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C. S. JACKSON

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JNO. F. GARROLL

THE GRAND JURY AND ITS REPORT.

THE REPORT of the grand jury merits the careful reading of all thoughtful citizens. It is manifestly the work of conscientious men, men who placed a high estimate on the duty they were called upon to perform and who did it without fear or favor. This much cannot be denied them. It is well for a community that contains such men, that they can be selected at random from the body of the county, for it makes plain that notwithstanding the scandals to which we have recently been treated, despite the general disregard of the law which has marked the conduct of so many of our public officials, we have after all a solid foundation upon which to build in the serious work of raising the moral and official standard which is now before us.

It is perhaps true that a majority of the people of the community has not been inclined to fully agree with the wisdom of the grand jury's act in the indictment of the mayor, for example. The influence back of that expression is mainly sentimental. The age of the mayor, the exalted official positions which he has held, have thrown about him a sort of aegis which places him in a class by himself. All of these things have largely influenced the public mind and in some directions produced the impression that the grand inquest acted not only precipitately but without proper warrant.

And yet it must be admitted that no similar body that has ever sat in the county has been more industrious and less regardless of its own comfort or from the perusal of its report, more high minded and conscientious in the pursuit of the objects for which it was called into being. It had the advantage over the public of knowing precisely upon what grounds it based the charge against the mayor and the chief of police and for the basis of its indictment it had documentary evidence which demonstrated the mayor's dereliction. These men were under oath; it was not for them to consider age, prestige or previous reputation; they were simply to consider facts. This they did to the best of their ability and it was upon this consideration the presentment was made.

When men of this character give up of their time long hours which they could ill afford to spare from their business, we submit that it comes with ill grace from the prosecuting officer, whose own record has received scrutinizing and painstaking attention at their hands, to begin to undo their work the very moment their commissions are withdrawn and they have retired to their usual occupations. No man in recent years has had the same chance to trench himself in popular favor as District Attorney Manning. His path of duty lay straight before him and all he had to do was to follow it. But notwithstanding his pledges made before election, and without which he could not have been elected, he has chosen to follow such courses as require constant explanations and unsettled the confidence which many people would have been pleased to feel in him.

There is still very much and very hard work for the people of Portland to do before they have raised the public service up to the high level at which they have aimed. They have made a good start and the sentiment back of the movement is growing more and more profound. In this great work it is no longer possible to count upon the assistance of the district attorney. An accumulation of circumstances shows that he has deliberately chosen his own course and there is every evidence that he intends to follow it. What is to be done would be easier done had he remained true to the written pledge which he made before election but it will be done nevertheless and without him. As time goes on the people realize better and better the contract which they have before them. But they already see the dawn and with that consciousness to urge them on they will never rest until the campaign which they have inaugurated is crowned with victory in every branch and department of the municipal administration.

WANZER'S SELECTION OF ELLIOTT.

LET US MIND NO WORDS about the matter. There is popularly supposed to have been a big steal in the Morrison street bridge. The report of the expert showed that unnecessary and uncalled for changes had been made in the original plans which involved thousands of dollars to the taxpayers. There was no real justification for the most important of these changes. The self evident purpose was to so increase the cost that the profits would be enormously increased. These changes were made under cover and at a cost altogether out of proportion to their value.

The general representative of the city government was the then city engineer, Mr. Elliott. He was deeply, perhaps criminally, involved in the Tanner creek sewer scandal. No one now has any doubt that the attempt was there made to rob the city. Either the city engineer was in collusion with it or he didn't know what was going on; in other words he was either crooked or incompetent. When the facts were made known to the public he found it expedient to resign. Meantime the grand jury, with many facts at its disposal from two previous official investigations, took up the matter on its own account and has since indicted Elliott and some of those associated with him on the charge of attempting to secure city property and money under false pretenses. The indictment charges him with a criminal act and he is now resting under it. That in the face of these known facts he should have been selected to represent the city for the rest of the month, for any time or at all in any undertaking but particularly in the Morrison street bridge, where it is not suspected but believed there is need to cover up transactions inimical to the interests of the taxpayers is the most brazen and flagrant performance to which the city has recently been treated. It would seem to demonstrate that the administration has learned nothing from past experiences, that it is perfectly indifferent to public opinion and that it is determined to bull through things whether or no.

The appointment of Mr. Wanzer to succeed Mr. Elliott it now appears was made not for the purpose of uncovering whatever fraud may have crept into the department but rather to conceal it. Such things as have transpired since his appointment with reference to the Tanner creek sewer have not been particularly reassuring and the request for the appointment of the former city engineer to oversee a job, his former official connection with which still requires explanation, seems to make it evident that the purpose is to so confuse the public that whatever it may suspect it will be permitted to know nothing of the true inwardness of the manner in which the bridge contract has been performed.

All of this means that the spirit of reaction is at work and that notwithstanding the determination of the people, despite what has been unearthed, despite grand jury investigation and indictments, regardless and in defiance of the reform wave which is now sweeping over the city, it is brazenly proposed to continue the old courses to the last ditch and to protect wrongdoers from the consequences of their crimes against the public. The certificate of character to Elliott in the face of his indictment is in this line but its chief significance lies in the fact of what it is proposed to do through Elliott in the Morrison street bridge affair.

MUST GET INTO ACTION.

THE WILLAMETTE VALLEY has not been brought into so much prominence on account of its productions in recent years as some other parts of Oregon. Its resources have not been so loudly and widely heralded. It is a comparatively old and sedate region, and many of its enterprising people, particularly young people, have gone forth to better their fortunes, or to try to do so, into eastern Oregon, Washington and Idaho. The Willamette valley is not a great wheat producing region any more, like northeastern Oregon; its fruit is not so celebrated as that of southern Oregon and Hood River; its stock and dairy industries do not loom up as conspicuously as they should; only in hops does it hold the palm in public estimation.

Yet there is unlimited opportunities for advancement and development in all these and in other industries in this great, choice valley of the Pacific coast. Though its first settlement dates back nearly 70 years, and though it is a relatively old-settled region, the proper and full development of the Willamette valley has only fairly begun. We are noting some changes for the better during the past few years, but these are only the beginning of improvements and industrial development to occur in this splendid region during the next quarter of a century.

The Willamette valley is the mother of Pacific coast communities. It was the first part of the Pacific coast to be settled by people who came to make permanent homes. Land on French prairie was tilled for the production of wheat and other agricultural necessities as far back as 1835. Its slow, gradual, but continuous development is a main feature of the story of Oregon during the past span of a man's life.

The Willamette valley extends from the Callipooia mountains to the Columbia river, a distance of 150 miles, and from the Cascades to the Coast mountains, a width of from 45 to 65 miles, and contains approximately 8,000 square miles. Its climate is mild and equable, its soil is generally fertile, it is adapted to many crops—of grains, grasses, hops, vegetables, fruits; it is especially a fine dairying country; it is one of the choicest places on earth in which to live and prosper; and yet it has a remarkably small population, considering these advantages.

The Salem Statesman says the needs of the Willamette valley are 100,000 more people, an open river to tidewater, a system of trolley lines connecting the principal cities with the smaller towns, and the purchase by the government of the Oregon City locks.

Very well, but to get the 100,000 people, whose presence, products and influence will bring all the rest, the Willamette valley needs to put hundreds of thousands of acres of land, divided into comparatively small farms, upon the market at reasonable prices and thoroughly, systematically advertise them among eastern people who are tired of a rigorous climate and worn out soil. The Willamette valley needs men, families, to live on and produce from its now unused or little used soil, and to produce far more from land now used. It needs 100,000 more people, and if its people will follow this policy can get them within a very few years. Even this number would not crowd this great, magnificent valley.

Along with the rest of Oregon the Willamette valley is waking up. But it has not yet gotten into a good, strong, active, general movement yet. It wants to foot its horn, not at home alone but abroad. It needs to get tens of thousands of new people by making it clearly advantageous for them to come there. Then they will help do the rest.

NOGI BEFORE AND AFTER.

FROM THE PARALLELS AND SAPS around Port Arthur there strode the other day a careworn, grizzled commander. Correspondents say that General Nogi after a victorious siege was not the natty imposing officer who landed at Pisevo May 5 to capture the Gibraltar of the Pacific. His face was sunken and haggard, eyes burned with feverish, restless light, unkempt beard and hair seemed to have been touched heavily by the falling snow, and uniform hung loosely from shoulders that had lost their rugged poise. A general in his prime started down the rocky peninsula at the head of a besieging army, an old man returned. "Nogi, a venerated savage," wrote the pen artists after Nanshan, Wolf, Green and Christ hills had fallen, Nogi the bulldog, the fanatic, who would smile as he hurled the Japanese nation into that vortex of destruction.

Since that siege began, two of Nogi's sons breathed their last upon the battlefield. His stern orders have taken perhaps a hopeful heir from 80,000 other Japanese families. His judgment in directing the attack, his vigilance and conclusions, saved or slaughtered his devoted following by thousands. His country pleaded for dispatch, to remove the thorn in the south and hurl his forces with Oyama against Kuropatkin, while humanity protested, and prompted him to the slower sap and mine. Devotion among his men fired them to response no matter what the odds or danger, and his hundredth order to charge carried the same impetuous, fearless column of brown men over fortress parapets which went up Nanshan hill. Recruits came each day, while burial parties dragged the corpse of new veterans from entanglements and escarpments. Disappointed in the time of his work, Nogi's strategy was being impeached.

A fanatic would have come from this maze of responsibility beaming with the fierce light of victory. Nogi came a grim, sad mortal, showing the terrible drag upon human vitality. Nogi is a patriot, not a "venerated savage." He is typical of Japan today. Scorn for death is not fanatical zeal, but good human nature keyed to the highest degree of endurance in a cause that intelligence says means national life and happiness.

THE SAILOR BOARDING-HOUSE FRAUD.

PORTLAND confesses a strange weakness in countenancing the sailor boarding-house evil. If it is an evil, for which we have the testimony of a multitude of masters, shippers and sailors and the illicit gains of the petty ring dominating the industry, it should be suppressed, not parleyed with or encouraged by recognition. Is it possible that our great shipping interests cannot put the knife to this parasite, or secure legal intervention to suppress it? If a petty coterie of men whose methods are most vicious blackmail and intimidation, have the power to levy such tribute on Portland commerce, the hope for our future is sickening. We are able to muster millions for river improvement, bring influence to bear upon transportation magnates that forces them into recognition of this port, struggle to draw foreign shipping and yet when this is all done, Portland permits a gang of boarding-house men to prey upon this commerce, and with the audacity of brigands, coerce blood money.

It is alleged that some kind of an agency for furnishing sailors to a master is necessary, because of the responsibility of those who live upon the sea. The fact that boarding-houses are found in most ports would confirm the statement, unless the industry is explicable on the grounds of weakness among sailors. If such an in-

stitution is a convenience to shipping, there is a reasonable charge for its services, which should not exceed the board and small advances made while keeping a sailor two weeks to a month awaiting a ship. Sailors and masters would never object to such a fee. It is when the piratic gang goes for blood-money, taking advantage of urgent need to raise their charge high as it is possible to collect, that the wrong occurs. A more flagrant degree of lawlessness is witnessed in the brazen practice of breaking a master's crew by encouraging desertion and using the influence of the gang to prevent any ship from manning for a voyage without patronizing the boarding-house pirates.

With such evidence of lawlessness and atrocities against it, the average citizen, bound by statutes and ordinances, is unable to understand why the sailor boarding-house continues. It would be a wretched admission to say that this band of a dozen is stronger than the law and the whole people, yet through corruption and intimidation the few thieves while the multitude condemns. A license was expected to throw the law's purity about the filthy industry, yet the effect has been to give certain unscrupulous leaders a monopoly. Abolishment of the license is now advocated to introduce competition, with the hope of reducing the exorbitant charge. This would bring the industry back to the stage it occupied before.

All temporizing and negotiating with outlaws shows painful weakness, and but gives life to the evil. Let the legislature appoint a commission that will ascertain a reasonable charge, for furnishing sailors, and hold all engaged in the industry down to that price, under severe penalties. A public institution for the board of this class would be cheaper than the present outrages levy upon shipping. If a statute was enacted establishing a drastic penalty for enticing sailors to desert, and officers were chosen who could and would enforce it, most of the wrong would be eliminated.

SIGNS OF A BIG WAR.

THE SIGNS indicate a troublous time for various species of big thieves at last. It is best to use this plain word, for they are men who to gain great wealth have persistently and audaciously violated and defied laws, while posing as big models and leaders in the country's business life. We allude to those who have made and are making enormous profits out of the common people, the producers and consumers, either by violations of laws or by the corrupt procurement of a vicious class legislation, unfaithful administration, or unjust adjudication. They are not as guilty as the corrupted or basely influenced legislators, executive officers and judges who have been their tools, but they deserve no softer name than thieves nevertheless.

Just now especial attention is attracted to the land thieves. The Puters and McKinleys were only small if shrewd tools. Behind them was a more or less corrupt or at least a contemptibly hoodwinked government, infested with a lot of unprincipled or incompetent politicians. But behind all these were the big beneficiaries, the men who with the aid of these official and private agents and tools possessed themselves of millions upon millions of acres of the choicest timber lands of the country—most of them, in fact—at perhaps an average of one-tenth their present value.

That these great timber land owners did business on a large scale, and spent a great deal of money to acquire these immensely valuable lands, does not change the nature of the transaction, for in almost every case the spirit and even the letter of the law were violated. The lands were the government's, the people's; by trickery, fraud and perjury, it passed into possession of the big syndicates. Thus the people have been robbed of tens of millions. Why then should we not call these men robbers as well as the men who take small amounts of property from rightful owners by force?

The rich man who robs by chicanery is more dangerous and deserving of punishment than the poor man who robs by the strong arm method. He injures more people, and he corrupts men paid to serve the people, so that they know not on whom to depend.

But the big land thieves are not all. There are those who form the beef trust, as a sample of many, that with the aid of the big railroad corporations are able absolutely to name their own prices both to the cattle raisers on the farms and ranges, and to the meat consumers in all cities throughout the country. They are avaricious, of course; as the attorney-general says, they

are "oppressive and merciless;" they offer low prices to the cattle owners and extort high prices from consumers; they are a gang of wholesale robbers as much as the bandits of Europe that we have read of ever were; and yet it is regarded as doubtful if they can be routed, broken up, or even seriously molested, by the government of 80,000,000 daily plundered people. But the government is preparing to attack them mildly, and may accomplish something.

Evidence is overwhelming that the big railroad corporations comprise another organization that defies laws made for their proper regulation, and that for many years has successfully resisted all attempts to control the railroads or protect the people from their discriminations, impositions and extortions. The administration has spoken for the people and asked that something be done to protect them and bring these lawless corporations to book, but there is no prospect that congress will do much if anything in this direction. But these and other offenders of colossal proportions are under stricter surveillance than they have ever been. The people are becoming enlightened as to their methods and the results. The public eye is upon them, and the public intelligence is awakening; the public blood is quickening its pulse, and the public arm is beginning to exercise itself.

GROWTH AND THE REASON FOR IT.

THERE HAS BEEN GROWTH and development in many directions during the past five years but nowhere and in no respect has it been more astounding than in the Young Men's Christian Association. It has made a gain in five years equal to the advance of the whole gain in the 47 previous years of its existence. It has reached out into entirely new fields. It has invaded the mining camps in the gold, copper and coal districts; it has gathered in lumbermen, quarrymen, steelmen and the iron and cotton mills. It has invaded the street railways, the army and the navy. In the latter department it received for safe keeping during the past year \$368,000. Its railroad associations have increased in membership from 32,000 to over 79,000, and they have been adding new buildings at the rate of one every four weeks. The colored associations have more than doubled their membership and buildings, the boys' department has grown from 19,434 members to over 50,000, the night schools have shown amazing growth and the college associations now have a membership of 47,000. The physical departments and Bible classes have more than kept pace with the growth in other directions. The city associations have made a gain of 50 per cent in membership and \$2,000,000 a year in property. Nearly \$4,000,000 a year is raised and spent in carrying on all the organizations.

All of this constitutes an astounding showing for the Young Men's Christian Association, but it is very largely due to the manner in which it has reached out in all directions for the boys, youths and young men and the effective way in which it extends practical aid to them. It has developed along practical as well as religious lines. It has endeavored to make better men by better fitting them for the battle of life. Its work has been extended along manual lines, giving instruction at small cost to ambitious youngsters who have not otherwise enjoyed the chance to secure it and it has done much of this after the ordinary working hours so that they would be able to earn their own living in other directions while pursuing their studies there. It has met a manifest want in our communities and in supplying it it has not only stimulated the ambition of the students but it has raised the standard of their citizenship, turned their thoughts into clean and helpful channels, and made them more self-reliant and self-respecting.

All of this constitutes a noble and patriotic work and its extension to embrace the boys of the various communities has not only vastly increased the influence of the association but to the same degree multiplied the benefits to the communities. Those who have some knowledge of what is being done by the association in Portland will be less surprised at the general growth in the past five years. It has grown because it has richly deserved to grow and it fills a place in our municipal life hitherto unoccupied, but once filled, as it is now, it becomes an instrumentality for the betterment of the race of which those associated with the work may well be proud, and which the public, whose cause is thus effectively served, should appreciate at its full value.

The Panama Canal and Portland

Portland Dispatch in the New Year's Edition of the New York World.

THEODORE B. WILCOX, president of the Trans-Mississippi congress, and head of the Portland Flouring Mills company, with feeders and mills all over the Pacific northwest and an immense trade with the Orient, says: "The benefits to be derived by the Pacific coast from the building of the Panama canal will be indirect rather than direct. There is a vast stretch of land lying between the fertile valleys and plains of the Pacific coast and the populous section just west of the Mississippi river, but there for some other purpose than to hold the two sections of the country together. That great area of land can be made capable of support of a vast population. With the application of water the major portion of it, as has been fully demonstrated, will be changed from a treeless, barren waste to a garden, producing immense crops.

"The severing of the neck of land between the continents will enable steamship companies to land the immigration from Europe and particularly from the Mediterranean countries, on the Pacific slope at little more expense than it now costs to bring the alien population to the Atlantic coast. With low cost of great area of land can be made capable of support of a vast population. With the application of water the major portion of it, as has been fully demonstrated, will be changed from a treeless, barren waste to a garden, producing immense crops.

"The great impulse of mankind for ages has been to move westward. Dwellers in the temperate zone will not move to the tropics nor to the poles. They will move to a similar climate. The center of population in the United States has already advanced to some extent in Indiana. It will move swiftly toward the setting sun hereafter. "With the growth in population comes the increase in products and the necessity for a market. With the great natural advantages of this section had the Pilgrim Fathers landed at the mouth of the Columbia river, and had the vast empire on the eastern border of Asia been inhabited by an alert, civilized people, this coast would be what the Atlantic coast is today and New England would now be a howling wilderness.

"In my effort at building up a trade with the Orient, begun some years ago and carried on with a great measure of success, I have been urged on by the fact that in the Orient must be our future market; there we must look for a place to sell our products. We cannot live off one another; we must sell to somebody else. Hence I gladly welcome the prospect for my things, by the opening of the canal. Japan is awakening slowly, but that vast, inert mass on the continent of Asia must be made to know their wants. We must urge them to feeling what they owe us. We must civilize and induce

them to purchase the things that go with civilized life.

"Now, of course I do not know what the railroads will do. I can only tell you what I would do were I responsible for the safeguarding of the great capital invested in the big transcontinental lines. What is the meaning of this merging of interests of the great trunk lines from east to west, this coming to a close understanding? These lines are naturally rivals, but now they are forgetting old animosities and are getting together.

"That canal is going to be built, and it will be finished sooner than people generally suppose. The railroads realize this and they will not allow the hundreds of millions of dollars invested in their business to be jeopardized by a great area of land that is taking time by the forelock and preparing for what must surely follow.

"Under another administration it might have been possible by the aid of a powerful lobby to have held up the work and to have postponed the construction of the canal indefinitely, but under Roosevelt's regime it is recognized that this cannot be done. "With an understanding or merger between the great transcontinentals the benefit of reduced rates on commodities so much looked forward to on this coast will not be realized to the extent desired. Rates will be so adjusted, the interests being merged, that the railroads will be perfectly protected and the result of the canal digging discounted.

"Look on the map. The west coast of South America lies south from New York City. We on this coast have developed a considerable market among the countries on this side. The east should profit greatly by direct communication with this territory, building up a large trade that will not interfere with us, but will rather stimulate purchasing.

"Our direct commerce with Europe should be greatly enhanced. A glance at the map again will show the immense saving in a ship's time by eliminating the long voyage around the Horn. We shall profit by this, as from the increased trading power from the toll of immigrants to come. "But the orient, that is our field. When the imagination of the Asiatic is aroused, when he feels the great desire of civilized peoples for his things, he has not and that we have to superabundance, then will Pacific coast industries be stimulated and this country, with its tremendous natural advantages and resources, become a rival to us, yes, outstrip the race in the east for wealth and power."

G. W. Allen, president of the board of trade, said: "In the first place, if history be not falsified, it will result in a considerable reduction of freight rates for the transportation of products to the markets. "Cheap transportation rates are a great stimulant to industry and the de-

velopment of the resources of a community. In this regard, if the canal, when completed, proves to be a competitor with our transcontinental railroads and freight rates are reduced, as is the general supposition, Portland will be benefited in common with all parts of the country, and in proportion to the labor resources are greater than those of other communities she may enjoy the greater benefit to the extent that such resources are utilized and developed. As freight rates are lowered new enterprises are put into operation and resources of the community have been made productive.

"In this respect great things are expected to result from the construction of the canal, and prosperity will attend the efforts of the producers of raw materials and consumers will be greatly benefited.

"On the other hand, if the reduction of water rates should cause a corresponding reduction in rail rates, right here lies the alleged menace to the growth and development of manufacturing, which is one of the chief factors in making any city or community industrially and numerically strong. Our manufacturing are still in what is usually termed the 'infant stage' of development. The only protection they have against the established and fully developed factories of the east has been in the past, and still is to a great extent, the high rates charged by the railroad companies in the long haul across the continent. Even these rates, it has been charged, are not sufficient to enable our home industries successfully to compete with the products of Eastern mills, shipped as they are in car load lots at reduced rates.

"If an open canal should further lower transportation rates from the east to Portland then our manufactures would necessarily be still further handicapped and their growth greatly retarded, if not wholly prevented. If the canal should have this effect, that branch of our municipal life and development the good it might do in a general way by bringing about cheap freight rates would be more than offset by the injury done in keeping down manufacturing in our vicinity."

THE TACOMA VIEW. From the Tacoma Ledger. It is fair to assume that if Seattle had her coveted "senator" her ambition to monopolize everything and everybody would be more likely to be gratified. There is a marked contrast between Senator Foster's broad-gauge policy and the selfishness which demands a "Seattle" senator to look after the schemes of a clique of business men at the windy city of Elliott bay. There is no particular reason why the rest of the state should endorse the plan of giving Seattle a senator to promote at the federal capital the idea that Seattle is the whole thing in this state.

Trial by Jury in Germany

Burt Edwin Howard in Political Science. FOR one thing, in Germany the plan of the supplementary juries is not adopted as it has been proposed over here. In addition to the 13 who constitute the regular jury, one or more persons may be drawn by lot at the same time to act as supplementary jurors. These men sit in the courtroom part in the trial, and have the same right in proposing motions as the other jurors. Under ordinary circumstances they are not allowed to retire with the jury for deliberation, and the regular jury participate in finding the verdict; but should one of the regular jurors be suddenly incapacitated for service, by reason of illness or from some other cause, his place is taken by a supplementary juror, and the trial (if the necessity for a new one being thus avoided) proceeds without delay.

Then again, in the finding of a verdict the unanimous vote is not required. The law prescribes that for the affirmation of the question of guilt a majority of two thirds is necessary. That is, it takes eight votes to convict. If the same number of votes is given for acquittal and five for acquittal, the defendant must be declared to be acquitted. The same majority of two thirds is required for the affirmation of a question of damages, and the same circumstances increasing the penalty of the offense.

On the other hand, a question as to the existence of the offense is usually regarded as affirmed when only five votes "yes." A question relating to the existence of "mitigating circumstances" since it belongs to the domain of penalty rather than to that of guilt or conviction, requires for its denial a simple majority. That is, seven votes will suffice to deny. In case of a tie on such a question it is considered as answered in the affirmative. In connection with every answer unfavorable to the defendant it must be stated expressly in the verdict that the question was decided by the majority required by law.

The decision of the question of guilt in all its phases belongs to the jury alone. The exercise of the judicial power in such a way as to affect even indirectly the result of the verdict is regarded as an unwarrantable interference in the prerogatives of that body. An amendment of the verdict in a petitioning of the jury point where the court pronounces judgment.

If the court, after a consideration of verdict and amendments, is unanimously of the opinion that the jury has on the whole rendered a just verdict, the defendant, then the court, by decree and without giving the grounds of its decision, refers the case for a new trial before the court at its next session. It is not a permanent order, and proceeds on its own motion. A case once referred for a second trial before another session of the court may not be referred again, in the new trial judgment must be pronounced, and the verdict is regarded as erroneous.

According to the German law, trial by jury is known only in criminal procedure. The court with which the jury sits is made up of three learned judges, who decide all technical points of the case. It is not a permanent court, but is constituted periodically, and its judges are appointed for a fixed session, one of them serving as president.

Greatest Books and Writers

(By Rev. E. L. House, D. D.) One of the richest legacies of humanity is the library of books by which the living and the dead converse across the ages. Today "books are our greatest universities," where unseen souls are the professors that teach penitents are the levellers—not by lowering the great, but by lifting up the small to meet the great. A book literally fulfills the story of the "Wandering Jew," who shall be read, "I shall be with us about the year of the 'dirt' or 'gold'." In the era of modern fiction he is a foolish man who reads the inferior when books which shine as the stars in the night invite his eyes. The Journal is right. Every one should know what the greatest masters of fiction. Let me name them in order, given by a vote published in The Quaker, Buffalo, N. Y., July, 1888, adding the number of votes cast for each writer. Scott, 10; Tolstoy, 10; Thackeray, 130; George Eliot, 131; Hawthorne, 118; Hugo, 115; Bulwer Lytton, 67; Cooper, 62; Goethe, 49; Dumas, 27. These were considered the 10 greatest masters of fiction. According to a vote in the Unity, Chicago, February 16, 1886, giving the opinions of representative literary men throughout the country, the following are the 10 greatest masters of fiction: Tolstoy, 10; Thackeray, 130; George Eliot, 131; Hawthorne, 118; Hugo, 115; Bulwer Lytton, 67; Cooper, 62; Goethe, 49; Dumas, 27. These were considered the 10 greatest masters of fiction. According to a vote in the Unity, Chicago, February 16, 1886, giving the opinions of representative literary men throughout the country, the following are the 10 greatest masters of fiction: Tolstoy, 10; Thackeray, 130; George Eliot, 131; Hawthorne, 118; Hugo, 115; Bulwer Lytton, 67; Cooper, 62; Goethe, 49; Dumas, 27. These were considered the 10 greatest masters of fiction.

Let me mention some of the greatest works of fiction. According to a vote in the Unity, Chicago, February 16, 1886, giving the opinions of representative literary men throughout the country, the following are the 10 greatest masters of fiction: Tolstoy, 10; Thackeray, 130; George Eliot, 131; Hawthorne, 118; Hugo, 115; Bulwer Lytton, 67; Cooper, 62; Goethe, 49; Dumas, 27. These were considered the 10 greatest masters of fiction. According to a vote in the Unity, Chicago, February 16, 1886, giving the opinions of representative literary men throughout the country, the following are the 10 greatest masters of fiction: Tolstoy, 10; Thackeray, 130; George Eliot, 131; Hawthorne, 118; Hugo, 115; Bulwer Lytton, 67; Cooper, 62; Goethe, 49; Dumas, 27. These were considered the 10 greatest masters of fiction.

At an interesting competition, given in the Fall Mail Gazette and reprinted in the following interesting result: Best historical novel, "Ivanhoe"; finest humorous novel, "The Pickwick Papers"; best novel with a purpose, "Never Too Late to Mend"; best tale of seafaring life, "Midshipman Easy"; of country life, "Adam Bede"; best sentimental novel, "Woman in White"; best tale of boys, "Robinson Crusoe"; best Irish novel, "Charles O'Malley"; best Scotch novel, "Heart of Midlothian"; best novel of all, "Vanity Fair." Time is a great sifter and the above have been tried and tested, and will always hold a place in the world of fiction. Publishers That Didn't Pay. From the Minneapolis Journal. Thirty years ago his great, that United States senate appropriated \$50,000 to buy seed wheat for the grasshopper sufferers. Have you forgotten how you thought at that time that the country was ruined? But it wasn't.