OREGON WEEKLY

FRIDAY : : FEBRUARY 2, 1877.

WHO SHALL BE BLAMED?

Hill, of the Oregonian, is out with another tirade against the Republican

The gentleman above referred to pretends to be a Republican, and also a lawyer, and would-be leader of the Republican party. Was Mr. Hill a Republicans did be know Dr. Watts was a Postmaster? and if so did he know that he was ineligible? The editor of this pretended Republican paper must either acknowledge that he did not know Dr. Watts was a Postmester, or knowing it did not know that it disqualified him, or that he, Hill, kept still hoping thereby to detent the Republican nomince for President. According to his article of the 25th inst., he has, in the eyes of the community, criminated himself. He says it is not possible that the so-called "leaders" were ignorant of the fact that Dr. Watts was a Postmaster. We would like to inquire whether the socalled "leaders," Mr. Hill speaks of, had any better means of learning the facts in regard to Dr. Watts' position than be, Hill, nad? If so then, perhaps, they are more to blame than he; if not, then he was as careless and ignorant as the balance of the party, or he desired the ultimate deteat of Mr. Hayes.

The facts are that this man Hill is a chronic "growler," and is laboring to have the community think that every man in the Republican party is responsible for the oversight but himself. While the Oregon case will not effect the final result, we are opposed to the Oregonian attempting to attach any blame to any certain man or set of men in the Republican party.

CRONIN'S NOSE.

|St. Louis Journal, January 7. |

Were not Ethebold 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. And such a nose! Did you say it was Greeian? Not a bit-nor Roman. It is neither this nor that nor the other. It is an anomalous nose, with a history, and that history is filled with peculiarities, and these are very strange. The simple history of a nose is nothing of itself, but when a man is attached to that | troi the "moving minds" in her councils. nose full of the jnices of shenanagan and chleanery, we may well pause to put on is knowledge, and, "knowledge is power." our specs and behold. The nose itself is And the most powerful nations to-day are College, for the edifiction of the disciples a cross between a tond-tool and a corn-cob. It has all the flatness of the steel and edge "the error of their ways," and then Maine Law in that State. "Cronin has pretty much all the roughness of the cob. it does not look like an ambitious nose, and yet appears to be fisshed with over- tration to acknowledge its errors, and set nin has been treated rather roughly by exertion most of the time. It closely fol- up improvement by trying, condemning the newspapers on account of that mass! the owner, but by over a hundred worthy lowed it looks as though it would lead its owner into the short the corner ative as not to sordid and dogmatically many a worse one in the property of the corner ative as not to sordid and dogmatically many a worse one in the property of the corner ative as not to sordid and dogmatically many a worse one in the property of the corner ative as not to sordid and dogmatically many a worse one in the property of the corner ative as not to sordid and dogmatically many a worse one in the property of the corner ative as not to sordid and dogmatically many a worse one in the corner ative as not to sordid and dogmatically many a worse one in the corner ative as not to sordid and dogmatically many a worse one in the corner ative that the corner at the corner it would guide him into the sacred pre- conservative as not, to see the ruin its er- party. It has a better shape than that of cincts of an electoral college. It is a strawberry nose, but so red-ripe that 114 scarcely worth picking. This reminds us to purge the political field of its impuriocratic friend Mr. , of Bangor. It that it is also intelligent, for it nose over a ties. seldom blows about it. Taking everything into consideration, Ethebold Allen Cronin nose more than he likes to tell about creeting an electoral college with one man, and running it with the same

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 damb. It has been the custom of the famlly to take their afflicted daughter to the theater; and she seemed to enjoy the excitement and action, although she could not hear a sound. It was observed that she seemed very much amused at the comicalities of Mr. Sol Smith Russel, and enjoyed the changes of his facial expression as much as any of the audience. gated. When Signor Taglianietra came on to sing, it was noticed that a curious light came into her eyes, and stretching out her arms to her mother spelled on her fingers. with the greatest excitement, the words, "Mamma. I hear." The next piece was an orchestral arrangement of "Trovatore." As the composition proceeded the tears flowed down the child's cheeks, and her excitement became so great, that it was deemed prodent to leave the theater. On reaching home the exhaustion produced by the event of the evening was such that the family physician was summoned. As she lay on her couch she reached out her siate and wrote: "Mother, I think Heaven must be music." The next day in accordance with her request, Mr. Rossell was sent for, and he kindly came and sang for the little sufferer. It was too late. Death had marked the child for his own. and she did not even smile. The little lips are cold now, and there is a vacant News-Letter.

When a Baltimore craft set sail for Virtwo days. They want to get hold of Dio masses. Religion is the conservative elecent, of nutriment in frozen turnip .

"Volenti non fit injuria.

EDITOR STATESMAN: A few words Europe, and its effects on us, as a commercial and producing country. It our favor. But, even as matters now stand, order to sway the nations around her. we, as a nation, being almost self-supportfluence.

every other useful thing, must advance as war. everything else advances, or it must re- Russia knows the ground on which she

The Christian-Greek religion is far more tolerant, and therefore, more progressive, stage of nationality, to one of vassalage. ly, then, we see, deep down in the very clouds" pass away as smooth as a dream. in the banking business, it only for a brief basis of society, the causes at work.

matter, we must seek the basis on which not simply from our mines but from our Bellinger could manage to tell "what he society rests. 'The datum, from which "golden grain fields;" for, we can send off Knows about farming" out Tilden's greenall data flow, is human interests, human good, human advancement; for the lever which moves the world is science-science which corrects, improves and elevates.

The nation which has for its basis a scientific influence so commanding as to conis the nation that must control; for science those who are not ashamed to acknowlredouble their efforts to improve and ad vance. What induced Grant's adminisand casting out defaulters and thieves?" rors were working. Hence, the "great John Morrisey, and in size and color it is the best off, in the way of water power. movers in State," acted so rigorously as less objectionable than that of your Dem-

many, are advancing under the banner of least once, and to a whisky tumbler at which propelled science. Russia is advancing in nearly least a million times, but it is an average the same line-the line of intelligence. Democratic nose after all. Anybody which pervades the day. Austria is com- would know that it was the head-light o: ing. Italy is awakening.

war, which she expects to seize and profit an old alligator skin boot dyed "cardinal turns could meet such loans hereafter. by-yet her main desire is that all Greek red." Don't believe all the reports you There is not a more reliable business man Church people shall have their indubitable hear about it, for it is only a good reliable, in Oregon than W. C. Griswold. It Sarights; and in this Russia must succeed. Irish, Democratic nose, that can be count-

Esto perpetua." nore religion, and say, because science has three, on whichever side they may be relopped off, and keeps lopping off what re- quired. As I said before, Cronin has gone ligious creeds, so-cailed, once claimed, and home." in some instances are still claiming, as veritable and true, that all religion claims will eventually be lopped off. No greater error could possibly be promul- was builded; suppose that parties could

great and commanding question; and that prepare hides for the shops; then we must accuse old uncle Davy Newsome of being is an "inscrutable Power" back of all than by the Columbia. phenomena. But, irreligion like religion, this "inscrutable Power" works. Thus science to blame? Science acknowledges erfully prompt him to give indications of "Nearer, my God, to Thee." its errors, and courts investigation. having done it on purpose, as the satisfac-Sometimes science stoops, to tell us how tion depicted in the sweet face at the winthe Unknown Power works. Here it is dow opposite. unscientific, and false in attering something about which it is ignorant. Science deals with the phenominal; religion with complaisant, not service; active in business, the mysterious cause of all things. And not its slave. There are also four other both, for the good of the masses, ever habits that are essentially necesary to chair in the family circle. - San Francisco | mus work together. Science has a double | the happy management of temporal conaction; it acts immediately on the few, cern; these are punctuality, accuracy, and on the many, mediately. The classes steadiness and dispatch,

both, are the teachers, these intose ginis the other day she struck on a bar, information primarially among themand the crew lived on frozen turnips for seives, and secondarially among the Lewis, who says there is ninety-seven per ment; science is the radical element. To whole of the Mohammedan power swept advance steadily we need both. The ne away from the tree of the earth.

STATESMAN THE WAR CLOUD OF EUROPE. ligious element is too slow; the radical too fast-hence they check-mate each other.

Russla knows as well as any other naabout the war, or prospect of war, in thou, the just balance between these two controlling torces, and she is seeking to extend ber Empire, and Russian influ-Presidential "muddle" was over, the face ence, through the properly forced unity of of things would be changed vastly in our these deep and deeply grounded torces, in

Again, Russia knows the mighty influing, and could, in a short time, be com- ence of statesmen, who, to do good among pletely independent of all European in- the nations, think international law, and international councils, should prevail War is a stirring sound; from man to over mere national declarations of war. the smallest insect, all are at war. War, The race, now, are to be consulted, the indeed, seems to be the condition of this race flight the battles, and furnish the world. Every great nation has had to means. The means are as important as fight its way to wealth and power. Inter- the battles; for, without money wars fall ests always control. A desire to control is to the ground. Hence fighting, from its natural. Buck of these desires are causes, cost, plants its deleterious effects on a egon electoral muddle; by all odds, let's and causes are the premonitory symptoms nation, internally and externally, consulwhich are ever on the aleri to culminate tation should precede a declaration of war. Look at the Franco-Prussian war. Had Now, what are the great interests at there been an international council before take in Europe? We find, in all com- Napoleon declared war, the probability an old political back is to convert him to munities, both civilized and savage, that, is there would have been no war. Be- a merchant, a banker if possible, where be in order to control the masses, some kind cause the difficulties between the two na. can imbibe some true ideas of what the of religion is necessary. Religion, like tions could have been settled without

The nations who profess the religion of hounds, in fighting; flends after victory, the Greek Church, in the domain of the and butchers when they have a fallen en-Mussulman, are restless of restraint. The my to deal with. Should Russia sweep Turks are so highly conservative as te be- such creatures from the face of the earth, come tyrants in their demands; hence the but little sympathy with the doomed and conflict now waging and ever will wage, miserable race of Mussulmen, will be exwhile the causes producing it last. Russio bibited throughout christedom. There particular favor to the public-which feels for all people or nations who profess may be war, the "Powers" may "settle respectable body of people is hungry for the religion of the Greek Church. Clear- the thing," and the "storm and war- news-to take Bellinger into partnership

To look deep down in this important the golden coast, will gather in the gold, have on his memory and truthfulness. It but if it comes, let it come. DE UMBRA.

CRONIN'S NOSE IN MAINE.

The Washington correspondent of a Maine paper, thus alludes to the distinguishing teature of the Cronin Electoral of Neal Dow, and the triends of the gone home. He has told all he knows. but his nose told more than he did. Uro- great. The calamity of the burning of organ. It has been slandered. There is persons who were operatives in them;

a Tilden Elector it it was seen half a mile me that he could, and was willing to re-Russia only desires—of course there are off. The only thing remarkable about it, incidental matters coming up in case of is the texture of the skin, which resembles ed on every time, and if allowed to count stinginess, it will be a burning shame to Now, it is the fashlon of the day to ig- itself, can be depended upon to count her. Salem thould lead on in a dozen

EDITOR STATESMAN: - Suppose this road can beef much cheaper here than at Astor-Let me here impress upon the mind, in; and supposing such things, we must Salem to take it amiss that I so w once for all, that religion is one side of a suppose one or two first-class tanneries to this matter. I think that no one will science is the other side of the same great suppose the utalizing of untold quantities an enemy to Salem, or any other part of and commanding question. Both rest on of tanning bark—and the sheepman also Oregon. the same datum. Both acknowledge a can cash his wool at the factory, get his Power, "an inscrutable power." Religion supplies and return to his home, "east of

SETH R. HAMMER.

Be frugal, not mean; patient not subtle;

A tremendous "Amen" from his vast congregation followed Mr. Spurgeon's

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 get on the stand, but his nervous fingers played with the bag-string and before he was aware the feline was loose and making tearful jumps, by telegraph, all over the United States.

Mr. Rush has realized our expectations and told the truth, -or a good deal of truth -and we hope that before they have let him sten down and out be 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. Here is our especial triend and fellow citizen, W. C. Griswold. too, who had his finger in the ple and did a good share of the financiering for the Orhave him summoned and find out what he knows about it.

The testimeny of Mr. Bush satisfies us that the way to make an honest man of follows: truth is, and gain courage to tell it.

In old times, when Rush was as rable a partisan as the best of them, it is probable main in a non-progressive state. A non- stands. The probabilities are, unless setprogressive state is but little betrer than a tied judiciously, she will fight, and she ory if called on to state what he knew slow death. In every age and in every will fight a long fight, a strong fight, and about Tilden's barrel of money being nation, where advancement, improvement a fight altogether. I would like to see her drawn on to make Cronin eligible as an and order are sought by the people, they fight; I hope she will fight, and, in fight- elector. He would probably have known will, and necessarily must, come in comtact with less advanced and advancing nations, and parcel out their country same matter, for all Bellinger seems to among better people. They are a relic of recollect is, that he employed a law firm barbarism, and ought to pass from the partly because one of them was editor of the Oregonian, and partly because of the than the Mohammedan-Turkish religion. The Turks are murderous soldiers; hell. firms great ability. Heaven save the mark and torgive him for that as for his peals to this Court.

We not only compliment and congratulate Mr. Bush on his good mamory and tendency to tell the truth, and pretty much the whole truth, but we request him as a Should there be a war, a big war, we of space of time—to see what effect it might 'a wheat-laden fleet" that will feed the backs, in full, public curiosity would be "millions at war." I do not wish a war, satisfied and he would rank next to Cronin second century of the Republic.

SALEM WODLEN MILLS.

I notice in the WEEKLY STATISMAN of the 18th inst., that there are prospects for rebuilding these mills during 1877. Why iniatory steps have not been taken to that end before now is truly strange. The benand to the State in general heretofore, was those mills was keenly telt; not only by is true that Cronin's nose looks as though had been introduced to a mule's foot at building those mills. That water power idle. I conversed with my old, and highly esteemed triend, W. C. Griswold, who owned these mills, and he assored thousand dollars in this enterprise in Salem. Why should Albany outdo us in MT. JEFFERSON PASS WAGON ROAD. this matter? I know that my good old friend. Griswold, would prefer to erect those mills in Salem. Here is his home. and his other large property.

I do not wish my kind, good triends in DAVID NEWSOME.

has accepted, as true, the datum that there the mountains," happier and wealthier it has never yet satisfactorily accounted and carried on a game of Faro, then the cannot recall the time when you either sent or for the existence of the middle aged weforthwith sets about informing us how When a young man sits down on a slip- with the present of a flannel pen-wiper crime. pery pavement with such violence as to and eats four dollars worth of tood at supmaking it no "inscrutable Power" at all. barely escape swallowing the root of his per, and subsequently leans up against that is, that the penalty provided for, in arithme ic on his way home from school hast Sciene corrects these false creeds, and is mouth, there is nothing that will so pow- the wall with her eyes shut and sings,

DID YOU EVERY

Did you ever see a runnet?
Taken from a recking beef?
Or an ancient Shaker bounet.
Pierced with air-holes? To be brief: Did you ever, in the Winter, See a pumpkin spotted o'er With rotten species its entrails in ter? Or a boulder on the shore. Perforated, punctured, pied.
Like a leprous stricken toad?
Or a waffle-cake collided
With a soup-dish, a la mode?
Give to anything I've mentioned

Shape abhorent, color rose, And, by Jove, on high Olympus You have seen poor Cronin's nose Boston is satisfied that an intelligent communican safety he exected to any office where the salary isn't enough to buy a to sking-glass.

SUPREME COURT PROCEEDINGS. than five hundred dollars, and shall be

IMPORTANT DECISION.

The Gambling Act of the Last and the remedy is completed by Legislature sustained.

[Reported by J. B. Lister, State Libraria.]

APPEAL PROM MULTINOMAR

State of Oregon vs Altred Carr. The respondent was indicted in the Circult Court of Multnomah county for the offense of dealing, playing and carrying on, as proprietor, a game of Faro; the

"The said Altred Carr on the 30th day of October, 1876, in the county of Multno- of the State, as plaintiff; Code, page 349, mah and State of Oregon, and at divers sec. 69-70. And the provisions of Sectimes between that and the finding of tion 11, of the act of 18-76, are not concheck as reprepresentative of money and

The defendant appeared and demurred to the indictment, and argued as covered. cause of demur the following:

1st. The indictment does not state fact

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

where the crime may be committed by the Lower Cascade on the same river These use of different means, the indictment may canneries have a capacity of twenty-five allege the means in the alternative. When thousand cases annually each, a grand tothe Statutes makes it a crime to do this tal for the twenty-six canneries of 675,000 and that mentioning several things, dis. cases, which, at \$5 per case, makes a sum junctively, the indictment may "as a gener- total annually of \$3,375,000. Of course al rule," embrace the whole in a single the taking of this im nesse number of sal-Court, but it must use the conjunctive, mon annually will, at an early day, not and where, as occurs in the Statutes, else only deminish the catch, but ultimately as a great natural curiosity of the opening it will be defective for uncertainty; 1st destroy the salmon, and with them the Bishop, Crim. Proc., Sec. 530; 14th Cal., I wmense revenue to the Government and 565; 15th Mass. 273; 15 Pick, 275; 6th those engaged in curing them. To pre-Black, Ind. 107; there the offense is som. Vent this, provisions should at once be mitted by dealing or playing. But we made to propogate the fish artificially. apprehend that dealing and playing and and Congress has been asked to appropriate and carrying on a game of Faro, all at the \$25,000 to start a salmon nursery, and same time, and at one setting, and be- \$10,000 thereafter annually to mamtain tween the same parties, would constitute it. The annual revenue from the fisherbut one offense, and such an indictment les, when run to their fullest capacity, is may be supported by showing that the about equal to the wheat crop of the defendant had done one of these things. State. We think therefore, the indictment is not defective in this respect. In support of the second objection in the demurrer, that the indictment does not state fact sufficient, it is claimed by the respondent that the act of 1876, under which this indictment is young man cutting rails for Mr. F. McClain, tound, is uncertain and vold. The lan- cut his foot very severely Saturday morning. guage of the Statute on which this indict- Mr. Jos. G. Moore was with him at the time ment is framed is, "each and every person he bound up the cut the best he could, and who shall deal, play or curry on any game of Faro, etc." It is contended that the word Fare is of too general a meaning to dressed and made as comfortable as possible, describe a crime; that the Statute should under the circumstances. It will be a month have described how the game of Faro was or six weeks before he will be able to work played. We think the designation of the again.

> explicit in describing the offense as the McQuires, near the grist mill of Mr. Cooper. Statutes which creates it, it is sufficient in Mosers Hendershot & Poliy are tearing down a case like this. In Commonwealth vs. part of their old shop and are going to put up Welsh, 5th Gray, 324, Judge Metcalf states a new building where they can furnish a greater the rule as follows: "A charge in an in- amount of sash and doors for the public, on dictment may be made in the words of the ahort notice. fact and circumstances."

been committed. The indictment must deal to the appearance of the town. state the act necessary to be proven. In this case a witness may be called in and Science has its triumphs, but we believe if he swear that respondent dealt, played man who attends all the donation parties all the acts necessary to constitute the that the reception of it gave you as you spelled

the act of 1876. must be recovered by an evening, and was picked up by a beyy of laugh-

In constraing an act of the Legi-lature,

It is a rule also, that an act shall be so mired thy happy face. My face will tell construed as to accomplish the object for my love; farewell, my friend; farewell. which it was enacted. A law should not be so construed as to defeat its intent. Smith on construction of Statutes, page One of the prettiest features of the concert 671, Sec. 527.

shall be punished by a fine of not more Sunday School,

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; virtue of this section unless the same is qualified by Sec. 11 of same act, as follows: "All Opinion by Judge R. P. Boise, 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 consel 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 A proceeding, by indictment, is an action at law; See Code, page 349; sec. 67.

Section 68 provides that the first plendcharging part of the indictment reads as lings in such an action, on the part of the State, shall be the indictment. By the Code, all criminal actions are in the name this indictment, in the county of Multonmah and State aforesaid, did wilfully and unlawfully deal, play and carry on, as proprietor thereof, a game of Faro a banking consistent with itself but, also with the game,) played with cards for money and Code of Criminal Procedure; and Sec. 11 simply provides what shall be done with the fines and torfeitures that shall be re-

This disposes of the various questions in this case, and from the view above exsufficient to constitute a crime. 2nd. Said pressed, we think there is error in the indictment charges more than one crime judgment in the Court below, and that the against defendant. The Court below sus- same should be reversed, and the case retained this demurrer, and the State ap- manded to the Court below for tuture preceeding. Opinion,

Judge R. P. Borse .

OUR PESSERIES.

We have twenty-six canneries on the crime," and in one form only, except that Lower Columbia river, and one at the

FROM SILVERTON.

JANUARY, 29th, 1877. EDITOR STATEMENT:- Mr. Henry Deguire, &

game sufficient. 1st Bishop, Crim. Proc., The citizens of Silverton are making quite an amount of improvements in town, especially in It is also contended that if the Statute is sidewalks, having completed two up to this not sufficiently explicit, that the indictment should set out the fact which constithe the game, that the Court may judge were needed for the scholars and the public whether the fact constitute the game of generally. Another will be built in a short Faro. We think the indictment being as time, from Wolford's corner up to Wm.

Statute without a particular statement of There will be some new dwellings erected here this spring, among them W. N. Drake, our note-In this case the Statutes states what act the property that he benght from P. H Small. shall constitute the offense; and the state- Several others are talked of. Town will be ment of those acts in the indictment, lively in the spring, when they all get to work shows to the Court that the offense has improving their property, and it will add a great

A Young Love Letter.

Turn back to your school days and see if you out the words traced by the aweotheart of your There is another objection urged, and first school days. This letter fell out of Harry's action as provided in Sec. 11 of the said ing mischief making girls, who want to see it in print. We know that neither "Harry or Beeky" will care; so here goes:

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.

Dear Harry, It is with passage in the will be pen in hand to let you know that I am well, to construe each section as to give effect to the same great blossing. Ball boy, I will never leave thee, or forsake thee. I have always added to the construction of the same great blossing. Dear Harry: -It is with pleasure I take my

at the Methodist Church last Sabbath afternoon Held: This act was passed to preven; was the duette sung by Emma Gorman and gambling. The first section defines the Lizzie Williams, two little Webfoot girls of offense, and then says that the person committing the offense shall be guilty of voices. They should be put on future proa misdemeanor, and on conviction thereof grammes whenever a concert is given by that