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Minds of moderate caliber ordinarily condemn everything which is beyond their range.—La Rochefoucauld.

THE DAVIS FIASCO

THE EPISODE of Dr. Davis and his damage suit against The Journal is ended. His effort to get something for nothing has come to naught. A court of justice has held that Dr. Davis had no cause of action. The court refused, after the Davis evidence was all in, to allow the case to go to the jury. Dr. Davis had capitalized his fancied wrongs at \$40,000, but when the court had finished squeezing the water out of the stock there was nothing left but the punctured bubble. Even the costs of the proceeding were taxed to the plaintiff. It was a dismal ending of what was a glittering get-rich-quick, grand gift enterprise.

But the court did more. In effect, it held that all The Journal had said about Davis was true. It did this without one scintilla of evidence having been submitted by this newspaper. Judge Morrow, from the bench, declared that The Journal had a right to say of Davis that he was "unstable and unfair, and that there was no certainty about what he was going to do" as to keeping his Statement No. 1, pledge. The paper's "words, under the circumstances," said Judge Morrow, "are clearly not libelous." They were justified, and a communication the paper had a right to make to the people who elected Davis. That is to say, with his lawyers to guide him, Davis, on his own testimony and without any showing by The Journal, actually convicted himself in court of all The Journal had charged, and the conviction was announced from the bench by the judge in dismissing the case. It is a case remarkable, and a plaintiff extraordinary. One would search far and wide to find another case in which a plaintiff has gone into court to convict another, and there, out of his own mouth and with his own testimony, convicted himself.

Such, however, is Davis, and such the end of this case. The episode is worth nothing except for the moral it points. That moral is that when men make pledges, private or public, they are sacred. The court has said so, and has vindicated a newspaper that had the courage to defend the principle. It means that truth is as sacred in politics as in love or war, in the church or the home, and that the courts frown upon men who trifle with it. It means that a newspaper is justified, and that it is its bounden duty to hold men amenable to the promises they make to the people. It shows how a newspaper, standing for the people in their public concerns, has many a battle to fight. It must not only give blow on blow and round on round, but must defend itself in the courts. There are Davises who want \$40,000 for alleged lacerated feelings and injured social standing. There are lawyers ready to help them work the game. There are secret enemies who have cringed under the paper's lash ready to urge them on. There are cowards who skulk in the rear and shoot from ambush. All these are the obstacles The Journal has to meet and the foe it has to fight in its consistent struggle for the best government by the best obtainable officials for Portland and for Oregon.

THE O. A. C. REFERENDUM

THE Portland Alumni association of the University of Oregon has protested vigorously against the proposed Ashland referendum of the O. A. C. appropriation. Pomona grange of Washington county has followed the example of many other granges with similar protests. Various other organizations have expressed disapproval. No organization has declared for the referendum. Most of the newspapers of the state have condemned the attempt to hold up the appropriation. All the sentiment that has been reflected has been in the one direction of giving the college the sum appropriated by the legislature. That the sentiment is overwhelming there is not the slightest doubt. That the vote would be many to one in favor of the college, if the referendum should be invoked, and that ultimately the institution will receive the appropriation in full is the universal testimony. All then that the referendum would do would be to hold up the institution for a

period of nearly two years, a fact that should be apparent to those at Ashland who are agitating the plan. With this as the manifest situation no good end for Oregon is to be served by further procedure. And if a small minority at Ashland insists, under the circumstances, on the holdup, it will be a mere destructive policy with no possible benefits to accrue to anybody.

There has been no charge that the college appropriation is over large. On the contrary, it is everywhere confessed that the institution is in immediate need of every cent appropriated. The failure of the legislature to make provision for increased aid for the year 1909 is a further blow to the college. The Ashland holdup would leave the institution with an increase of but \$30,000 in its appropriation and the last quarter of that increase would not be available until January 1, 1911, nearly two years hence. The first of it would not be available until April, 1910, more than a year hence. This, with the college already swamped financially by the heavy attendance of students should be enough to stay the hand of those contemplating the proposed holdup.

PRIMROSE PATH OFFICIALS

IN ITS spectacular features the latest exposure of official malfeasance in the state of Washington overtops the several cases that have preceded it. In that state a justice of the supreme court has resigned. A secretary of state has resigned. An insurance commissioner has resigned. The reason in each case has been a prostitution of the duties of the office. It is a long train of malfeasance. To it is now added the case of Adjutant General Hamilton, with a default aggregating anywhere from \$20,000 to \$50,000. With it there is a siren woman, a broken home and a long catalogue of scandal. False vouchers for alleged purchase of cartridges for the military were cashed and the proceeds spent in maintaining the woman in luxury. It is the world-old story of a weak man, a woman's beauty and the primrose path. Its end is always the same, its dregs the bitterest that men are called upon to drink.

Apparently it was high time for Washington to adopt the primary law. Direct responsibility to the people instead of bosses is an agency to always elevate enough honest men into office to keep the Augean stables clean. Its tendency for purer government is manifest on its face. The more direct the touch of the official with the electorate the more responsive he is to the honest impulse that is universally characteristic of the social body. Manifestly states that have the primary law should keep it and those that have it should keep it.

How Hamilton could have played his game so successfully is difficult to understand. He, the governor and the state auditor were the board that audited his vouchers and claims. What laxity there must have been on the part of the auditor and governor for false vouchers in such large amounts to have been passed. How impossible for such a swindle to have been worked upon such a governor as Chamberlain in Oregon. And what a pleasure to reflect that Oregon, with her popular government, is free from all this scandal, shame and primrose path officials.

THREE INELIGIBLES

THE KNOWN importance of the position of councilman renders it consequential for voters to scrutinize the record of every candidate before casting a vote. The Journal cannot attempt to enumerate the many and obvious reasons why only men of proven independence and integrity should be selected. Nor can it undertake to specify what men of the large number in the field should or should not be elected.

There are, however, three men that are seeking the nomination, who ought not, under any circumstances to be given preferment. Two of these are L. M. Davis and F. J. Brady. One act in the late public career of each renders each impossible. Both were elected to the legislature, each on the solemn pledge, publicly made in writing, to support that candidate for United States senator who should receive the highest number of the people's votes. Each aided in an unblushing and shameful attempt to defeat the candidate he had pledged himself to support, by casting his vote under protest. It was proposed by McHarg to use the protests at Washington as a means of preventing Mr. Chamberlain from being seated by the senate. The scurvy attempt failed, but the failure was not due to any lack of assistance by Davis and Brady, who went to the length of voting under protest to help it along. It was an example of bad faith of a kind that Portland cannot afford to have in the council, where the trust, best, ablest and most dependable men only are wanted.

A third candidate who ought, under no circumstances to be elected, is Ferdinand E. Reed. His political reputation is so notorious as to make him wholly ineligible for any position, much less the extremely responsible one of councilman in the city of Portland.

We are told by the Oregonian that some of the candidates are using the party name merely as a

means of getting into office. It means of course to imply that it is Mr. Simon that is the sinless statesman and that it is the others who are the sinners. And yet in the case of Mr. Simon there is the slaughter of Judge Waldo, done by the immaculate Simon as chairman of the Republican state committee with bogus ballots. There, too, is Mr. Simon's "demo-fusion" ticket of 1902, brought out to beat the regular Republican ticket. Then there are the fifth rib stabs in politics, for which the Oregonian on April 27, 1902, characterized the "Simon machine" as famous. There, too, was that remarkable editorial in the Oregonian June 8, 1886, in which it said of its Joseph Simon: "Simon in English law is sale of a benefit. Simon in Oregon politics is sale of party." With this salient record of its candidate, it is indeed fantastic to see the Oregonian roll its eyes toward heaven and insist that Mr. Simon is white robed and other candidates wicked sinners.

THE EVERLASTING CONFLICT

THREE and a half years in the penitentiary and a fine of \$1000 is the lot of J. F. Klein, a member of the city council of Pittsburg. Two years in the penitentiary and \$500 fine was the sentence of William Brand, another Pittsburg councilman. Sentenced with the two were four others, one of whom was a banker who bribed the councilmen to deposit city funds in his bank at a low rate of interest. The sentence of the banker was a fine of \$1000 and imprisonment for 18 months in the state penitentiary.

This fall of men prominent in social, business and political circles, a fall in which the decent is from silk hat and immaculate shirt front to prison stripes, is another concrete evidence of the constant conflict between right and wrong that is going on in American municipal life. It is a conflict as old as the world and as fierce as the storm. Great centers of population make great opportunities for men to profit out of public concessions. In Pittsburg in this instance it happened to be the use of city funds by a banker. He paid councilmen a handsome price for the privilege. In San Francisco it was the franchise for a street railway, the franchise for a telephone corporation and franchises and concessions for other purposes. In Philadelphia and New York it was gas franchises. In the state of Pennsylvania the contracts for building and furnishing a state house. In other hundreds of cities, exposed and unexposed, it has been uncounted grafts of every character.

Everywhere men get into office and immediately there begins to buzz in their ears the siren voice of the tempter. This tempter is the individual or corporation that wants a concession out of which to profit. Some men seek office in order to be reached by this tempter. Others who entered public place with best purposes fall after the siren begins to sing. In most cities the boss rule system multiplies the opportunities and makes pilfering of the public comparatively easy. Politicians and greedy interests, as was notably the case in San Francisco, enter into unholy alliances to hold up and loot cities and peoples. In these days of bribery and boodle it is a wise city that gets its municipal government into the hands of the people and keeps it there.

A son of the Prince of Wales and grandson of King Edward, who is fitting himself for an admiral, attends the public institutions of learning to obtain his education just as sons of other English gentlemen do. He lives the same, is treated the same, is subject to the same discipline, is in all respects their equal. Thus he will really obtain a useful education, and become fitted, so far as an education can fit a young man, for the stations he may be called upon to fill. This is evidence of good sense on the part of his father and grandfather, and shows that they entertain a good share of democratic ideas.

Winning under the re-publication of the plain facts it formerly printed about Joseph Simon, the Oregonian says: "In all the small matters of politics there have been changes within 10, 20 or 30 years, and what was written for conditions then may not be applicable to the changed conditions now." The matters reprinted are plain statements of fact about Mr. Simon, made by the Oregonian in past times. Facts do not change. Facts are eternal as the everlasting hills. Conditions change, but facts, never. Thus in what way could time or altered conditions have a bearing on this from the Oregonian of 1902, "Simon must go, and his machine must go?"

Cummins of Iowa joins Dolliver of the same state in insurgency; in fact Cummins has been an insurgent a good while. Iowa stuck to Allison because of his long record and personal probity, but for many years he did not represent the Republican voters of that state, as Cummins and Dolliver now show a disposition to do. Aldrich may pass his nefarious bill, but it will be the last one of its kind, and it won't stand long.

It is said that the president is earnestly in favor of a federal inheritance tax. But in this he will meet with the opposition of not only those who are opposed to taxing

wealth at all, but of those who believe that inheritance taxes should be confined to the raising of state revenues. There should be state inheritance taxes, whether there is a federal inheritance tax or not.

OREGON AND ROCKEFELLER ENDOWMENTS

THERE IS abundant reason for the widespread criticism of the policy toward Oregon in the distribution of the Rockefeller educational endowments. In denying this state participation in the benefits the board which controls the \$43,000,000 probably acted on lack of information or false information. If the meeting of Oregon college presidents soon to convene will voice a proper protest it will probably be effective in securing a modification of the policy.

There is no material objection to educational conditions and institutions in Oregon that does not apply with equal force in every other state in the union. The grouping of colleges that as charged against Oregon is as true of every state as it is of Oregon, and if it debars Oregon, it will, if the board is fair, debar all.

Besides, not areas, but students served is a true basis in calculating the benefits derived from expenditures of educational sustenance. If there is a philanthropy that is to be a real philanthropy, its usefulness is not to be determined by whether colleges are grouped or scattered, or whether they are in certain areas limited by imaginary lines and called states. If the purpose of the fund is to really educate, an Oregon youth is as good a subject as a Rhode Island youth, and possibly a great deal better.

Indeed Oregon's great outdoors, its magnificent distances, its matchless mountains and broad lines of life are widely believed to produce a youth more fertile to educational processes than the cramped, crowded and narrowed accommodations of Rhode Island. It is notable that students from Pacific coast institutions who go into the great electrical establishments in the east for post-graduate training assume leadership because of their greater initiative and more resolute spirit. If the purpose of the Rockefeller educational fund is to educate, Oregon will hardly be denied participation if vigorous and intelligent protest be made by the college people.

Of course all the generals and admirals believe that peace can only be preserved by great armies and navies. Thereby comes their easy living and large emoluments. But people who work to pay taxes are coming to have a different view.

Letters From the People

Letters to The Journal should be written on one side of the paper only and should be accompanied by the name and address of the writer. The name will not be used if the writer asks that it be withheld. The Journal will be understood as endorsing the views or statements of correspondents. Letters should be made as brief as possible. Those who wish their letters returned when not used should inclose postage.

Correspondents are notified that letters exceeding 500 words in length may be returned to the editor, he cut down to that limit.

"A Certain Man Called Simon."
Portland, Or., May 6.—To the Editor of The Journal—It is interesting and often instructive to note how history repeats itself adown the ages. In nearly 2000 years ago, we are told, "there was a certain man called Simon, which beforetime in the same city, used sorcery, and bewitched the people of Samaria, giving out that he himself was some great one."
And through all the centuries the people of Samaria "all gave heed, from the least to the greatest, saying, this man is the great power of God, for he has done all these things to us, because for a long time he had bewitched them with sorceries."
The Simons have all along been thrifty, crafty fellows, who loved power, money, and who knew how to work the people and gain their confidence by fair-seeming and plausible speech. But Simon of Samaria took care of himself first and if there was anything left after he got enough, he laid it out for his family and the crumbs. But the Petered speaker years ago, in his game of gain, and all the Simons Peter out when truth and right confront them. History goes on repeating itself from generation to generation.

This Date in History.
1673—John Leverett became governor of the Massachusetts colony.
1699—John Easton became governor of Rhode Island.
1774—Commodore William Bainsbridge, the father of naval instruction in the United States, born in Princeton, N. J. Died in Philadelphia July 28, 1823.
1801—Congress passed an act to organize the territory of Indiana.
1812—Robert Browning, English poet, born. Died December 12, 1889.
1826—Mrs. Jefferson Davis, wife of the president of the Confederate States of America, born. Died October 16, 1906.
1835—Joseph G. Cannon, speaker of the house of representatives, born at Guilford, North Carolina.
1840—Destructive tornado visited Natchez, Mississippi.
1854—Kentucky adopted a new constitution.
1864—General Grant made his flank movement from the Wilderness battlefield to Spottsylvania.

Foster D. Coburn's Birthday.
Foster Dwight Coburn, for many years secretary of the Kansas state board of agriculture, and who is mentioned as the probable successor of James Wilson as head of the United States department of agriculture, was born May 7, 1846, in Jefferson county, Wisconsin. He received a public school education. During the civil war he served as a private in an Illinois regiment. After the war he took up his residence in Kansas and for some years edited papers devoted to the agricultural and livestock industries. He served three terms as regent of the state agricultural college and was chief of the livestock department of the Louisiana Purchase exposition. He is

COMMENT AND NEWS IN BRIEF

SMALL CHANGE

Perhaps, after the primaries are over, it will rain.

Beware of a party machine administration of city affairs.

Mr. L. M. Davis may have learned that the truth about a public man is not libelous.

An Oxford professor said to his class: "Gentlemen, remember that none of us, not even the youngest, is infallible."

Mayor Linck of Tacoma has been indicted for refusing to do his official duty. He is considered a rusty Linck.

Roosevelt has a great chance to get a collection of African animals and come back and run the greatest circus on earth.

The wise student does not try to acquire all knowledge, only what he can assimilate and use in some particular line of work.

This phenomenal period of weather with little or no rain has caused us to doubt the divine origin and sustenance of the high protective tariff.

A New York newspaper discusses the question, "Why Girls Leave Home," but the clipping was cut out of the paper, which is that young men ask them to marry.

Already some 7,000,000 and \$200,000 of the ex-sultan's money has been located. But with only 11 wives he does not need all his reputed \$20,000,000 or \$30,000,000.

A penniless man doing odd jobs in Baker City has come into a fortune of \$100,000, more or less, through a want ad. Moral: Get into The Journal's want ad column.

Oh, yes, conditions change, and new questions arise constantly, but the character of a man of middle life or beyond and his general purposes and methods do not change much.

The Albany Democrat says: "A man can do a thousand favors and then get it in the neck for a single offense." Nobody expects a man to realize this fact so much as an editor.

Libel suits by disgraced, pennant politicians against newspapers that show up their true character and tell the truth about them, are not likely to be frequent hereafter.

An Indiana young man who changed his mind about marrying a girl was assaulted and badly beaten with a broom and a stove poker wielded by her father and a brother. He was exceedingly glad that he had changed his mind, and this might have happened many times.

An Italian princess says Mars can be conquered only by the means of spiritualism. This seems the proper solution of the problem. Space and distance are no barrier to spirits; why not send a delegation of them to Mars some evening, they might bring back a message while you wait.

A Tacoma girl went automobile riding at night with two young men, entire strangers, stopped at a roadside and got out and was put out into the road and found half dead, and the story says she had "an excellent reputation."

Then her reputation must have greatly bettered her character. But however her character, it furnishes no excuse for the men, who deserve the limit of the law's punishment, and then some.

The burdock rankly thrives, unweeded and untended, the rose grows more and more rankly, and the soil the soil the rank rank can scarce be killed; with loving tending only, blooms the pansy fair. The evil, hateful things that grow themselves about the good, pure, gracious ones we must evolve with toil. The devil's seeds will sprout and grow, and the good seed will bear fruit, take work and love on any soil.

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OREGON SIDELIGHTS

ing table, says the Courier, and his wife has been picking off the sprouts as they appeared through its varnished surface.

One of the conductors reports 2665 fares rung up Sunday on the Eugene-Springfield line, and this only on one car.

A company of California men has leased 140 acres north of Eugene and near Harrisburg for the purpose of developing the oil prospects there.

Cottage Grove is growing very rapidly. Many new houses are going up over the city, and a recent addition just put on the market is selling out very rapidly and on many of the lots sold new houses will go up.

The man who built the new bridge above Detroit on the North Santiam expects to make a summer resort of that part of the country. He says the bridge leads to one of the best camping grounds in the country.

Monmouth Enterprise: That preachers are great eaters, was proven at the basket dinner Saturday. They outstayed them all, and the smaller ones, the brothers, filled their pockets.

It will not be long until other sections will be cutting what water has done for La Grande and Grand Ronde valley, remarks the Observer. Irrigation has laid the foundation for a score of cities in the state of La Grande and larger in the north than 10 years.

Never before at this time of year was rain needed so badly in the central Willamette valley, says the Albany Herald. Spring grain is already sown, and if rain does not come soon the damage to spring-sown crops of all kinds will be material.

A Lake county sheepman tells the Examiner that sheepmen generally are lower lot of sheep this spring in driving them from the desert. Dave Eder in this way is reported to have lost 100 head of sheep, Newell 34, Holbrook 30, North 12, and others have lost more or less.

A Lake county man who has returned from an extended trip to California, Arizona, New Mexico, Colorado, Kansas, Illinois and Indiana, says that he honestly did not find any section that suits him better than Goose Lake valley, which has come back here to stay till the end of his days, says the Lakeview Examiner.

While a young man, his wife and two children were driving down a steep hill in Astoria, the harness broke and a horse ran away. The man was killed, and the horse was killed. The man's wife and two children were killed. The horse was killed.

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