

COOS BAY TIMES

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Official Paper of Coos County.

OFFICIAL PAPER OF THE CITY OF MARSHFIELD.

THE LEGISLATIVE FARCE

EVIDENCE is already sufficient to show that the people of Oregon are fully able, in the exercise of their political power, to wisely legislate at the ballot box. Available reports seem to indicate that all of the proposed laws creating new counties or changing their boundaries, have been defeated and it is by no means certain that the county boundary law or law providing for the creation of counties under general law, met with popular approval. The people are unwilling to pass on matters which are purely local in their nature and upon which they cannot be informed. As for the law providing for the creation of counties under general law, it was clearly enough, one which placed too much power in the commission proposed by it to determine the wisdom of creating such new county or town, and was absurd and out of harmony with the American spirit.

But one thing should be emphasized now. Too many laws were submitted to the people for their verdict. But any attempt to limit the number by restrictive measures, will be idle, for the people will permit no curtailment of their power and freedom and whoever proposes it will meet the fate of the most pronounced exponents of the "Assembly." That somebody is at fault for the submission of so many laws is certain, but who was it? In order to answer this question properly, it may be well to ask why this Initiative and Referendum law was adopted anyway. Of course, the answer is that the reason why that law was adopted was that the legislature, either through inefficiency, indifference, corruption or special interest, failed to enact proper "general laws" or did enact improper laws. In the present case, the legislature was incapable, for it failed completely to enact a general law under which counties could be created. Had that duty been performed, the list of laws for the whole state to vote on would have been reduced by at least nine.

Now the question is, will the next legislative assembly of Oregon—the legislative assembly of 1911—make the same mistake which moved the people to supercede the legislature by resuming legislative powers? If there is anything which puts Oregon—Old Oregon—in a straight jacket, it is the total inability of the old school to understand the necessity of breaking up its vast counties into small counties. Large counties are usually controlled by a county seat clique which use all public funds for the locality in which they may be interested. The rest of the county gets nothing. The "big-county-evil" has helped to retard Oregon more than anything else, so that it has fewer good roads, fewer people, fewer railroads and less cultivation than any other state of equal opportunities in the Union. And the old school is so horrified with the prospect of more county offices and more taxes that Old Oregon is hardly able to stir out of its tracks.

At the last session of the legislature a law was offered for enactment which was intended to meet this big county-evil. Old fogysm made its appearance at once and loaded the bill with so many impossibilities that

it could not be passed. Will the next session repeat the proof of politician (that is a better word for the moment than political) incapacity? If so, there will be many hysterical attempts to divide counties and a multiplicity of laws at the next popular election. Now in every progressive state in the Union there is a general law on the statute books providing a reasonable, fair and easy method of creating new counties. Especially in new states has this proved efficacious. Each new county seat is a new center and rallying point for the gathering of population and the inauguration of active material improvement. This designation of centers of activity has been the making of Minnesota, Iowa, Nebraska, North and South Dakota, Washington and California, and the absence of them has been an obstacle to progress in Oregon. The people of Oregon did right to vote down all these county division laws because they were local questions, but either the legislature or the people as a whole will have to provide a way to relieve the state and break up the counties or the state will suffer. The people do not want to make all the laws needed but if Oregon legislatures persist in neglecting this duty it is well that the people reserve the right to perform it.

COOS AND ENGLISH JUSTICE.

A great many periodicals in America just now or recently have been discussing the defects in the American system of administering the criminal law and have been pleased to point out the great superiority of the English system, emphasizing the fact that English trials are swift and are followed by almost immediate punishment of the guilty. One of the delights in which these periodicals indulge is found in praising the rapidity with which Dr. Crippen was apprehended, tried, found guilty and sentenced. At first they were lost in admiration of the speed shown in the execution which was supposed to follow and may have been slightly disappointed when a short reprieve was granted by the appellate court. It is probable that Crippen is guilty and that his punishment will be deserved, but the fact that the conviction was based purely on circumstantial evidence and that many of those who witnessed the trial are not unprepared to learn that in spite of the trial, conviction and sentence, Belle Elmore Crippen, the victim may yet turn up alive, makes the hurrying of this man to the gallows seem so far removed from real justice as to appear little short of indecency.

We plead guilty to a belief that the American system is the best. The arbitrary court of Lord Albestone, where the judge seems to be judge and jury, is thoroughly un-American and the spirit of the American people would never afford it in practice. But the belief that English law is swifter in the apprehension and punishment of criminals is not well grounded. The Crippen case is an exception. The man had either money nor friends and in England or America a man in that predicament is handled without much consideration. If Crippen had been backed up by as much money as Harry Thaw was, no doubt even the English courts would have been very careful. The greatest experts in the world, both legal and scientific would have developed investigations of the corpus delictus and the famous scar which would have made the case very famous and would have dragged it over months of time and years of delay—just as in the instance of the famous Tibborn case.

It is not contended that this is right. The fact, however, stares the advocates of English "justice" and its claimed superiority to American "justice" squarely in the face. As for the innumerable instances of swift justice in England and America, which have never come into the universal limelight, cases where the crime was born in poverty and punished in haste, no doubt they occur in every state in the Union. Even Coos county has just furnished such an example and that too without the interposition of an autocratic court. The apprehension trial, conviction and sentence of Garrison charged with the murder of Roy Perkins occurred within a much shorter space than the much vaunted Crippen affair. But the difference, between the two cases is rather creditable to America than to England. The English case is still involved in some doubt and its justice is questioned by many. There will hardly be any question as to the justice of the Garrison case and the execution of the murderer, if execution is ever justifiable. But the Garrison case will never be heard of outside of Oregon and the fool Americans who affect to love English methods and prefer them to those of America will still continue to point out the exceptional cases of English swiftness and contrast them with the exceptional cases

of American dilatoriness. Why the Crippen case should be so famous and the Garrison case so obscure, is not important. Probably Belle Elmore Crippen's life was no more valuable than that of Roy Perkins, so far as the theories of the law are concerned. Probably the degenerate Crippen was no more acceptable to decent society than the degenerate Garrison. But a corps of attorneys and experts with abundance of money would have produced very different results as to evidence, doubts, delays and possibly verdicts, and that too without corrupting courts, juries, witnesses or people. If these Anglomaniacs who prate of the beauty of "swift English justice" want any greater swiftness than they can get in Coos county, let them apostrophize the beauties of lynch law—and go to Georgia or Texas where it is practiced. We like the Coos county brand best.

FIND MAN DEAD.

Eccentric Homesteader Near Myrtle Point Succumbs Suddenly.

The Myrtle Point Enterprise says: "The dead body of O. W. Morley, an aged homesteader on upper Catching creek, was found Tuesday afternoon about 3 o'clock by Wm. Strain and Carl Bushnell, lying between the homesteader's cabin and the spring, with the arm thrust through the ball of a bucket. It is apparent that Mr. Morley was stricken suddenly on his way to or from the spring, and indications are that he had been dead about a week when the body was discovered.

"Mr. Morley had been in the habit of making a trip about twice a week to the Strain and Bushnell homes for his mail. He had missed two trips when the suspicions of the neighbors were aroused and they started out on the search which disclosed his body. Mr. Morley was a man of perhaps 70 years of age. He came here about a year ago from a point some place in the east and took a homestead declaring that he wished to get out of people's way. He was of rather eccentric habits, but his neighbors considered him strictly honest and honorable in all his dealings, though he is said to have had trouble with some of them"

GROWTH OF SAN FRANCISCO.

City Has Population of 416,912 According to Last Census. WASHINGTON, Nov. 21. — The population of San Francisco is 416,912, according to the figures given out by the Census Bureau. This is an increase of 74,130, or 21.6 per cent over the 342,782 in 1900.

The population of Great Falls, Mont., is 15,948, a decrease of 982 compared with 14,930 in 1900. Director Durand said the Great Falls returns as originally received showed a total of 23,324, or 8376 more than the correct count. The director blames the attempted padding to three out of 12 enumerators of the city, 60 per cent of whose returns, he says, were fraudulent. The three men were fined and given jail sentences. Durand contends that as there was fraud in the 1900 census, there has been an actual growth.

Population statistics were made public for the following California cities: Oakland, 150,174, an increase of 83,214, or 124.3 per cent, compared with 66,960 in 1900. Berkeley, 40,434, an increase of 27,220, or 206 per cent, compared with 13,214 in 1900. Alameda, 23,383, compared with 16,464 in 1900.

Salt Lake City has a population of 92,777. This is an increase of 39,246, or 73.3 per cent over 53,531 in 1900. The population of Salt Lake county is 131,426, compared with 77,725 in 1900.

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