of public spirit, and we of the Marion County Society, only 46 members, paying \$1 a year in membership fees, appointed a committee to prepare grounds for the fair.

#### Committees Are Named.

Louis Byrnes, John Minto and Charles Swegle were appointed on the committee, and Chester N. Terry was secretary. Eighty acres of land was secured and enclosed by an eight-foot fence, a pavilion and show pens constructed, and a good fair was held. How it was done I cannot now say, but am sure a better spirit never pervaded any community than that which existed at the first State Fair. It was a pleasure to work with such men.

I do not know what others did, but I was signed for \$1200 for lumber. Some of it was hauled from David Newsum's sawmill at the north end of Howell's Prairie.

The fair was held and accounts recorded and the Marion County Society had \$2600 against it, with 46 members with \$1 a year membership fees; a meeting was called and a committee named to sell the grounds and improvements for the sum of the debt if it could. R. C. Geer was chairman, and I think Charles Swegle and the writer served on this committee. I desired to avoid a sale if possible, and made a slight attempt at a second subscription,

making a first essay with George H. Jones, of the Salem Sash & Door Factory. He said, "No, Mr. Minto, we have liberally before, but I'll tell you what I would be willing to do. Make it a county interest to be held for fair and militia musters, and we will willingly pay our share of the tax." I rode home nursing Mr. Jones' plan, almost sure Mr. Geer would make no written report.

#### Report Wins Approval.

I tried that night and wrote the following report: "To the Officers and Members of the Marion County Agricultural Society: 'Your committee finds parties willing to buy the grounds and improvements on which the last State Fair was held, for the sum of the present indebtedness on condition that fares continue to be held here, and the owners of the grounds have control of the gate fees, but this, in the interest of your committee, is not the best means of disposal. We would recommend an appeal to the County Court for the simple business reason that if 50 farmers have to leave this county to attend the State Fair in another county, at the cost of \$10 each, \$500 is taken out of circulation of this locality; if 500 farmers come to Salem and spend as much, \$5000 is left here.' This is a low estimate of course.

The County Court listened to reason and paid \$2000 of the debt, leaving \$600 to be paid by friends of the proposition, \$100 of which was paid by the Ladd & Bush Bank, and on the third or fourth day the County Court of Marion County presented the fair grounds to the State Agricultural Society on condition that a State Fair be held on them consecutively for 15 years.

Linn County had its full quota of public-spirited men; they bought and inclosed ground and held County Fairs. They sent James H. Douthitt and John Barrow as members of the board of directors; they found the condition of 15 annual State Fairs at Salem legally binding and became steady friends of the State Agricultural Society.

JOHN MINTO, Secretary of the State Agricultural Society for the two most successful fairs of the first decade of its history. (Written from memory.)

All the Earmarks.  
London Punch.  
Commander—'What's his character apart from this leave-taking?' Petty Officer—'Well, sir, this man 'e goes ashore when 'e likes; 'e comes off when 'e likes; 'e uses 'orrible language when 'e's spoken to; in fact, from 'e general behavior 'e might be an officer.'