

The Oregon Statesman

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THE MUDDLE OVER OUR CAPITAL PUNISHMENT LAW

Some years ago, the people of Oregon voted to repeal the capital punishment law—

Then, on account of two or three singularly brutal murders, there was a demand for the re-enactment of a capital punishment law, and the Legislature compromised upon the submission to the people of the fundamental law that is now being attacked in the courts; and this law received a majority vote at the polls.

A great many affirmative votes were cast on the assumption that juries in finding accused persons guilty of murder in the first degree would have to recommend capital punishment, else the conviction would automatically carry the penalty of life imprisonment—

But that is not the way the law reads. Conviction by the jury of murder in the first degree carries the death penalty, without recommendation, unless the jury recommends life imprisonment.

Now, the attorneys who are contesting the law find that the Legislature did in one day what they should have taken three days to accomplish in referring the proposed amendment; also that it was not an amendment that was proposed but a new law, attempting to repeal part of the old law; also that the language of the law that is being attacked is contradictory, when read alongside of the law that was attempted to be repealed by the vote of the people.

Also, these attorneys say the Legislature has no power to refer a new provision of the fundamental law, but only an amendment to such a provision—

And there are a lot of other objections brought up, taking the matter clear back to the granting of the Magna Charta and on up to the Bill of Rights of the United States Constitution and the Constitution of Oregon; which latter is too abstruse for the ordinary lay mind—

And the whole matter may be carried up to the Supreme Court of the United States. Will almost certainly be.

Now, what is there to do?

Kansas has a capital punishment law that requires the Governor to sign the execution papers. Some twenty years ago, when the first papers were presented to the Governor, he refused to sign—and no Kansas Governor since has signed such papers. So the Kansas penitentiary has on hand all the time a lot of men convicted of murder in the first degree, sent there to be executed; but not one has yet suffered the death penalty.

Oregon will be in the same position, till this case is fought up to the United States Supreme Court, and longer, in case the contention of the attacking lawyers is decided to be sound—

Unless some action is taken by the Legislature or the people.

There have been more murders in Oregon since the present law was enacted by the people than there were while this state had no capital punishment law.

There is a proposition to ask the Legislature at the special session to refer a new amendment or law; one that would provide that the Governor have no power to pardon a person convicted of first degree murder for twenty years; and that such a case should remain without any recourse for that long, excepting when new facts had come to light; and in such a case only the pardon board could take action, and then only by referring the matter to the Supreme Court.

That would seem a good solution—

And no doubt many voters would favor it; likely a large majority.

But, since the attack made in the courts, there is a question whether the Legislature has authority to submit to the vote of the people such an amendment, or new fundamental law.

The only sure way of getting out of the muddle appears to be through an initiated measure. This idea is respectfully commended to the good people of Oregon.

THE FOUR HORSEMEN OF THE APOCALYPSE

"And I saw when the Lamb opened one of the seals; and I heard, as it were the noise of thunder, one of the four beasts saying, Come and see.

"And I saw, and behold a white horse; and he that sat on him had a bow; and a crown was given unto him; and he went forth conquering, and to conquer.

"And when he had opened the second seal, I heard the second beast say, Come and see.

"And there went out another horse that was red; and power was given to him that sat thereon to take peace from the earth, and that they should kill one another; and there was given unto him a great sword.

"And when he had opened the third seal, I heard the third beast say, Come and see. And I beheld, and, lo, a black horse; and he that sat on him had a pair of balances in his hand.

"And I heard a voice in the midst of the four beasts say, A measure of wheat for a penny, and three measures of barley for a penny; and see thou hurt not the oil and the wine.

"And when he had opened the fourth seal, I heard the voice of the fourth beast say, Come and see.

"And I looked, and behold a pale horse; and his name that sat on him was Death, and Hell followed with him. And power was given unto them over the fourth part of the earth, to kill with sword, and with hunger, and with death, and with the beasts of the earth."—Revelation, 6:1-8.

BITS FOR BREAKFAST

No black Friday tomorrow. Nor, probably, for a long time; if ever.

The steamer Nebraska, sailing from Portland this week, will carry 80,000 boxes of apples; enough to make up a train load of 100 cars. They are going to London. In the consignment are 15,000 to 20,000 boxes from the Willamette and Umpqua valleys and The Dalles district; shipped by the Oregon Growers Coopera-

tive association. Some apples. It is to be hoped that they may give the English people the taste that lingers, and calls for more.

There is a question now whether the legislature can refer a law on first degree murder that will stick. It may be up to the initiative by petition.

The British are arousing the suspicion that they would really like to scrap their entire navy.

Apocalypse means revelation; any writing or any thing professing to reveal the future. The Four Horsemen of the Apocalypse refer to the first eight verses of

Revelation; the last book of the New Testament; otherwise the Revelation of St. John the Divine.

The foreign correspondents who are at Washington to report the conference were entertained Saturday, Nov. 19, at a barbecue in Maryland, with a "real wild west" show as a side attraction. They probably believe they have had a glimpse of characteristic American life just as American visitors to Holland think they have seen the real Dutchman when they chance upon a man in wooden shoes and baggy trousers.

EDITORIALS OF THE PEOPLE

Gary Plan Endorsed

Editor Statesman: The plan of religious instruction to pupils of the public schools as outlined by the Rev. Mr. Kirkpatrick is of interest in that it seems a solution for the difficult question. Every thinking person must realize the necessity for religious instruction for the coming generation, even as they have realized the evil effects of carelessness in this respect in the past. Catholics have been more vigilant, perhaps, in regard to this, but it has been at great expense and often sacrifices on the part of Catholic parents.

The Gary system, as I understand it, would solve the difficulty. Catholics are cognizant of the thorough instruction given in public schools generally, in all secular subjects, but because they know that genuine religious instruction is the basis and principle of all real education, they, as has been said, maintain their own schools in order that this instruction may be given. Here in Salem there are some 300 or more Catholic children of school age; and I feel confident that if the Gary system is satisfactory, it would meet the hearty approval of our people.

For thorough religious instruction for all children, and for the building up of a noble citizenship, dear editor, I am ever, Sincerely yours, J. R. BUCK.

To Stop Coughing at Night

When anyone is suffering from a bronchial affliction or has a cough that lingers on and grows worse at night, the loss of sleep tends to weaken the sufferer and grows more serious the longer it is neglected. Mrs. M. Suter, 647 Longbrook Ave., Stratford, Conn., writes: "Foley's Honey and Tar has given me great relief from a severe attack of bronchitis." No medicine stands higher throughout the nation as a family remedy for colds, coughs and croup. Sold everywhere.—Adv.

P. I. LEAGUE DEAD FOR 1922

Four-team Circuit too Small and Salaries too High Is Decision

TACOMA, Wash., Nov. 30.—The death knell of the Pacific International baseball league, comprising the cities of Tacoma and Yakima, Wash., and Vancouver and Victoria, B. C., was rung here today by L. H. Burnett, the league president, who announced that the league would not operate in 1922.

That a four-league club is too small, particularly when the race for the pennant becomes a walk-away early in the season and that salaries were far too high for a Class B league are the principal reasons given by President Burnett for breaking up the league.

R. F. Brown, head of the Vancouver team, vice president of the league and member of the national board of arbitration, conferred with Mr. Burnett here today prior to leaving for the annual minor league meeting at Buffalo, N. Y., December 6. Brown will officially announce the end of the league at Buffalo, it was said.

While neither Burnett nor Brown would commit themselves definitely, both stated that Tacoma might yet have baseball next year, but declared that no announcement would be made until after Brown's return from the national meeting at Buffalo.

\$3.00 Round Trip to Portland Every Day—Oregon Electric Railway

On and after October 21st the Oregon Electric Railway will sell round trip tickets to Portland for \$3, including war tax, good for return to and including the second day from date of sale.

J. W. RITCHIE, Agent, O. E. Ry.

Geraldine Farrar once gave some advice about how to keep a husband, but we should judge by the stories in the papers that she did not read her own recipe.—Exchange.

FUTURE DATES

December 4, Sunday—Elks' Memorial service, grand theatre. December 5, Monday—Mabel Garrison, Grand Theatre. December 6, Tuesday—Cherish annual election of officers. December 13 and 14—Tuesday and Wednesday—Apollo club concert with Virginia Bee, celebratory soprano. Dec. 14, Wednesday—Open forum Commercial club. December 19, Monday—Special session Legislature.

Shop With the Thrifty At BUSICK'S

Price list for Milk, Butter and Cheese, Syrup, Butter Scotch, Rice and Beans, Macaroni, Tea, Smoked Meat, Flour and Cereals, SOAPS, COCOA AND CHOCOLATE, and VEGETABLES.

