

ARE ALL MEN OUR EQUALS

COUNTY CLERKS' SIDE MONEY STARTS

What Big English Newspaper Thinks of Japanese Question and Declaration of Independence—Quote President's Message.

The subjoined editorial from the London Mail expresses a certain phase of English sentiment on the North American-Japanese situation.

But the despatch of this force (referring to Evans' battleship fleet) does not remove the question at issue between the United States and Japan, it may indeed, unless great self-restraint and tact are displayed on either side, aggravate the difficulty. The position of Japan is this: she claims for her citizens the same rights and the same treatment that are accorded by the United States to citizens of other civilized communities. President Roosevelt, in his message to congress last December, emphasized the fact that such treatment had not been accorded to the Japanese in California. He declared that the hostility to the Japanese displayed by the mob of San Francisco was "most creditable to us as a people and may be fraught with the gravest consequences to the nation." But the hostility persists and is a fact. The people of the Pacific states are determined not to admit the Japanese. They complain that the Japanese standard of life is lower than theirs, that the immigrants of that race undersell white labor, and that, if freely admitted by the population which is not capable of assimilation in the American nation would grow up, and California and Oregon would cease to be "white man's countries." Similar signs of hostility to Japanese immigration have shown themselves in British Columbia, where mobs, instigated by labor leaders, have attacked the Japanese. Yet in Canada and the United States the Japanese have treaty rights to which their country can appeal.

The ill-treatment of her citizens is an issue which must wound Japan to the quick. To accept exclusion in defiance of treaties would be for her to admit that the Japanese are an inferior race. But the difficulties of the United States are equally clear. How is it possible for a democratic government to force immigrants against whose presence its subjects rebel, and whose assimilation is impossible, upon its subjects? As the ally of Japan and the sincere friend of the United States, it should be the aim of Britain to exert every possible effort to reconcile the differences and to secure a compromise by which further friction might be prevented. If the United States made a fair concession to the Japanese sense of honor, it is at least conceivable that the Japanese government might accept an existing treaty rights. If, for example, it were agreed that the treatment of American citizens in Japan was to be identical and reciprocal with the treatment of Japanese subjects in America, there would be no humiliation for our allies. It would not be a case of law for one side, another for me, and no injustice would be inflicted. Such a policy would, moreover, be in accordance with the declaration of independence, which enunciated the doctrine, never unreservedly accepted in England, but regarded as part and parcel of the life of the United States that "all men are created equal and have the same rights."

PROGRESS CLUB WILL STUDY SHAKESPEARE

Large Number of Students Plan to Read Old Works.

The Progress club, composed of teachers of Multnomah county, met yesterday morning to arrange for a correspondence course in Shakespeare under the instruction of Professor Howe of the University of Oregon. About 70 were present and much interest was expressed in the plan of study outlined. Independent study will be supplemented by group study of those in the same neighborhood, and by the monthly meetings of the club. Professor Howe is meeting with the club at intervals and addresses may be made by others. Hamlet will be the first subject studied. Professor Howe's address to the club this morning dealt with the aims of literary study, and he placed himself on the side of the culture seeker rather than one who is concerned with the minutiae of scholarship. Meetings will be held monthly in the committee room of the city hall.

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Extra Emoluments and Interest Fees Open Discussion as to Who Is Entitled to the Funds—Overplus of Office Amounts to About \$1,000 Yearly.

County Clerk Fields' compensation, as fixed by law, is \$2,000 per year. It is not generally known that he has an income of over \$1,000 per year from other sources. One of these sources is the interest on money deposited with him to cover fees in civil and probate matters or by litigant in court cases, and the other is money received from fees for services performed in naturalization cases.

Should County Clerk Fields put into his own pocket the funds collected as interest on money deposited in his office by litigants or by attorneys in civil and probate cases? This is a question upon which there is sharp difference of opinion. Recently there has been some criticism by attorneys of the action of the county clerk in this regard, based on the theory that the clerk has no right to divert to his own use money that is paid in, in the course of public business, and of which the county clerk is a temporary custodian.

County Clerk Fields takes the position that as he is responsible for the safekeeping of the money and has to care for it while it is in his possession, he is entitled to all the interest that may accrue from it. At the same time he says he would welcome a law that would relieve him of the responsibility and tell how it should be disposed of.

Is Responsible for Funds. The law says that the salary of all officers of the county shall be in full compensation for services rendered in connection with the duties of their offices. "Yes, that is what the law says," Mr. Fields admitted when his attention was directed to the matter this morning. "But I earn all that I receive. The law says nothing about the interest on the deposits, merely making me responsible for the funds."

The legislature in 1901 increased the salary of the county clerk from \$2,500 to \$3,000. He also receives one-half the fees in all naturalization cases, work performed for the United States. The applicant for American citizenship pays \$1 on making declaration of intention, \$2 for application for citizenship and \$2 more on final hearing and granting of his naturalization certificate. Since this rule as to fees went into effect, on September 27, 1906, 95 applications for citizenship have been entered, and there have been 330 declarations of intention. Eight or 10 certificates on final hearing are usually issued each month.

In a little more than one year, therefore, the clerk has received \$511 from declarations of intention and applications, exclusive of the \$1 received by him on the final hearings. The section governing the fees in this matter is found on page 10 of a pamphlet on naturalization laws and regulations of October, 1906, and reads as follows:

Interest Drawing Fund Varies. "The clerk of each court collecting such fees is hereby authorized to retain one-half of the fees collected by him in such naturalization proceedings." The other half goes to the bureau of immigration and naturalization. The sum from which the county clerk secures interest is derived from several sources and is constantly shifting in size. Sometimes, according to Mr. Fields, it runs as low as \$5,000, and at other times it reaches as high as \$40,000. At certain periods, as when large sums are tendered in court in payment of disputed claims, or the court orders large amounts deposited in custody of the clerk, the latter figure may be exceeded. In one matter last summer, for instance, \$20,000 was put into the clerk's hands. These large amounts, however, generally do not remain on deposit for many weeks or months.

At two per cent interest, which is the average interest said to be received on money deposited by the county clerk, and taking \$25,000 as a fair average for the year, the income of the county clerk from the sources referred to would be \$500 per year. It may be more or less. Mr. Fields says that the average now is from \$500 to \$600 per year, and it is growing as the years go by. Whatever the sum, Mr. Fields holds that he is fairly entitled to it in return for the care imposed upon him and the losses that might overtake him at any time. Frequently cases in court involve considerable sums, one side disputing the amount claimed to be due by the other, but offering to pay a smaller sum. To show that it is not "bluffing," a legal tender of the smaller amount is paid to the clerk of the court, in probate matters the court sometimes orders certain amounts paid in until further orders are made. Then in beginning suits in circuit court and in making application for probating estates the attorneys have to deposit money in amounts of \$10 or less to be drawn against as other papers are filed and the case progresses. These ragged and ever-decreasing amounts, small in themselves, make a considerable pile in the aggregate.

Makes Good on Losses. Sometimes the clerk is caught "short" in drawing against these deposits, as the attorneys run up more filing fees than they have money on deposit. In such cases the fees are charged against the clerk, who pays as a matter of convenience, looking to the attorney to reimburse him. Usually the attorney does so, but it is said that the record of the courthouse will show many cases where he has forgotten, failed, neglected or refused, leaving the clerk to "hold the sack." This is given as another reason why the county clerk may have a little better right than anyone else, even better than the county treasurer, to the interest that comes in as "side money."

County Clerk Fields says that he supposes that those who complain will have to keep on complaining, as he does not believe he is under any obligation to relinquish the money he receives in this manner. He says he would like to see the system changed, but so long as he is responsible for the money, he believes he should continue to collect and keep the interest.

Regarding the increase in salary since 1901, and the additional income received from naturalization cases and deposits on funds of which he is custodian, Mr. Fields points to the increased duties imposed by the combination of the work of the county, circuit and recording departments, formerly performed between three offices, as well as the great growth of business within the last six years.

Increase in Work. He has just completed a tabulation of the business done during the month of October, compared with the corresponding month last year and the same month in 1901, when the three departments were separate, the head of each department drawing a salary of \$2,500 per year. Following is the showing made:

RECEIPTS.			
Department.	1901.	1906.	1907.
County	\$11.25	\$1,001.10	\$1,072.65
Circuit	\$93.05	1,274.50	2,383.35
Recording	\$21.97	2,540.80	2,612.30
Totals	\$226.27	\$4,816.40	\$6,068.30
EXPENSES.			
Department.	1901.	1906.	1907.
Salaries	\$2,335.01	\$2,152.50	\$2,277.74
Supplies	\$19.05	153.91	213.97
Totals	\$2,354.06	\$2,354.91	\$2,545.67
Profit to county, 1901			\$2,712.63
Profit to county, 1906			2,461.49
Profit to county, 1907			3,522.73

NOTED AUTHOR FORCED TO KEEP TAB ON HIS ABBREVIATED MEMORY

Charles N. Crowder, poet, philosopher, traveling man and author of "Tales of the Road," who is staying at the Hotel Portland, is absent minded. Owing to this fact when he registers at a hotel, which is sometimes seven or eight times each week, he identifies himself by placing a large double cross just after his name on the register. In this way Mr. Crowder puts into his memory several hours' time every month. As he is usually at a different

hotel nearly every day and occupying a strange room, he forgets the number very easily. So when he wants his key from the clerk, and of course he has already forgotten the number he simply refers to the register and glances at the page. Voluntarily, almost, his eyes are directed to a large double cross. Then he looks to the left and the puzzle is solved—his name, his home city—Chicago—and his room number are all there and found instantly by means of the Crowder ingenious double cross mark.

MOY WOUNG LEAVES WITH HIS SACK OF GOLD TO DIE IN LAND OF POPPY

Old Moy Woung has gone home to die. Moy is a Chinaman. He came to this country years ago. Eventually he located in Portland. Then he began to save his money. Several years ago Moy accumulated enough to take him to the land of the birth—China, his old home, to which every Chinaman is true. And Moy went to the land of the poppy and the opium, but he soon returned to the states.

Moy set his ingenious brain to working and this, it seems, saved the Chinaman considerable manual labor for himself. Moy didn't seem to work at all, in fact, but he lived well, was popular and always wore the best clothes and slippers. And Moy was fond of jewelry. It has been reported that Moy was interested in some sort of a scheme—lottery or something—but he was never convicted. He put into the bank, but anyway, old Moy Woung was especially in his younger days, was a sport—and a dead game one at that.

Moy has aged rapidly in the last few years. It is said that the contemplated return to China has had something to do with this. So as Moy's bones began to stiffen and his hair showed signs of grayness and he recently died as young as he used to, he could die in peace and be buried the yellow soil where millions of his brothers have been laid before him. Just the other day Moy got his belongings—and his cash—together and started on his last long trip across the Pacific. Nothing but trouble has since time, say his friends in Chinatown. He will be fortunate, they believe, if he ever stands the long journey by sea to the shore on the other side.

But old Moy's one fond hope in life has been realized. Now he is out on the busy deep being carried as fast as it is possible to the land he loves so well—and loves as only a Chinaman can come to die.

The Kilties Are Coming! A musical organization of importance and renown of the "Kilties" will necessarily have for its leader a man of highest ability. In the person of Mr. Albert Cook, the leader is found. Mr. Cook is a striking example of a man who not only knows music, but can impart to those under him his ideas of how compositions could be played. In the "Kilties" Canada's remarkable band, which has visited seven different countries, and is now on its fifteenth tour, Mr. Cook has most sympathetic material, and with it he achieves results that take his hearers by storm. Nothing but praise is ever heard for the band because every man in it is an artist individually working for the success of the whole, and under such a leader they could not help but achieve that success. The "Kilties" have been specially engaged to give concerts in the Armory on November 15 and 16, under the auspices of the Third Infantry and battery A, Oregon National Guard.

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CHIEF CAMPBELL WANTS A BUBBLE

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Persons who saw Chief Campbell make the run to the fire at Third and Ankeny streets Thursday night were impressed with the advantages of an automobile for the chief of the fire department.

Chief Campbell was at the home of Robert Cook, Eleventh and Burnside streets, when the alarm was turned in. He rushed out of the house with Mr. Cook, saw the sky lighted up with flames and both went back to get their hats and coats. As they came out of the house they saw Chief Young driving by in his buggy at full speed. Chief Campbell and Mr. Cook rushed to the rear of the house, jumped into Mr. Cook's automobile and arrived at the fire just as Chief Young was getting out of his buggy.

PIONEER MARTIN BURIED AT BENTON

(Special Dispatch to The Journal.) Corvallis, Or., Nov. 2.—The funeral of the late James Martin, an old and respected pioneer of Benton county, was held today at 11 o'clock from his residence at Irish Bend. The services were conducted by Rev. Ellison and Rev. M. M. Waltz. Interment was in Monroe cemetery.

James Martin was a native of Ireland and was 55 years of age. He came to the United States in 1847, first settling at Philadelphia. From there he went to Ohio, and in 1852 came to Oregon. He took up a homestead, which he held at the time of his death. In 1870 he returned to Ohio, where he married Mary Wilson, who, with one son, John Martin, of Benton county, and a daughter, Mrs. Charles Clingensmith of Portland, survive.

TEETH



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