

# OVERPLUS OF STATE LAW ENACTED

Over 45,000 Statutes in One Five Year Period—Movement for Uniform Laws Growing Rapidly—Evils of Conflicting Laws.

What the Carnegie Institution is doing will be sketched in principal outlines by Mr. Haskin tomorrow. The Carnegie Institution has for its field the whole world, and for its period all time and for the eternities at both ends of it. It will be judged, doubtless, by the readers of The Journal that on this grand foundation Mr. Carnegie has built his enduring monument.

By FREDERICK J. HASKIN.

(Copyright 1909 by Frederick J. Haskin.) Washington, April 26.—Now that the state legislatures, which have been in session during the past winter, are adjourning for the summer it is interesting to notice what has been accomplished. To begin with, it is estimated that they added 10,000 laws to the statute books (and this is perhaps an under-estimate) during the five years from 1899 to 1904. During a single year of that period the number added was over 14,000, covering a total of more than 20,000 pages in the statute books. Of course not all of these were public laws. During the five year period referred to the total number of public acts was about 16,000.

So great has the over-production of law become that legal authorities everywhere have joined in an effort to assuage the flood of legislation that is crowding down upon them. The courts are not able to keep the pace. The thousands of decisions that must be made by the judges of the country in construing all this new legislation are making a mass of legal literature of unwieldy proportions. No sooner is one digest of decisions, covering 20 or more volumes, completed until it becomes such a back number that another must be begun. It is all serving to clog up the legal machinery to such a remarkable degree that thinking lawyers have reached the "view with alarm" stage.

**Uniform Laws Commission.** It was to correct this growing evil that the National Commission on Uniform State Laws was created. The American Bar association has long stood for a simplification of legal procedure, and was instrumental in bringing about the organization of the commission. It is composed of members from each state which joins in the

movement—and all but four or five of the states have enlisted in the work. The members of the commission got together and framed a model law on a given subject. When it is finally completed it is not the half-baked, ill-considered product of a hastily turned out by legislatures, but a complete, understandable, and unmistakable exposition of the whole subject with which it purports to deal. In framing these laws the commission is actuated by a desire to make them so plain that not only the average man can understand them, but even the most perverse cannot misconstrue if he would; so plain that no lawyer can even pretend to mistake their provisions.

**First Experiment a Success.**

That they have succeeded admirably in doing so is shown by the experience of the courts with the uniform negotiable instruments law. This was the first one framed by the commission, and has been adopted by 31 states and four territories. A recent statement showed that there were not one tenth as many cases finding their way to the courts especially to the higher courts, as there had been prior to the enactment of the law. It is related that when the measure was pending in the Michigan legislature it came near being defeated in the senate. In the course of the fight against it being that it was an intrusion on the practice of the legal profession, and that if it were to be passed the average man would need a lawyer to collect his notes and bills. However, no one has noticed that the Michigan lawyers wear no hats, especially starved look because the legislature of that state passed the measure.

**Acts "Sustained" Before Passed.**

Another model law drafted by the commission is one relating to warehouse receipts. This measure has been adopted by nine states, and another relating to sales of all kinds has been adopted by four states. When one of these laws is completed it is to be depended on that it is a thorough-going measure. It sometimes takes years to get a model law such as this, and there is not some member of the commission who can pick it to pieces. An instance of this kind is the experience of the proposed law relating to certificates of stock. After a year's consideration by a competent committee the measure was reported. There were objections made to it, and it was sent back to the committee for another year of consideration. At the last meeting held in Seattle the second draft was reported, but even this did not fill the bill, so it was again referred. It is not safe to predict that even a third effort will prove satisfactory, and it may be still another year before the commission gets a law exactly to its liking.

**Commercial Law, Mainly.**

It is, of course, with commercial law that the commission is most interested. The evolution of commerce has completely wiped out all state lines so far as trading is concerned, and it becomes especially important to the individual or the corporation who does business in many states that there should be uniformity of law relative to the matters in which commerce is interested. While the commission is working on the perfection of uniform laws on many other subjects it is now concentrating its efforts largely to securing the adoption of its negotiable instruments, and its sales and warehouse receipts laws by states which have not yet adopted them. It is also concerned largely in the completion of the proposed measures relating to partnerships and stock certificates.

**Special Interests Seek Uniformity.**

The commission on uniform laws is not alone in the broad field of work in which it is laboring. It has given such a wonderful impetus to the movement that there are dozens of other organizations enlisted in the same cause. When the committee on vital statistics set about to consider that matter they found that the American Medical association, and also the American Public Health association, had already been working to the same end. In addition to these the census bureau was considering the same subject, between them all they were able to report a measure which met the approval of all the organizations concerned.

Governor Curtis Guild has called a meeting of the New England governors to consider uniform laws on five subjects. The house of governors and the

## WHERE MR. ROOSEVELT WILL HUNT BIG GAME



Authentic Map of the Roosevelt Trip and R. J. Cunningham, Roosevelt's Head Guide and General Manager

Ex-President Roosevelt's trip will be mostly included in what is known as the Uganda district, including British East Africa and the northern part of German East Africa. He will be conveyed by railway to Fort Florence, thence by steamer around Victoria Nyanza, stopping at many interesting points and indulging in a few side trips. From Entebbe, at the northwestern corner of Victoria Nyanza, he will proceed by caravan in a general northern course

where most of the hunting will be done. From the main route as outlined he will make many extensive side trips for big game. Kermit Roosevelt, accompanied by a special guide, a Portuguese Indian named Silvia, will make several short trips away from the party. Silvia is famous as an Indian hunter. Ex-President Roosevelt's first stop will be at Sir Alfred Pease's estate on the Athi river, known as Kilinathaki. Here it is expected that the ex-president

will spend two weeks with the famous hunter, after which he will proceed to the Ju Ja ranch of George McMillan, whose guest he will be for another fortnight. R. J. Cunningham, who has general supervision over the entire trip, is an Englishman who has much experience shooting big game in British East Africa. He has selected the biggest and bravest native porters to be had in Mombasa.

of the various legislative bodies of the country, is plain. But even with everything that is desired of the legislatures granted, there will still be a serious difficulty, to overcome which it is agreed there will be much trouble. Judge W. O. Hart of Louisiana, chairman of the committee on publicity of the commission, referred to that phase of the matter indirectly in an address before the Mississippi Bar association. There are many states which have statutes on a given subject that are alike word for word. Yet when the courts come to interpret these statutes their construction is so different that in a few years there is a line of decisions in each state which makes the effect of the laws of the several states as different as if there had been no original uniformity. The American Bar association is laboring as as-

siduously to solve this problem as the commission on uniform laws is laboring for uniformity of legislation. "Jokers" Legislation. Legislators are often imposed upon, and there is scarcely a session of any legislative body which does not allow some "joker" to steal through. Aaron Burr was one of the first men to try to pass off a "joker" on an American legislative assembly. He wanted to establish a banking business in New York, and the legislature refused him the charter he desired. Finally an apparently harmless bill with reference to the New York water supply was introduced and passed. It was afterward found to contain the very bank charter Burr had been seeking. In 1904 the New York legislature was again a near-victim of even a more

dangerous "joker" than the one Burr had enacted. A meek-looking little bill was offered granting a certain power of corporation laws to commence work and otherwise. It was afterward found that the bill extended to the power company the right of eminent domain in every city and county of the state, the same to be irrevocable and in perpetuity. The free use of every public street and highway and use of its waters of Niagara Falls. To overcome the dangers of such "jokers" most legislative assemblies have employed high-salaried men to visit all bills and to put them in shape for legislative enactment. The number of efforts to put "jokers" into law has been on the decline since the great moral awakening of the present decade, and even in congress, where the flood of bills is the worst in the world, there are few "jokers" put into the laws, and they are usually insignificant.

**MEMORIAL DAY IN DIXIE LAND**  
Atlanta, Ga., April 26.—Confederate Memorial day was observed in Atlanta and other cities of Georgia today with the customary exercises under the auspices of the various patriotic societies and veterans' organizations. Monuments to the Confederate dead were unveiled in Abbeville, Lafayette, Monticello, Sledgeboro and several other places.  
Jacksonville, Fla., April 26.—Memorial day was generally observed throughout Florida today. Banks and offices were closed and the day was devoted to memorial exercises and the decoration of the soldiers' graves.  
Mobile, Ala., April 26.—In honor of Memorial day, the schools, the banks and the courts were closed here. The graves of both the confederate and federal dead in Magnolia cemetery were decorated by the Ladies' Memorial association.

**Divorce Uniformity.**  
Perhaps the most widely advertised effort for uniformity of legislation relates to the divorce question. There are almost as many kinds of law on this subject as there are states in the union, and some of them are so framed as to permit the divorce laws of other states virtually to be set aside. In some states the period of residence required is so brief and the doctrine of what constitutes residence so liberal that almost any man can get a divorce in the courts of that state, and the grounds for divorce are so numerous that the divorce comes more on the ground of ability to pay for the proceedings than from any real cause. It is true that the supreme court declared not long ago that New York did not have to recognize a Connecticut divorce decree in a case where the latter state did not acquire jurisdictional control over the defendant, but none of the states has sought to overturn the action of the divorce courts of other states because of this decision. The model divorce law which was drawn upon lines laid down by the national divorce congress has not been meeting with the approbation of state legislatures, and the states of New Jersey and Delaware are the only states which have as yet enacted it into law.

**Second Trial of Ernest Wade.**  
Lynchburg, Va., April 26.—The case of Ernest Wade, charged with the murder of his sister's sweetheart, Isaac Higginbotham, was called for trial today in the corporation court. This is the second trial of the case, the first trial having resulted in Wade's conviction.

**Hunyadi Janos**

Take half glass upon arising in the morning and enjoy good health all day

It is The Best Natural Laxative Water FOR CONSTIPATION

Ask your Grocer for

**Honolulu Plantation Co's**

extra fine dry granulated SUGAR

If you want an absolutely pure Cane Sugar

# Eleven Days' Cash Clearance Sale of Broken Lines Begins Tomorrow!

We've moved from our old store at 267 Washington street to our new temporary quarters at the corner of Second and Washington. But we didn't move the entire stock, leaving behind at the old store all broken and discontinued lines and odd lots. These we've marked at such low prices that no one with even remote shoe needs can afford to pass this sale by. We state in the headline that the sale is to last eleven days. Maybe it will last as long as that, but we don't think so, because we've marked everything so low that nothing but empty shelves should remain after two or three days. But the sale will positively end Saturday evening, May 8. The shoes on sale are all good shoes—they are the sort that have made the name "KNIGHTS" a synonym for all that's best and good and dependable in footwear. We wish to impress this fact, however: Every size, almost, is present in some one style or other, but not every size in every style. So, if you can be fitted in the shoe you fancy, you are in line to save a tidy bit on your purchase. Read on to your everlasting profit.



**We Will Sell:**

\$5.00 grades of Men's and Women's "Soro-sis," "Walkover" and other high-grade makes of Shoes and Oxfords, in patent leather, vici kid, in black and tans, at

**\$3.85 Pair**

**We Will Sell:**

\$3.50 grades of Men's and Women's "Soro-sis," "Walkover" and other high-grade makes of Shoes and Oxfords of vici, in black and tans, at

**\$2.95 Pair**

**Winter Shoes Also In This Great Sale**

It has never been the custom for Knight's to make two bites of a cherry — to do things half way. We have therefore included in this sale all our shoes left over from last fall, and despite the fact that we've placed orders for a great many styles exactly like those carried over. We could realize full price for these a few months hence, but we want this sale remembered for a long time by you because of the many fine bargains you secured. If your size is "present," therefore you are in line to make mighty good interest by buying your next winter's shoes now.

**We Will Sell:**

\$4.00 grades of Men's and Women's "Soro-sis," "Walkover" and other high-grade makes of Shoes and Oxfords, in patent leather, vici kid, in black and tans, at

**\$3.35 Pair**

**Slippers for Very Little**

We wish it were possible to enumerate the many different lines of Slippers that are included in this sweeping clearance sale. But lack of space forbids this. We therefore must rest content in saying that your hopes for slipper bargains will be fully realized—in fact, you'll find some lines marked as low as .50c



Our regular lines of "Soro-sis" "Walkover" and Other Makes of High-Grade Shoes

Are now on display in our temporary quarters at

**Second & Washington Streets**