

WEEKLY OREGON STATESMAN

FRIDAY : : FEBRUARY 2, 1877.

WHO SHALL BE BLAMED?

Hill, of the Oregonian, is out with another tirade against the Republican party in Oregon. The gentleman above referred to pretends to be a Republican, and also a lawyer, and would-be leader of the Republican party.

CRONIN'S NOSE.

[St. Louis Journal, January 7.] Were not Etheloid Allen Cronin an immortal character we would not for a moment stop at personalities to mention his nose. He has gone into history, and his nose with him.

HOW A YOUNG LIFE WENT OUT.

An affecting incident occurred in the Academy of Music lately. Among the audience was a wealthy family, one of the members of which has for years been in delicate health and was born deaf and dumb.

When a Baltimore craft set sail for Virginia the other day she struck on a bar, and the crew lived on frozen turkeys for two days.

THE WAR CLOUD OF EUROPE.

"Volenti non fit injuria." EDITOR STATESMAN: A few words about the war, or prospect of war, in Europe, and its effects on us, as a commercial and producing country.

War is a stirring sound; from man to the smallest insect, all are at war. War, indeed, seems to be the condition of this world. Every great nation has had to fight its way to wealth and power.

Now, what are the great interests at stake in Europe? We find, in all communities, both civilized and savage, that, in order to control the masses, some kind of religion is necessary.

The Christian-Greek religion is far more tolerant, and therefore, more progressive, than the Mohammedan-Turkish religion. The nations who profess the religion of the Greek Church, in the domain of the Mussulman, are restless of restraint.

The nation which has for its basis a scientific influence so commanding as to control the "moving minds" in her councils, is the nation that must control; for science is knowledge, and, "knowledge is power."

England, France, and especially Germany, are advancing under the banner of science. Russia is advancing in nearly the same line—the line of intelligence, which pervades the day.

Russia only desires—of course there are incidental matters coming up in case of war, which she expects to seize and profit by—yet her main desire is that all Greek Church people shall have their indubitable rights; and in this Russia must succeed.

Now, it is the fashion of the day to ignore religion, and say, because science has lopped off, and keeps lopping off what religious creeds, so-called, once claimed, and in some instances are still claiming, as veritable and true, that all religion claims will eventually be lopped off.

Let me here impress upon the mind, once for all, that religion is one side of a great and commanding question; and that science is the other side of the same great and commanding question. Both rest on the same datum. Both acknowledge a Power, "an inscrutable power."

both, are the teachers, these intense information primarily among themselves, and secondarily among the masses.

religious element is too slow; the radical too fast—hence they check-mate each other.

Russia knows as well as any other nation, the just balance between these two controlling forces, and she is seeking to extend her Empire, and Russian influence, through the properly forced unity of these deep and deeply grounded forces, in order to sway the nations around her.

Again, Russia knows the mighty influence of statesmen, who, to do good among the nations, think international law, and international councils, should prevail over mere national declarations of war.

Russia knows the ground on which she stands. The probabilities are, unless settled judiciously, she will fight, and she will fight a long fight, a strong fight, and a fight altogether.

The Turks are murderous soldiers; hell-hounds, in fighting; fiends after victory, and butchers when they have a fallen enemy to deal with.

Should there be a war, a big war, we of the golden coast, will gather in the gold, not simply from our mines but from our "golden grain fields"; for we can send off "a wheat-laden fleet" that will feed the "millions at war."

CRONIN'S NOSE IN MAINE.

The Washington correspondent of a Maine paper, thus alludes to the distinguishing feature of the Cronin Electoral College, for the edification of the disciples of Neal Dow, and the friends of the Maine Law in that State.

BT. JEFFERSON PASS WAGON ROAD.

EDITOR STATESMAN:—Suppose this road was bulldozed; suppose that parties could can beef much cheaper here than at Astoria; and supposing such things, we must suppose one or two first-class tanneries to prepare hides for the shops; then we must suppose the utilizing of untold quantities of tanning bark—and the sheepman also can cash his wool at the factory, get his supplies and return to his home, "east of the mountains," happier and wealthier than by the Columbia.

When a young man sits down on a slippery pavement with such violence as to barely escape swallowing the root of his mouth, there is nothing that will so powerfully prompt him to give indications of having done it on purpose, as the satisfaction depicted in the sweet face at the window opposite.

Be frugal, not mean; patient not subtle; complaisant, not servile; active in business, not its slave. There are also four other habits that are essentially necessary to the happy management of temporal concern; these are punctuality, accuracy, steadiness and dispatch.

A tremendous "Amen" from his vast congregation followed Mr. Sprague's prayer the other day that the Turks might soon be driven out of Europe, and the whole of the Mohammedan power swept away from the face of the earth.

CAT OUT OF THE BAG.

Mr. A. Bush, banker, has been on the stand and given some valuable evidence. The Democratic cat was tolerably well bagged until Mr. Bush got on the stand, but his nervous fingers played with the bag-string and before he was aware the feline was loose and making fearful jumps, by telegraph, all over the United States.

Mr. Bush has realized our expectations and told the truth,—or a good deal of truth—and we hope that before they have let him step down and out he will make a clean breast of it all, tell all he knows about the \$15,000 and over, that he says was sent to Oregon.

The testimony of Mr. Bush satisfies us that the way to make an honest man of an old political hack is to convert him to a merchant, a banker it possible, where he can imbibe some true ideas of what the truth is, and gain courage to tell it.

In old times, when Bush was as rabid a partisan as the best of them, it is probable he would have had a very defective memory if called on to state what he knew about Tilden's barrel of money being drawn on to make Cronin eligible as an elector.

We not only compliment and congratulate Mr. Bush on his good memory and tendency to tell the truth, and pretty much the whole truth, but we request him as a partisan favor to the public—which respectable body of people is hungry for news—to take Bellinger into partnership in the banking business, if only for a brief space of time—to see what effect it might have on his memory and truthfulness.

SALEM WOOLEN MILLS.

I notice in the WEEKLY STATESMAN of the 18th inst., that there are prospects for rebuilding these mills during 1877. Why industry steps have not been taken to that end before now is truly strange.

I do not wish my kind, good friends in Salem to take it amiss that I so w on this matter. I think that no one will accuse old uncle Davy Newsome of being an enemy to Salem, or any other part of Oregon.

Science has its triumphs, but we believe it has never yet satisfactorily accounted for the existence of the middle aged woman who attends all the donation parties with the present of a flannel pen-wiper and eats four dollars worth of food at supper, and subsequently leans up against the wall with her eyes shut and sings, "Nearer, my God, to Thee."

SUPREME COURT PROCEEDINGS.

IMPORTANT DECISION. The Gambling Act of the Last Legislature sustained.

Opinion by Judge R. P. Boise. (Reported by J. B. Lister, State Librarian.) APPEAL FROM MULTNOMAH.

State of Oregon vs Alfred Carr. The respondent was indicted in the Circuit Court of Multnomah county for the offense of dealing, playing and carrying on, as proprietor, a game of Faro; the charging part of the indictment reads as follows:

"The said Alfred Carr on the 30th day of October, 1876, in the county of Multnomah and State of Oregon, and at divers times between that and the finding of this indictment, in the county of Multnomah and State aforesaid, did wilfully and unlawfully deal, play and carry on, as proprietor thereof, a game of Faro (a banking game), played with cards for money and check as representative of money and value."

The defendant appeared and demurred to the indictment, and argued as cause of demur the following: 1st. The indictment does not state fact sufficient to constitute a crime.

In considering the questions presented by the demurrer, we will dispose of them in this manner:

The Code provides, page 35, section 74. "The indictment must charge but one crime," and in one form only, except that where the crime may be committed by the use of different means, the indictment may allege the means in the alternative.

It is also contended that if the Statute is not sufficiently explicit, that the indictment should set out the fact which constitute the game, that the Court may judge whether the fact constitute the game of Faro. We think the indictment being as explicit in describing the offense as the Statute which creates it, it is sufficient in case like this.

In this case the Statute states what act shall constitute the offense; and the statement of those acts in the indictment, shows to the Court that the offense has been committed. The indictment must state the act necessary to be proven.

In this case a witness may be called in and if he swear that respondent dealt, played and carried on a game of Faro, then the crime is proven as alleged, and these are all the acts necessary to constitute the crime.

There is another objection urged, and that is, that the penalty provided for, in the act of 1876, must be recovered by an action as provided in Sec. 11 of the said act.

In construing an act of the Legislature, it is a rule to consider all its premises, and to construe each section as to give effect to the whole, if this can be done.

It is a rule also, that an act shall be so construed as to accomplish the object for which it was enacted. A law should not be so construed as to defeat its intent.

than five hundred dollars, and shall be imprisoned in the County Jail until such fine and cost shall be paid. This section provides a mode of enforcing the penalty, which is by indictment and conviction under the Code of Criminal Procedure; and the remedy is completed by virtue of this section unless the same is qualified by Sec. 11 of same act, as follows: "All fines and forfeiture provisions of this act shall be recovered by an action at law, to be brought in the name of the State of Oregon. We think the counsel may have misapprehended the meaning of this section, and thought that the words "action at law" meant "civil action at law;" but such is not the necessary signification of these words.

This disposes of the various questions in this case, and from the view above expressed, we think there is error in the judgment in the Court below, and that the same should be reversed, and the case remanded to the Court below for future proceedings. Opinion.

Judge R. P. Boise.

OUR FISHERIES.

We have twenty-six canneries on the Lower Columbia river, and one at the Lower Cascade on the same river. These canneries have a capacity of twenty-five thousand cases annually each, a grand total for the twenty-six canneries of 675,000 cases, which, at \$5 per case, makes a sum total annually of \$3,375,000.

FROM SILVERTON.

JANUARY, 23rd, 1877. EDITOR STATESMAN:—Mr. Henry Deguire, a young man cutting rails for Mr. F. McClain, cut his foot very severely Saturday morning.

The citizens of Silverton are making quite an amount of improvements in town, especially in sidewalks, having completed two up to this time; one from Lippitt's corner to the school house, and one from Drake's blacksmith shop to the lower part of town; both of which were needed for the scholars and the public generally.

There will be some new dwellings erected here this spring, among them W. N. Drake, our notable blacksmith, expects to build a dwelling on the property that he bought from P. H. Small. Several others are talked of. Town will be lively in the spring, when they all get to work improving their property, and it will add a great deal to the appearance of the town.

A Young Love Letter.

Turn back to your school days and see if you cannot recall the time when you either sent or received an epistle of just about the style of the one below. And recall the ecstatic pleasure that the reception of it gave you as you spelled out the words traced by the sweetheart of your first school days.

Dear Harry:—It is with pleasure I take my pen in hand to let you know that I am well, hoping these few lines will find you enjoying the same great blessing. Had boy, I will never leave thee, or forsake thee. I have always admired thy happy face. My face will tell my love for thee. Farewell, my friend; farewell, my love; farewell. RENEECCA.

Prettily Sung.

One of the prettiest features of the concert at the Methodist Church last Sabbath afternoon was the duette sung by Emma Gorman and Lizzie Williams, two little Welsh girls of African descent. They kept good time, enunciated each word plainly, and have well trained voices. They should be put on future programmes whenever a concert is given by that Sunday School.