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Oregon Sidelights

BREWER'S OPINION TO GUIDE Small Change

MACHINE OR VOTER MADE NOMINEES?

THE WASCO Republican convention did not follow the example of the Multnomah convention in instructing the congressional delegates. On the contrary it expressly repudiated the doctrine of instructions. The difference is worthy of note.

co-operation of the president, in which case Senator Platt will exercise his declining power against his enemies within the Republican party, rather than against the Democratic enemy, as he has repeatedly done before in New York City campaigns.

NEED OF GOOD ROADS.

FAR MORE interest is being taken in Oregon in the subject of good roads than ever before. This is a good sign. It shows that people of the towns and rural communities are awakening to the importance of good roads.

Baker City is to have a new Catholic church, to cost \$50,000.

Clatskanie is not so backward; it has a girls' basketball team.

The first school in Pendleton was opened just 35 years ago, with 27 pupils.

Medford refuses to sell its water plant, believing that in this case public ownership is best.

Ashland is to have a sewer system, to cost \$10,000, but it will not have any Tanner-creek sewer.

Fruit prospects in Lane county are good, and the same report is made from other parts of the state.

Rainier Gazette: Storey has been a good sheriff, and it is bad to see him turned down for an untried neophyte.

Farmers are a month behind with their spring country papers, but they will make up for the delay when they get a chance.

North Yamhill Record: Four or five feet of new snow has fallen during the last meeting of farmers who met in the mountains, which makes total depth near 20 feet.

Sappoose correspondent of the Portland Gazette: He came back with a broad smile, and a three-gallon demijohn under his arm.

An inspector, who did not believe so until he made a personal investigation, has concluded that the mail between North Yamhill and Tillamook cannot be put through until there is a big thaw, and then high water will make it difficult.

Eugene citizens are considering a Carnegie library proposition. Some influential men urge acceptance, while others are disposed to follow an example of several other cities that refused to accept one of Mr. Carnegie's gifts, on his somewhat onerous terms.

Work in being pushed on the Pilot Butte canal, having been turned through the flume satisfactorily. Two ditch crews are working near Bend, and will be increased soon in force. Telephone poles are being delivered along the line, and 27 miles of wire has been ordered.

A local rural telephone company is being organized at Corvallis for the rural business around that city. A big meeting of farmers was held in connection with the business, and officers were elected. A similar movement is on foot in the vicinity of Albany, and elsewhere up the valley. The country people are determined to have "hello" privileges.

With 40 employees and a payroll of \$75 a day, times are lively these days with the Davidson Fruit company of Hood River. The box factory is constantly busily away, turning out 1,500 crates a day. There are now over 2,000 completed crates stored in different warehouses. Hood River people are preparing for a greater output of fruit than ever, and expect to add this year to the already well known reputation of that highly favored locality.

P. A. Sammons, a La Grande lumberman, has entirely lost the use of his voice. He was possessed in a saloon at Elum and in the course of the treatment employed by the doctors to save his life the vocal cords were injured so that he is unable to speak above a whisper. A companion who was with Mr. Sammons was also poisoned and was found dead in a room three days afterward. They only drank a glass of beer each, but it proved an expensive drink.

In Coos county R. D. Hume, the financial manager of all relatives of the nomination for joint senator for Coos and Curry, while S. B. Hermann, son of Representative Hermann, is out for the same place. Both were in the lower house of the last legislature. The beneficial work of the younger Hermann's candidacy is likely to injure his father's chances for renomination, and warns him to yield to Mr. Hume, who is popular as well as rich and influential.

A resident of Eola reports that it has taken a sudden boom, which, for its size, eclipses anything of the kind ever occurring in any city in Oregon. There is at present not an empty house in the town, and the houses which are being utilized as a residence, and the people are busy repairing old dwellings and reshingling them. This week 40 immigrants arrived from Tennessee and settled in and around Eola. They are all relatives of the town, and people who came a year ago, and were induced to seek new homes in balmy Oregon by the numerous letters written by Oregon relatives, telling of the delightful climate and productive soil.

PEOPLE ARE DISTRUSTFUL.

Official Peculation Are Having a Bad Effect Upon Taxpayers. T. L. D. in Albany Democrat. Not for many years, in my opinion, has there existed as great a degree of political chaos as can now be observed. There seems to be a general feeling of distrust toward our law makers and executive officers, from president and congress down to our most humble constable and town council. There are reasons in great abundance for this distrust. In fact, one would hardly be surprised if one-half of our congressmen are accused of peculation, our senators, some of them, subjected to criminal prosecution, and executive officers, sworn to execute the law, setting law aside at the whim of the people just as soon for distrust. So it, therefore, is a matter of no surprise that even the common people are becoming less law abiding than formerly, with such examples set before them.

THE PENSION GRAB.

From the Baltimore News. The act of the pension bureau is a flagrant usurpation of power, and violates the first principles of constitutional government. For this violation, the president of the United States must of course bear the primary responsibility. If the Democratic party were in a condition to put up an aggressive fight in the coming campaign, this act, combining, as it does, economic profligacy with disregard of fundamental constitutional restraints, would make one of the most powerful of campaign arguments, one of the strongest counts in the indictment against Mr. Roosevelt. The president's record in the pension question has altogether been anything but creditable. Commissioner Evans, who had remained at the head of the bureau, under a calling fire from the Grand Army people, all through Mr. McKinley's occupancy of the White House, was promoted out of the way by his strenuous successor in the presidency. Mr. Roosevelt would stand in the way, and the bureau naturally has not been on this account less persistent in their efforts to get "more, more." There has been a determined endeavor to get a service pension bill through congress, and it was said from the start that Mr. Roosevelt would stand in the way. In spite of this, however, it seemed to be recognized that the bill would have a poor chance to get itself enacted. Now comes the president and obliges the Grand Army by letting his good-natured successor to Commissioner Evans give the "boys" what they want without going through the tedious and doubtful task of getting their bill through congress. It is not an edifying record.

RUSSIA'S NAVAL COAL BILL.

The coal bill of the Russian Pacific squadron, at anchor, is said to be \$1,020,000 a year. One ironclad uses 12 tons of coal daily for electric lighting. Formerly the squadron consumed annually 60,000 tons of Cardiff at Port Arthur, and besides, 30,000 tons of Japanese coal. Cardiff coal costs \$17.51 per ton. Three or four years ago it was \$27.50 per ton. Japanese coal costs \$8 to \$9 per ton. Nearly 50,000 tons now come to Vladivostok yearly. Nearly 10,000 tons came within one week in two British ships.

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From the Louisville Courier-Journal. The change in the method of operating hotels from the American to the European plan has increased the expenses of traveling men 25% per cent. President Cleveland's message vetoing a service-pension act, though that act was guarded and conservative compared with this wild performance, was so cogent that it put a quietus upon that project for 17 years. The question whether the author of that message is or is not a better man for president than the man who attempts to do by indirection what could not be done directly is brought sharply up by this amazing proclamation. How can an executive action which combines as this does, demagogic trickery and usurpation, be politically anything but a boomerang?

THE QUESTION OF SUICIDE.

From the Catholic Sentinel. We were astonished to note that The Journal in its initial Sunday issue editorially defended the practice of suicide. It is dangerous teaching thus to contravene one of the most powerful precepts of the natural moral law. The notion of suicide must ever be repugnant to the believer in God. The right to life carries with the duty to live. The moral intelligence of the world has always regarded the self-murderer as a deserter from the post of duty. This sentiment is aptly phrased in the lines ascribed to the poet Martial: "When all the blandishments of life are gone, The coward sneaks to death, the brave lives on."

Washington Correspondence of the Chicago Journal. The attorney-general has been studying the opinion which is to be his guide in future prosecutions, and it may be said that he finds it narrower in its scope than the first announcements by the press would lead the public to believe.

For purposes of prosecution the anti-trust law is not the so-called majority opinion handed by Mr. Justice Harlan, but is the short opinion of Mr. Justice Brewer, who, while voting with the majority of the court, disagreed with the other four justices in his method of arriving at that result, and who took a much narrower view as to the scope of the law and the scope of the government to deal with combinations in restraint of trade.

The "reasonableness" or otherwise of restraints put on competition and trade, is the test of legality by Justice Brewer. The four justices of the majority took the ground that congress has the right under the constitution to name any restraints which it deems offensive to interstate trade, and to order the removal of such restraints.

Justice Harlan specifically stated that they might be reasonable or unreasonable; that the power of congress was plenary. By the Brewer interpretation, each case must stand on its own merits, and the court reserves the right to say that the limitations attempted by congress are unreasonable and in conflict with the spirit and letter of the constitution.

The language of Justice Brewer is worth quoting. After reviewing previous decisions of the court on this subject he said: "Instead of holding that the anti-trust act included all contracts, reasonable or unreasonable, in restraint of interstate trade, the ruling should have been that the contracts there presented were in themselves unreasonable restraints of interstate trade, and therefore within the scope of the act."

Congress did not intend by that act to reach and destroy those minor contracts in partial restraint of trade which the long course of decisions at common law had affirmed were reasonable and ought to be upheld.

The purpose rather was to add a statutory prohibition, which prescribed penalties and remedies to nullify these contracts which were in direct restraint of trade, unreasonable, and against public policy.

While agreeing with his associate justices of the majority that the combination of these two railroads was such an unreasonable restraint as the statute aimed at, he made clear his conviction that the mere ownership of stock by an individual could not be regarded as an unreasonable restraint on trade, and that the law could not prevent an individual owning as much of anything as he might be able to secure, even though such ownership resulted in the consolidation of competing roads or the obliteration of other minor competitive conditions.

In other words, the rights of private property (including the freedom of contract) and the test of reasonableness, must be considered as limitations on the powers of the federal government to restrict the big combinations of capital. The restraints must be corporate, and they must be directed to corporate combinations; not against individual ownership.

And the facts and surroundings of the case will be considered in determining whether the restraint against which prosecution is directed, is in fact indulging in such suppression of competition as is in violation of the letter and spirit of the anti-trust act.

It is very strange that one justice, a member of a bench made up of nine,

should deliver an opinion in which none of the other eight agrees, and yet which must be taken by the attorney-general and the court at large as the law. But that such is the case will be readily seen when it is remembered that this one justice holds the balance of power not to speak—the determining vote.

It was Justice Brewer's alignment with Harlan, Day, Brown and McKenna that turned the scale against the Northern Securities company, and the reason he aligned himself with those four was not that he believed in the radical annihilation of Justice Harlan, but because he believed that the particular railroad combination on trial was an unreasonable combination such as the Sherman anti-trust statute sought to prevent.

If Justice Brewer did not regard the merger of the Great Northern and Northern Pacific, by means of the "holding" company, as unreasonable, he would have voted with the dissenting justices—White, Fuller, Peckham and Holmes—and the decision would have been adverse to the government.

It is evident, therefore, that in all future prosecutions of trusts under the Sherman act the government authorities must keep in mind the opinion of Justice Brewer and be prepared to consider the combination attacked, as one which is unreasonable within the intention of the framers of the anti-trust statute. For it goes without saying that any case of this sort will be fought up through the lower courts and will have to stand by the test of final judgment by the nine justices of the United States supreme-bench.

And if the attorney-general fails to convince Mr. Justice Brewer that the combination is unreasonable, he will give his judgment in the negative and will be supported by the four justices who, for different reasons, are unwilling to regard the Sherman statute as valid. In which event the prosecution would fail.

It may be stated with some emphasis that Attorney-General Knox has little doubt in his own mind as to the illegality of a number of great combinations and conspiracies in restraint of trade now in existence, and does not hesitate to believe that, judged by the conservative test prescribed by Mr. Justice Brewer, they will be found in violation of the Sherman anti-trust act. But, even in the most flagrant cases, it is necessary to be very careful in the preparation of proof.

The department of commerce and labor, acting through its bureau of corporations, will continue the work in which it has been engaged for a number of months, collecting data and evidence to be submitted to the president and the department of justice; and when it appears to the lawyers of the latter department that a good case can be made, suits will be brought in no case will prosecutions be commenced without adequate evidence; for the president and attorney-general feel that it would have a most unfortunate effect if any such prosecution were to fail.

It is perfectly apparent from what has been said that the wholesale prosecutions are to follow as a result of this decision. The "minor contracts in partial restraint of trade" as they are termed by Justice Brewer, are certainly not in danger of interference by government officials; for they are not regarded as unreasonable. On the other hand, the larger contracts and conspiracies which stamp out competition, and monopolize trade, will feel the full force of the law just as rapidly as evidence against them to convict can be gathered into the possession of the government officials.

As to what particular trust or trusts will come next, nobody knows; not even Attorney-General Knox or President Roosevelt.

From the New York World. This subsidized patriotism is an insult to American love of country. It implies that the vast masses of the world are the only ones who are not patriotic and that it is only a cash basis which will fight for it except on a cash basis. While Japan is displaying an example of self-sacrificing patriotism we are offering the spectacle of a patriotism measured by the payroll.

Our pension system is distinctly Socialistic—it is only a step from old-age pensions for everybody. When the supply of old soldiers is exhausted, does anybody suppose that the demand for pensions will cease? They are now talking of extending the system to the young as well as to the old.

From the New York Times. It is to be borne in mind that congress has not only omitted to enact, but has distinctly refused to enact, the service-pension law which these officials assume President Cleveland's message vetoing a service-pension act, though that act was guarded and conservative compared with this wild performance, was so cogent that it put a quietus upon that project for 17 years.

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Can enough first-class Democrats be found to sacrifice themselves? It is a wonder the birds do not hold an indignation emigration meeting. Easter will arrive on time just the same, if it should find winter still here. If Fort Arthur is as long getting up again as it is in falling, it will be a long time down. Judge Carey believes in quitting while his credit is good and he can do so with flying colors. Apparently Sheriff Storey has cooled off somewhat, or else he is keeping his wrath under better control. If people will be patient they may be rewarded with some news of importance from Fort Arthur after a while. This county, city and state would be better off if the two principal political parties were more evenly matched. The flood prophet has pretty good ground to stand on this time—or at least some big piles of snow to point to. The merger decision does not seem to have hit anybody or anything a knock-out blow. The big trusts are doing business just as usual. The solid south will follow New York's lead if New York Democrats can get together sufficiently to lead anywhere, which is doubtful. The president has his good, strong points, one of them that will strengthen him in the west, and his hearty and affectionate aid to the federal scheme of irrigation. Attorney-General Knox has happily discovered, on close examination of the facts, that the merger decision, though it does not mean so much as it was first feared it did. The benefits of the money paid by the gamblers into the city treasury for violating the city ordinance, which is in the streets or other places where improvement is necessary. Republicans are beginning to talk again about carrying Missouri, which is about as likely as the Democrats will carry Massachusetts. Yet the turning-down of Prosecuting Attorney Folk seems to justify this sort of protest on the part of honest Missouri Democrats. New York Democrats will have a very lively fight among themselves in deciding whom to support for the Democratic nomination for president, and not to be out of fashion Multnomah county Democrats will pull off a little scrap themselves when that crowd of 250 gets together. It is the proper time of year to remind boys that it is not only unlawful to kill birds, but also to touch them; that the birds are very useful in orchards and gardens and should be regarded as friends and treated accordingly. If a disposition to kill something must be gratified, let the boys turn their attention to rats. It is possible that the demand in congress for an economical showing will result in the demise of the very worthy bill to increase the pay of rural mail-carriers. It is suggested they will vote right, anyway. But the bill is so manifestly meritorious that it may be pushed through. The people don't want the sort of economy represented by opposition to this bill. The Salem Journal announces editorially that "its publishers are not candidates for any office in the gift of the people, and will not accept nominations for the legislature or any other office." Good resolution. What does a successful newspaper man want of an office, anyway? He should be free to watch the fellows who are in office and comment on their doings independently. This is a presidential year, and appropriations congress will be kept down to a minimum. In the river and harbor bill no appropriations for new work will be made, and The Dalles-Celilo canal is so considered, says The Dalles Chronicle. Yes, millions can be squandered in the name of improvement in making spectacular show in the high places of officialdom, but great works of improvement, especially in a "safe" and dutiful state like Oregon, can wait.

HOODY'S DEFEAT. A Democratic Paper Hints That His Friends May Resist It. From the Baker City Democrat. Now that Malcolm A. Moody has been declared beaten for congress, even before the holding of the state convention because the Mitchell representatives in the primaries of Multnomah county won out, has called for a few remarks by some leading Democrats as well as Republicans. It was stated yesterday by a staunch Republican who was talking with a good Democrat that it is by no means certain that Moody is beaten for congress in the second district if he should decide to run—and he has not said that it is not going to run. "It may be like the boomerang which elected A. B. Combs county clerk of Baker City two years ago on the Democratic ticket in the face of fierce opposition and a conceded majority for that office against him. A local Republican paper shortly before election day published a screed calling attention to the natural physical deformities of Mr. Combs. There is an immediate revelation of feeling on the part of all voters in all parties and Republicans at the polls put Mr. Combs into office. So with the recent uncalculated and false charge against Mr. Moody and his public prosecution for a crime never committed, there is an immediate revelation of the 'gang' working against him politically. That action will not be forgotten at the polls, and it is freely asserted here that if Moody does not run for the office a good strong Democrat will be nominated and will have a good chance of succeeding Williamson. The above interview expresses the opinion of many in both political parties in Baker county.

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REPUBLICAN SPLIT IN NEW YORK.

IT IS NOT ONLY New York Democrats, but New York Republicans as well, who are engaged in a bitter internal warfare, with the prospect of a serious split in the Republican ranks next fall. The president is entirely safe, so far as the delegation to the national convention is concerned; in fact, he will apparently have no open opposition whatever in the convention; but the sensible obstinacy of Senator Platt and the overbearing and pugnacious ambition of Governor Odell are likely to lose him New York's big bunch of electoral votes next November. And this prospect will encourage Democrats in all possibly doubtful states to do their best. That the greatest state in the Union, with nearly eight million people, should remain for so many years under the political dominancy of a mediocre man like Platt, a mere politician, of an unadmirable type, and without a trace of real statesmanship in his makeup, significantly exhibits the low plane to which practical politics has sunk. Platt has been the Republican boss of New York for about a generation, and is serving his third consecutive term in the senate, yet he never, so far as the public is informed, did anything whatever for the public good, or made the slightest mark in our national life to the country's, his party's or his own credit. His sole aim and business in politics and in office have been to look out for himself and his friends, at the public's expense. It is a standing disgrace to the Empire State that it should keep such a small, selfish, fairly contemptible figure in the senate for term after term, when it has thousands of abler and in all ways larger men. But Senator Platt has possessed in an unusual degree that species of political cunning which enables a man to manipulate political forces successfully, and so has retained the leadership, now sought to be wrested from him by the more vigorous Odell, who for future purposes is determined to keep himself in the public eye. He has had enough of the governorship, another man is slated for the senatorship to succeed Dewey, and so Odell demands that old Senator Platt shall surrender the boss' baton into the governor's hands; and in this he is likely to have the

IRISH EMBLEMS.

Origin of the Green Flag and of the Shamrock. From the Chicago News. Some orators are wont to refer fervidly to the green flag as "the ancient banner of Ireland." Probably, however, St. Patrick and his contemporaries never saw a green flag in Ireland, nor did the Irish for about 14 centuries after him. There is no mention of a green flag in the Irish annals previous to 1798. At the celebrated skirmish known as the battle of the Boyne the opposing armies of King William and his father-in-law, King James, wore red uniforms in order to avoid killing one another by mistake in the confusion of battle. William's men stuck green leaves in their hats, while those of James wore white paper roses, representing the white rose of York. Thus by strange irony the Orangemen wear the first wearers of the green in Ireland. The famous Irish brigades in the service of France wore red uniforms, some of them were therefore mistaken for English and cut down by the French cavalry in order to avoid killing one another by mistake in the confusion of battle. The Irish insurgents of 1798, Catholics and Protestants, were the first to adopt green as the national color of Ireland. It had been previously proposed as the "color of hope" by Camille Desmoulins to the French revolutionists, but he was outvoted in favor of the tricolor. The Wexford insurgents at first used impartially flags of various colors—red, yellow and green—but eventually they fixed on green, which, with baptism of heroic blood, was then firmly and permanently established as the national color of Ireland. There have been some fantastic and wholly unsuccessful attempts to introduce a green, white and yellow "Irish tricolor." Even the antiquity of the shamrock as an Irish national emblem is assailed. The learned and painstaking Dr. P. W. Joyce says: "It is not easy to determine the origin of the Irish custom of wearing a bunch of shamrocks in the hat on St. Patrick's day—March 17. According to the popular belief it commemorates an incident in the life of St. Patrick—that on a certain occasion when he was explaining the mystery of the Trinity to the pagan Irish he took up a single shamrock and pointed out the three leaves growing from one stem to illustrate the doctrine of the three persons in one God."

THE SONG OF THE PROFESSIONS.

By H. R. R. Herzberg. I've been a lawyer, in a way. (A scarcely trodden way, the fact is!) And scarcely patience, day for day. Well rather more than other practices. Of course, I followed in the rut. Laid out for youthful lawyers' ease— Became a politician. But I've never been a millionaire! At teaching later on I tried. My hand, I didn't find it handy. The salary, I soon esied. 'Would hardly keep my girl in candy. Thereafter, with a learned strut, A deep and philosophic air, I sought the lecture platform. But I've never been a millionaire! My brief career upon the stage, —Gad! to this day I bear the hassles!— Did not establish me "the rage." Among the matineeing misses, Then, when I took to painting, shut Remained the gates of glory there, Altho' I did "impressions." But I've never been a millionaire! The violin I played a while, A very little we while only. (I trust, and hope, and feel that I'll Be nevermore so shunned and lonely!) My next appearance was as "Knut," The Kannibal from Kin-Koo-Kair, Within a nicked sidebow. But I've never been a millionaire! As motorman along the "L," As sandwichman aloft the highway, As man with "novelties" to sell, A figure in the city cut: For thirty years I've thus, in my way, A figure in the city cut: There is but one thing left I'd care To try. I've been a many. . . . But I've never been a millionaire! Russia's Naval Coal Bill. The coal bill of the Russian Pacific squadron, at anchor, is said to be \$1,020,000 a year. One ironclad uses 12 tons of coal daily for electric lighting. Formerly the squadron consumed annually 60,000 tons of Cardiff at Port Arthur, and besides, 30,000 tons of Japanese coal. Cardiff coal costs \$17.51 per ton. Three or four years ago it was \$27.50 per ton. Japanese coal costs \$8 to \$9 per ton. Nearly 50,000 tons now come to Vladivostok yearly. Nearly 10,000 tons came within one week in two British ships.