

The Dalles Daily Chronicle.

The only Republican Daily Newspaper in Wasco County.

WEDNESDAY, - - DEC. 16, 1896

EASTERN OFFICE—230 to 234 Temple Court, N. Y. City. E. KATZ, Agent.

ALL UNJUST.

The Oregonian, answering a criticism as to its publishing news that turns out to be false, very properly says that it cannot vouch for the truth of dispatches furnished it by the Associated Press. That it prints news it distrusts, but which may possibly be true, and which it has no means of verifying. The criticism is unjust; the answer correct. But in the next column to this editorial it has this:

Judge Bellinger was very right in setting aside the judgment of the jury as to the value of property and damage thereto on the Columbia river, through construction of the proposed boat railway from The Dalles to Celilo. Juries often have no sense as to values, when the damage is assessed against the public. The indignation of Judge Bellinger was very just.

Neither Judge Bellinger nor the editor of the Oregonian has been on the grounds at Taffe's—the juries have; nor does the editor know anything of the case. The indignation of Judge Bellinger is entirely uncalled for, and the commendation of the Oregonian unjust.

WHAT ARE JURIES FOR?

We are not disposed to be unduly critical of United States courts, nor of Judge Bellinger in particular; but it strikes us that the habit these courts have of setting aside verdicts, usurping the powers and duties of the jury, and jumping the job of the district attorney, is not now, and never was, a part of the duties of the office contemplated by the framers of the constitution. The power of setting aside a verdict is given the judges to be used, not abused; to be used in furthering the ends of justice, not abused in subverting them.

The trial of the Taffe case has brought out some of the characteristics of the federal courts, the chief of which is, as we have intimated, to jump the job of the jury. Twelve men, under oath, found that Taffe had been, or would be, damaged in the sum of \$14,200 by the condemnation of his land. Judge Bellinger was not satisfied, and granted a new trial. Another jury of twelve men heard the sworn testimony and, probably taking into consideration the extra expense Mr. Taffe had been put to, raised the sum to \$17,500. Of course Judge Bellinger is more dissatisfied with this verdict than the other, and after berating the jury for not finding a verdict for a smaller sum, stated that he would set the verdict aside if a new trial was not asked for. We do not for a moment doubt the Judge's honesty, but we do think his judgment is warped by his zeal.

The government of the United States is more illy served by a judiciary over-zealous in its favor, than one with leanings the other way. The government can better afford to be wronged than to wrong its citizens, and the judge who is broad-minded enough to see this is the one who is least liable to permit either to suffer wrong. Up to date a grand total of twenty-four out of a possible twenty-four have united in saying they were right in the amount of damages given. Against their decision is the dictum of one man, but a judge.

Suppose the case is tried and retried with no decrease in the amount of damage, is there any point in the remote future where Mr. Taffe could feel that the litigation would end? How many times may he be called upon to prove the amount of his damages, and how many juries may there be impaneled only to have their verdicts set aside? A reason-

able interpretation of the facts that two juries had practically agreed on the amount of damages, would suggest that that amount was approximately correct.

If the verdict of a jury is of no value in the United States courts, why continue the system? Why continue the expense? Why not turn the functions of the jury over to the judge at once, since he sets aside verdicts until a venal panel can be found to agree with him? When United States judges dictate the verdict, what is the jury for?

The Spokesman-Review of Spokane is making a vigorous fight against the system of legislators and state officials riding on "free passes." The system is certainly objectionable, but not more so than the use of the word "free" in connection with "passes."

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Prices.....75c and \$1.00

Seats now on sale at Snipes-Kinersly Drug Co.'s Store.

Note—Curtain rings up at 8 o'clock sharp. decl12



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All of which will be sold at BEDROCK PRICES for CASH at

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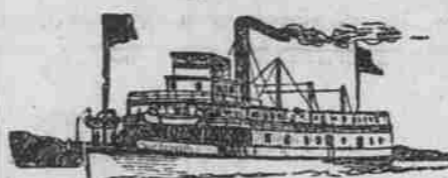
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Train No. 2 arrives at The Dalles 10:15 p. m., and leaves 10:20 p. m.

Train No. 3 arrives at The Dalles 11:55 p. m., and west-bound train No. 7 leaves at 1 p. m.

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69—TELEPHONES—69

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Anheuser-Busch Malt Nutrine, a non-alcoholic beverage, unequalled as a tonic.

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