

WEEKLY OREGON STATESMAN.

FRIDAY, OCTOBER 6, 1876.

SCIENCE OF LAW.

Mr. Goodsell, of Multnomah county, astonished many friends in the House, yesterday. In the light of modern philosophy the most skillful physician now calls his profession "healing art," never giving it the dignity of "science," lest he be charged with an extraordinary amount of cheek. The lawyer who knows his business, places his thumb to his nose and quotes Tully and, who said "language is intended to conceal our thoughts." That "science of law," is now acknowledged to be a piece of machinery in the hands of the few, bringing suffering to the many. Mr. Goodsell practically took the position that no man could expect justice in a court unless his work was attended to by an expert in reading and explaining nonsensical laws in force among beathen nations, hundreds of years ago. We expected of such a mind a better thing. A court should be able to adjust, equitably, all difficulties between citizens, without using Choctaw or Latin languages, or forcing parties litigant to employ Choctaw scholars, as attorneys. Our courts are overwhelmed with "science of law," and in many cases, while it requires a four-horse team to carry the "books" to the court room, in a single case, the justice may be carried out on a single thumb nail. We expect of such men as Mr. Goodsell, who has the reputation of a great lawyer, that they caution a Legislature against too much law. He knows we have too much law, and should have the boldness to assert what he knows to be true. Mr. Goodsell we expect great things of you, and trust you will stand by the people, by giving them cheap and easy means of defending themselves against their stronger neighbors.

EARLY SESSION.

The House proceeded to business at the early hour of 8 o'clock, yesterday morning. The committee have little time for work under such conduct, and the policy seems to mean the grinding through of as many bills as possible when the better policy would be to pass as few as possible. Two hours work per day is all the people demand of these servants.

COMMUNICATION.

We give place to-day to several communications on as many subjects. We desire to accommodate all classes and sects by dividing our space with them, and not for the reason that we want something to fill our columns. Look over our columns of communications, and you will find them full of interest.

PERSONAL MATTER.

The communication to-day from Judge Lawson is a little rough, but justifiable after the villainous attack made by the Blue Mass concern. We regret that such personal matter should be necessary, but there are times when it seems unavoidable.

GREAT SERMONIZER.

Bishop Ma von, of the Methodist Church South, delivered an eloquent address or sermon to a fair audience at the M. E. Church on Monday night last. He spoke from the 26th verse of 19th chapter of St. Luke, and made his remarks very interesting to all in hearing of his voice. The Bishop has great reputation as a pulpit orator.

SPECIAL APPROPRIATION.

There are plain indications that special appropriations stand but little show at the present session of the Legislature. A number of members will fight every measure which looks to an appropriation. It is well to be careful, but not well to allow any material interests of the State to suffer. Be liberal.

NEW BILLS.

Continue to flood both Houses. This course will leave a graveyard full of dead bills when the session closes. If pet measures must crowd the calendar it may be as well to allow the worthless part to exist until the final adjournment.

WHY IS IT

That the Legislature does not insist upon reports from those State officers who are still behind in the matter? How can a Legislature move in business without those reports upon which most of the business depends.

PRESUMPTIVE.

Mr. Staats falls into a strain of ugly talk about the STATESMAN, in his communication to-day. We will pay our respects to this Polk county statesman from time to time, as we have space for such purposes.

DIPLOMAS.

Judge Ferguson should write a book on the subject of "Diplomas." His ideas are very clear and forcible. The people should be favored with printed copies of his list of such on the subject.

PEN PICTURES
Of Members of the Legislature.

CAPT. JOHN W. COCHRAN, member of the House, from Clackamas county, was born in Belmont county Ohio, in the year 1825; emigrated to Illinois in 1845, where he resided four years, and crossed the plains in 1849 to California; came to Oregon in 1850; From 1856 to 1871, he was one of the most prominent and best steamboat men on the Willamette river, and since the last named date, has been residing on a farm in Clackamas county. The Capt. is one of the substantial men of Oregon, never lacking the nerve to stand by his ship, or the great Republican ship of State. In matters of religion the Captain is inclined to broad-gauge ideas; in politics, he is uncompromisingly Republican; and in matters of political economy a philosopher. The councils of such men should not be departed from by our people. The personal appearance of the Captain is attractive and his physique is calculated to ornament the deck of the finest craft that floats.

DR. D. PAYTON, member of the House from Marion county, was born in the State of Alabama in the year 1827; moved to Kentucky, and thence to Missouri, where he resided until 1848 when he emigrated to Iowa, and commenced the practice of medicine in 1850. In 1852 he was elected county Treasurer of Wayne county, Iowa, and in 1854 was elected county Judge. In 1862, Dr. Payton crossed the plains to Oregon and took up a residence in La Grande, where he resided for three years, and removed to Salem, June, 1865, where he now resides and occupies his present seat in the Legislature as one of the Marion county members. The Doctor is a member of the Christian Church, and a sound Republican. He is a forcible debater and of extraordinary judgment as a legislator.

ADOLPHUS BURTON, member of the House of Representatives from Lane county, was born in Virginia in the year 1833; moved to Missouri in 1838, and from there to Oregon in 1852. He has been a citizen of Lane county since 1855, voting a straight Democratic ticket all that time. He is a wealthy and substantial farmer, but has not given sufficient thought to matters of political economy to induce him to see the "way the truth and the light" as it is in the doctrine of the Republican party and does not "come over worth a cent." We expect to be able to count him a Republican immediately after the November election. His modesty keeps him exceedingly quiet, but he votes with great clearness and understanding, as we verily believe. In personal appearance, he cannot lay any claim to beauty, and yet he will everywhere command respect.

WILLIAM CORNELL, member of the House of Representatives from Multnomah county, came from Licking county, Ohio, where he was born in 1812. He has been a resident of Oregon for a term of twenty-four years; was a member of the House the 8th biennial session. He is engaged in farming and fruit growing, and is considered one of the most prominent and safe citizens of the State. He has not grown rich because of a generous and open hand always extended to the poor, but he is rich in their blessings, and still reasonably "well fixed" in earthly goods. As a legislator, he talks little but thinks much, and is careful to know just the effect of his vote in every case.

ALLEN BOND, of Lane county, is one of the best farmers in Oregon, having a large tract of land in cultivation which he manages in a most profitable manner. With a record which was well understood by his party in Lane county. Mr. Bond was nominated for the position he now holds without being present at convention, and without solicitation on his part. His nomination meant election, and he comes with a large majority of votes of his neighbors. Mr. Bond was born in Shenandoah county, Virginia, in December, 1833; removed to Indiana in 1837, and in 1853 removed to Oregon where he has since resided. As a Republican, he has stood firmly by the guns ever since the party was organized, and will continue in the work so long as the party continues in the van of the great march of civilization and progress.

W. P. T. GRUBBE was born in Missouri, in the year 1845; came to this country in the year 1850, with his parents, who settled in Umatilla valley, where he has resided the principal part of the time since. Graduated at the Willamette University (Medical Department) in 1872, since that time has been practicing medicine, and merchandising; has always been a Republican, notwithstanding his father and brothers, five in number, are radical Democrats. He has never taken a prominent part in politics until the last two years; was elected to the Legislature from Douglas county, at the last election. Mr. Grubbe is liberally educated, and known as a good thinker and active worker in public affairs.

E. E. FANNING was born in the State of Illinois, Morgan county, near the town of Jacksonville; received a limited education. His father was a

farmer, and he remained with him on the farm until the year 1850. In the year 1852 he emigrated to Oregon with his wife and child; stopped on the upper Molalla the first year, when he settled in Linn county within 8 miles of Albany, on the Eugene road, and remained on a donation land claim until October 15th, 1874, when he sold his farm, and moved to Washington county, Oregon, where he now resides with his family. His family consists of six sons and three daughters, five sons and three daughters were born in this State; three sons are twenty-one and over, and one daughter is over 18; the children are all living. Elected as the people's Independent candidate to the House of Representatives. The age and extent of family of Mr. Fanning are ample security for his good conduct as a legislator.

ROYAL A. BENSELL was born in Cassville, Wisconsin, 1835; crossed the plains in 1854 to California; mined until 1861; enlisted in Capt. L. S. Scott's Co. "D," 4th California Infantry; served 37 months; voted first vote for Fremont; has been Republican ever since; was member of Legislature in 1868; ousted by the Democratic Legislature, with a clear majority of 15, to give place to C. B. Bellinger; was married in 1870; was Inspector of Customs at Yaquina Bay for four years; no religious views; was supported in the last election by both Republicans and Democrats. He is bold and decided in his manner, swerving neither to the right nor to the left from his convictions of duty. What he lacks in beauty is made up by habits of industry and scholarly attainments.

J. H. CHAIN was born in Warren county, Ohio, 1831; emigrated to Fountain county, Indiana, in the year 1837; from thence to Oregon by way of South Pass, Snake river and Dalles in 1857; wintered in Portland; went to southern Oregon in spring of 1852; occupation, mining, until fall of 1854; settled in Rouge River valley, Jackson county, Oregon; served in company "C," southern battalion, Oregon volunteers, in Indian war of 1855 and 1856, since which time he has resided in Jackson county; married in 1861; continued the occupation of farming. Respected and trusted by his neighbors, he fills in creditable manner his present position as legislator.

D. M. C. GAULT, of Washington county, was born in 1842; moved to Oregon in 1852; has lived here ever since; studied law with B. F. Dowell in Jacksonville; admitted to practice in Supreme Court in 1868; had some experience as a newspaper editor; now teacher in public schools; taught Hillsboro public school for four years last past. He cast his first vote for Mr. Lincoln at his second election; voted Union and Republican tickets at every election since. Mr. Gault is a kind of champion of the female suffragists, and has otherwise distinguished himself as a member of the House.

WM. D. FENTON was born June 29, 1853, near Etna, Scotland county, Mo. came to Oregon in October, 1865; first resided in Marion county near Woodburn; located permanently in Yamhill county in 1866; entered Christian College at Monmouth, in 1869; took the degree of A. B. there in 1872; then farmed and read law for two years, teaching school half the year; came to Salem Oct., 1874, to continue law reading as a student under the instruction of Mallory & Shaw, but during the time acted as State Librarian; was admitted to the bar in Dec., 1875; returned to Yamhill in January, where he now resides. Mr. Fenton is a young man of great promise. Nature has done much for him, and he is responsible for the talents which have been placed in his charge. Should he continue in the modest and unassuming manner which now characterizes his actions as a member, he is destined to become one of the great lawyers of the State. He presides over the House when called to the chair, in such a manner as to give him the assistance and respect of all his associates in the House.

STEPHEN SMITH, of Marion county, was born in Muscatine, Iowa, in the year 1845; went to Missouri in the year 1845, crossed the plains to Oregon in 1863, settled at Aurora in Marion county, where he has since resided; has, since coming to Oregon, been engaged in manufacturing wagons, plows, etc. In politics was always a Republican. Mr. Smith is a young man of talent, and a good worker in legislative as well as in other matters of public business. Representing a community of most intelligent people, Mr. Smith loses no time, but is incessantly working, not only for the interest of his home friends but in the interest of the whole people of the State.

J. W. MOSIER, of The Dalles was born in Pennsylvania, 1821; moved to Ohio in 1824, lived there until he was 15 years old; then moved to Missouri, where he lived until the year 1853, when he came to The Dalles, and has made The Dalles his Oregon home ever since. He has been engaged in various pursuits: a carpenter and cabinet maker by trade, a farmer and cattle dealer at this time. Mr. Mosier is considered a solid and incorruptible member; notwithstanding some slurs

aimed at him by a Democratic journal of Portland. His conduct has given him considerable reputation as a legislator.

R. H. ROSA, is a native of New York, born in 1849; removed to Michigan in 1854, and thence to Oregon in 1870. He has been engaged in farming during his residence in Oregon, but is now acting in the capacity of accountant in the town of Randolph. He is quite young in years, but is old in experience. Having the advantage of a liberal education, and of having seen much of the world, Mr. R. makes a solid, practical legislator. His constituents will not find fault with his course.

E. J. GOULD, of Coos and Curry, is a native of New Jersey, and gives no evidence that he has ever been naturalized. He came from New Jersey to the United States at an early period in his history, and settled in Ohio. In 1874 he came to Oregon and engaged in lumbering in which business he has accumulated a nice fortune, and now seeks a seat in Congress because he possesses both "time and means" to afford such luxury. The people will be pleased to know that he is willing to make the sacrifice, but if he puts his face in evidence, it is not at all certain that he will ever warm a Congressional seat.

JOHN C. SUMNER is a member from Linn county which means that he is a Democrat, but notwithstanding that grievous fault he seems to be a clever gentleman. He is of the Hoosier persuasion, having been born in Spencer county, Indiana, in the year 1833. Since 1852 Mr. Sumner has been a resident of Linn county, and is now one of the largest and best farmers of the State. We regret that such men should fall into such political company. While he is not an apologist for Boss Tweed, he proposes to vote for Tweed's old partner for President.

OUR VICTORY!

The Reward Offered by Senator Watkins Approaching Us.

A Good Thing to Place in the Breeches Pocket.

Senator Watkins flaunted in his last official report a challenge to "all whom it may concern," to show that he had been guilty of fraud in managing the Penitentiary, and offered a reward of ten thousand dollars for such service. While it is the duty of the STATESMAN to hunt up and expose fraud, it is pleasant to receive a little compensation therefor, when it can be "taken in" by way of reward legally earned. We charged William with fraud when he reported the expense of his prison at less than fifty thousand dollars for the past two years, and called the Secretary of State to the witness stand by way of offering his report. We found the sum to exceed sixty-four thousand dollars and called on William for the reward when he claimed the evidence was not sufficient. Now we have the State Treasurer on the witness stand and he reports that he has paid to William a sum exactly corresponding with what the Secretary reported. The evidence is now certainly complete and we demand the reward. Will it be necessary to commence suit against the Senator to recover this just debt? If he has any other dodge, let him bring it to the surface.

WHY NOT?

What Interest has the Speaker of the House in Standing off?

Why Does He Fail to Appoint the Treasury Committee?

Let the House Inquire.

The members of the House, regardless of party, voted a committee of three to count the money in the hands of the State Treasurer and report the same. The Speaker has failed to appoint said committee, up to this date, and the brethren all inquire, "why?" If the business is all right the Treasurer cannot suffer, and it is not all right the people should know it. We understand the Treasurer desires the immediate presence of such committee and the fact that the Speaker does not appoint it looks as if there was "bugger in the wood pile."

CANDIDATE.

Col. Sam Parker, who is now nearly 70 years old, has been a resident of Oregon for 31 years—all the time in Marion county—served in Legislature six times; is a Democrat but a most reliable citizen; is a candidate for State Librarian. His claims on his party are certainly very great, but of course so radical a Democrat cannot expect Republican support.

SENATOR

WATKINDS HEARD FROM.

He Attempts to Stab the Secretary of State Over Our Shoulder.

The Senator States one Thing, and the Secretary Another, and yet the STATESMAN Continues to Enquire Who Stole that \$14,000?

SALEM, Oct. 3, 1876.

ED. STATESMAN:—In the issue of your paper of Sunday last you publish a very unjustifiable attack upon the Secretary of State and myself in regard to warrants drawn on account of the penitentiary, for the past two years. You say that about fourteen thousand dollars has been wasted or stolen in this matter, and that it is very important to know who enjoyed the profit. That anything has been wasted or stolen on account of the Penitentiary is false, and you should have known that much when you published the article. By my official report you will see that the sum of \$49,308.95 was expended on account of the Penitentiary for the fiscal years just closed. That report agrees with the duplicate vouchers on file in my office and by my report and the vouchers which I have issued for expenses of the Penitentiary, I shall either stand or fall. I think it very unjust for you to make such an attack upon me at a time when there is a committee investigating my accounts, as if you had any evidence of wrong on my part, you should have laid the matter before the committee instead of maliciously, as I think, making a false insinuation or charge in your paper against me.

In your paper of this morning, you insinuate that witnesses, some of whom have been before the committee, have been bullied, controlled, subsidized or run off. Have you any evidence that this is the fact? If you have you should lay it before the Committee. If not, you have again made a false insinuation, which I think it my duty to inform the public you have been guilty of doing.

W. H. WATKINS.

BUSINESS AHEAD.

Money in the State Treasury to be Counted.

No Joking on this Second Call for a Report.

"Let Us Compare," is the Way the House Puts It.

Mr. Chambers, of Benton county, introduced the following resolution on yesterday.

WHEREAS, More than one half the time of the session of the present Legislative Assembly has now expired, and the report of the State Treasurer has not yet been laid before this House, although called for by special resolution of this House, and

WHEREAS, The report of the Secretary of State, shows that there are now, or should be, certain sums of money in the Treasury office belonging to the several funds of the State, therefore,

Resolved, That a committee of three be appointed to count the money now on hand in the State Treasurer's office and ascertain and report to this House as soon as possible, whether the funds now on hand in the said Treasurer's office belonging to the several funds correspond with the amounts belonging to the said several funds as reported by the Secretary of State.

This will certainly bring about some important business in connection with the finances of the State.

IMPORTANT ROAD.

The movement in favor of aiding in the construction of a road over what is known as the Minto pass, should be seconded by every citizen of the State. The importance of such a move is apparent, and we hope the Legislature will aid the work with a small appropriation, while the citizens most directly interested in the improvement bear most of the weight by private subscription. The people along the proposed line will subscribe liberally, but need aid to successfully carry through the work.

STATE LANDS.

Mr. Colvig, of Douglas county, is a member of the Ways and Means Committee in the Senate, and very properly made a minority report Tuesday on a subject involving a matter of twelve hundred dollars per annum as clerical aid for the State Treasurer. It is clear, under the law, that no such aid can be granted, and we are pleased to see a member of the committee with nerve enough to combat the job in the face of schemers who would rob the Treasury. Let every member of the Senate look well to his vote in this matter because it will be a record he cannot wipe out during his lifetime.

IMPIOUS.

A House resolution providing for the employment of a chaplain was promptly tabled yesterday. This appears very impious, and should not go on the journals. Most of the members are christians, but from some cause think it wasting time to listen to long prayers.

HAYES AND WHEELER
CLUB MEETING.

SENATOR MITCHELL

The Speaker of the Evening.

The Opera House Densely Packed With Ladies and Gentlemen, and Hundreds Turned Away.

A Forcible and Most Eloquent Speech.

Senator Mitchell was greeted last night by a large crowd of ladies and gentlemen at the Opera House, and made one of his happiest efforts. All voters who heard him will certainly vote a straight Republican ticket. The Aurora brass band discoursed sweet music and the crowd was greatly pleased. Scores of old friends were enabled to grasp the friendly hand of the Senator and welcome him home after his arduous labors in behalf of Oregon during the last session of Congress.

LEASING THE PENITENTIARY.

An article appeared in the Mercury of yesterday evening under the editorial head of that paper, which was evidently written by the present clerk of the Penitentiary, at least it shows from its tenor that it reflects his feelings in regard to the proposition now presented to the Legislature. Like all others of his kind, the loss of \$50 per month, the patronage that he now enjoys, is the moving power that causes his opposition. Had he confined himself to the truth, or if his statements were true, it would be a very improper move for the Legislature to lease the Penitentiary. But his article has very little truth in it. In the outset he states that the proposition is to lease the Penitentiary at \$12,000 per annum, and if the number of convicts shall increase from year to year, the lessees are to be allowed and paid an increased sum in proportion to the number of convicts received in the prison. This is not the proposition, and the writer should have known it, and if he did not know it he shows an ignorance that is inexcusable and should cause his statements to be received with great allowance. The proposition is to take the prison at \$12,000 per year, without any increase. As to economy, if the prison is leased under the bill now before the Legislature the State will be greatly benefited, as may be seen from the following showing of the expense that the prison has been for the past twelve years:

The total expenses of the prison for that period has been, exclusive of cost of buildings, \$385,323 72, and for the same period the State has received into the Treasury from the proceeds of the labor of prisoners and for keeping United States prisoners, the sum of \$75,728 34, showing that the State has paid out more than it has received, the sum of \$309,595 38, or \$25,999 61 annually, more than double the amount proposed in the bill now before the Legislature.

As to the building of the Insane Asylum the lessees propose to make all brick necessary for that purpose at actual cost, just what it would cost if the State had control of their labor.

The Legislature cannot afford to lose the opportunity of accepting the proposition, as it is of the first importance to relieve the State from this constant drain on her revenue.

CHANGE OF TIME.

A proposition to change the time of meeting of the Legislature was discussed at length yesterday. Several members objected to changing to December because of the difficulty of traveling at that time, but Mr. Porter, of Linn, dropped the suggestion that most of the present members would not likely have occasion to be present at any future sessions, on official business, and the matter was quietly disposed of by referring.

LEVITY.

The Ram bill brought out Mr. Haines yesterday, and he not only instructed, but greatly amused the members. He discoursed learnedly on the subject, and finally suppressed all inclination to treat it as a joke. Such is the influence of oratory.

INSTRUCTIVE.

Mr. Lawrence is well posted on the subject of sheep growing, and is able to give much information on the subject. Our sheep growers should "rent a hall" and induce him to lecture on the subject, some evening before the adjournment of the present session of the Legislature.

PRESUMPTUOUS.

Senator Watkins takes advantage of our columns to call as liar and other little names which are pets to his tongue. We care not for such trifles, but still insist that the fourteen thousand dollars should be accounted for in some way. He cannot cover up that discrepancy by calling some one a liar.