The Oregon Statesman

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February 28, 1926 RICH BLESSINGS-"Even by the God of thy father, and by the Almighty, who shall bless thee: * * The blessings of thy father have prevailed . . unto the utmost bound of the everlasting hills: they shall be on the head of Joseph." Gen. 49:25-26.

"WHAT JUDGES DON'T KNOW"

A new hat for a court official meant a penitentiary cell for a boy one day in my neighborhood—so said the boy's lawyer. "Of course he stole the watch," said the boy's lawyer, in court,

before the trial opened.

"Well, why doesn't he plead guilty?" "He's willing to plead guilty to stealing the watch all right, but the prosecuting attorney has charged it is worth over \$30 and that

sends him to the pen.' I, a young lawyer, overheard this conversation between an attorney who was defending a young man, and a courtroom neighbor.

"You mean," I asked, "that a theft of an article worth \$30 or less is petit larceny and he goes to jail, and over \$30 is grand larceny and he goes to the pen?" "That's it."

"But what difference does it make to the prosecuting attorney whether the young fellow goes to jail or the pen?" I asked.

"What difference!" replied my brother lawyer. "Haven't you learned that yet? The difference is \$5 exactly! The prosecuting attorney gets a \$5 fee for sending him to jail and a \$10 fee for sending him to the pen. That's all there is in the case."

That may or may not have been all there was in the case. But that was the truth. And the watch was declared to be worth over \$30 and the boy DID go away to the penitentiary, instead of serving in the local jail.

This fee statute was part of the machinery in our state for giving justice. It was established not by the courts but by the besislature. Presumably the legislature thought it was wise. It pay have been. The prosecuting attorney said that particular boy eight to go to the penitentiary. The boy's lawyer said the prosecy in attorney simply wanted to buy a new hat.

No matter which is true, the machinery of justice made by the people of Missouri encouraged and paid the prosecuting attorney to send the boy to the peniod fary instead of to jail. And that, too, regardless of anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its cause or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its causes or its cure, or anything about the boy or his crime, its cause or its cure, or anything about the boy or his crime, its cause or its cure, or anything about the boy or his crime, its cause or its cure, or anything about the boy or his crime, its cause or its cure, or anything about the boy or his crime, its cause or its cure, or anything about the boy or his crime, it is caused to be a considered about the boy or his crime, it is caused to b turns well have been that this box LEVE been that this boy's life was ruined in order to

mestion lives have been ruined for new hats in Missouri, tme thing is happening today in any state that has this

Later I found myself in the prosecuting attorney's shoes. I had ie same and many other questions to meet. And I did not know then the actual practices that would best give justice in my job. And there was nobody to tell me and no adequate way for me to find out. And now, twenty years later, a judge on the bench, I do not know; there is nobody to tell me; no adequate way to find out.

The writer believes that there are two simple, fundamental facts that explain the whole situation.

The first is that the forces of justice are not organized. There is no ARMY to fight the battles of the law, but only separate straggling soldiers. Justice is disorganized, as I have previously shown in an article in Collier's. The second fact is startling. In this day-of the teaching and

learning of many things old and new—the statement of it will

leally not taught in this country! There are hundreds of law schools. I have written to the deans

of all these schools to send me their catalogues and tell me if there are any courses in their schools that teach the giving of justice. I have received many replies. But nowhere, in any law school in the country, do I find any definite teaching on the subject not of what

is the law or how to find it but on how, in the courts, to GIVE that law promptly, inexpensively and surely. As I write tonight, there is down in the county jail a young man twenty-seven years old, who either took an automobile for a trip without the owner's permission or stole it outright. He has admitted

his guilt. I, as judge, must fix his punishment. It should be heavy enough to deter other young men from stealing

But I have learned that this young man has a good wife and four bildren. A single year's imprisonment may partly ruin their lives and make them the cause of much harm and expense to society. Yes if this fact lets him off every criminal will soon learn he need only marry a good girl to have a license to commit crime.

He is a good mechanic but never sticks long at one job. He never drinks, swears, gambles or gets mad.

Evidence shows that he deliberately stole the car. Other evidence shows inadequate abnormal motives for the theft and other illogical, childlike acts in his life. He may have a mental or "personality" defect or a border line state that makes him do such things much more easily than normal persons.

With all these facts and many others not stated—urging diametrically contradictory courses on my part, the law says I may imprison him for any time I see fit from one day to twenty-five years! I may send him to jail, reform school or penitentiary. Or turn him loose, with a fine of \$1! Or parole him at once, with no imprisonment whatever. What SHOULD I do?

Who writes the above? It is Judge Ewing Cockrell of Missouri, veteran jurist, whose father was United States Senator. In an explanatory note on the article quoted above, taken from Collier's of February 6, the following language

"'When a crime is committed we judges must act on it without knowing its cause, we prescribe a remedy without knowing how much should be given and we give the remedy without knowing how to give it,' admits Ewing Cockrell, veteran jurist, in the second of a series of three articles. However well versed they may be in the law, he says, judges are groping blindly."

In the course of the article of which the excerpts above the opening paragraphs, Judge Cockrell says: All the rt cases are of one of two kinds-either about property or people. There are more cases about people than there bout property and they are far more important and hand you back the money you

courts are taught none of the knowledge and know but little of it There is no place to teach us; and much of this knowledge that we judges need is not yet known by anybody. The ills of the flesh are many. Imagine physicians giving only quinine or calomel-nothing else! Yet we judges give only fine or imprisonment for ills of the mind and spirit that far exceed in number and complexity those of the body. Not only this, but in the overwhelming majority of cases we give them without diagnosis, prescription or treatment, or even investigation. England's criminal justice is far more effective than ours and her judges assess terms of imprisonment far shorter than ours With us our good citizens clamor for longer terms (unless the defendant is a special friend); our bad citizens see one judge give a man five years and another in exactly the same circumstances fifteen years. Every prisoner, except the defective, has proved he needs guidance. Almost every one is turned back into the world without that guidance. And the judge often gets him again and the general administration of and prescribes the same cure for him that has just proved a

The writer of this corner of The Statesman is very proud, finally, to quote the concluding words of Judge Cockrell's article, as follows:

"Knowledge of the law? Judges, lawyers, even policemen and wardens, have that. But how to administer the justice that will best curb crime and best bring civil peace between man and man we judges don't know as yet. And we will not know it until justice and its giving are taught, somewhere, somehow, as are taught medicine, engineering, agriculture, war, religion-and everything except justice. THE LAW IN AMERICA MUST SAY GOODBY TO THE IGNOR-ANCE OF THE PAST and teach today the truth of today."

That is what this writer believes and has stated and reiterated so many times-

That in our higher institutions of learning criminology and penology must be taught, and those who are to administer the laws, from policemen on up, must be trained-

And this is one of the most important things in the whole realm of education and training; affecting the present and the future down the generations.

All the abuses which Judge Cockrell mentions as existing in Missouri are found in Oregon. One Oregon judge will send a man to the penitentiary for one to five years, while for the same crime another Oregon judge will send another man for from five to fifteen years-

And yet we have people who want the present parole law repealed. Defective as it is, it must not be repealed. It must be amended, and amended and amended, as knowledge of the ruls of penology and criminology increases.

EDITORIALS

OF THE PEOPLE

All correspondence for this depart

ment must be signed by the writer, must be written on one side of the paper only, and should not be longer than 150 words.

Want Street Cars Back

When a petition containing

the legal voters residing on and

continguous to a street car line,

asking that the street cars be re-

established and maintained under

the terms and conditions of the

franchise granted to the company,

the same should receive due and

And such demand should be

granted without any hestitation

There has been only one de-

mand, and that is for a return of

was, and the people will not be

satisfied with any alteration or

The Southern Pacific company,

the owners of the street car lines

in Salem, ceasing to operate the

street cars on the line in question

according to the terms of the fran-

chise, have violated their contract

with the people, and the people re-

siding along and adjacent to the

car lise are under no moral obli-

gation to patronize the buses that

have been substituted for the

The people's obligation to the

company for the construction of a

chise ceases when the company

The streets are public property

authorities, and anyone should be

allowed to operate buses under

proper regulations and licenses.

And the citizens residing in the

district affected should hold a

mass meeting, and there agree

that they will not patronize the Southern Pacific company's buses,

and that unless the street cars are

re-established at once they will

exclusively patronize a private

bus that complies with the re-

Bits For Breakfast

The prospect of a mining boom

It would cost about \$400,000 to

install the smallest type of the

Greenawalt plant in that district.

But a paper mill costs three to

six times as much, and the big

cess is adaptable to the ores of

laid with the ores-copper and

there would be immensely profit-

dlers' contest. The idea seems to

Who will give the next old fid-

Los Augeles oil magnate invests.

thing in that the Greenawalt pro-

Salem, February 24, 1926.

B. S. MARTIN

quirements of the city.

Did you get it-

n the Santiam country?

street cars by the company.

Editor Statesman

prompt attention

or substitution.

substitution.

STATESMAN'S BIRTHDAY CELEBRATION IN MARCH

(Continued from page 1.)

paper seems to have survived. Somewhere along the line business firms have opened and have traveled 60 years, 50 years, and many 40 years in company with lee number an endeavor will be made to gather together histories of as many old firms, and biographies of as many old families as can be located, and whose history can be found out.

In this work, editors are asking the aid of readers in making the historical edition complete and representative of those early endeavors which laid the foundation of this section. Readers are requested to consider this an invitation to volunteer facts concerning the history of firms, and of families, or old cuts and engravings that you feel would be of general interest.

Who has read The Oregon Statesman for the greatest numer of years?

That person must be recognized in the anniversary edition marking he service of the oldest existing Justice, literally, not the law, is, as a definite subject, systemat- organization in the two counties. For convenience, all correspondence should be addressed to the Anniversary Editor, The Oregon

POWER MERGER PENDS

VANCOUVER, B. C., Feb. 27.-George Kidd, president of the Brit-Columbia Electric Railway company announced today the incorporation within a few weeks of a \$17,000,000 subsidiary of his company called the British Columbia Electric Power & Gas company. The new company is to control all power and gas plants of the British Columbia Electric railway throughout the province.

How Skinny Kids Gain Needed Weight

Weak, undernourished, underweight boys and girls who are peevish, fretful and sickly need McCoy's Cod Liver Oil Compound Tablets.

Cod Liver Oil would do just as well, but what parent would be so cruel as to give them the horrible nasty tasting, ill smelling stuff, when sugar coated cod liver oil tablets made by McCoy's Laboratories of New York are as easy to take as candy and won't up-

set their delicate stomachs. There's more vitamines of the first class in cod liver oil than in anything else and for that reason thin, scraggly, sickly children commence to liven up and take on good healthy flesh after McCoy's Cod Liver Oil Compound Tablets the Santlam district, and that have been taken for just a few there are whole mountains under-

Be sure and ask J. C. Perry, gold and silver and other metals; Central Pharmacy, D. J. Fry or and that, with this process, mining any druggist for McCoy's original and genuine Cod Liver Oil Tablets if you want your delicate children to become strong, robust and ac-

For grown-ups they are fust as wonderful—one woman gained 15 pounds in five weeks. 60 tablets \$2,000,000 in East Portland va60 cents and if they don't put 5
pauseds of good firm flesh on any
then man or woman in 30 days,
then man or woman in 30 days,
then were descripted to

picture post card from Fred A. Erizon, dated Feb. 8, at Funchal, Maderia Island. He says: "This is a very old town. Columbus married his wife here before he dis-

Governor Pierce has received a

Who's Who

In Salem Debate

A ticket selling campaign, to rais

funds to meet expenses in the trans-continental debate between Salem, Massachusetts and Salem, Oregon, is being conducted by high achool stu-dents and business men who see out-standing advertising value in the

That readers may know more of

these student speakers, a short biog-raphy of each will be printed here in alphabetical order—(Editorial Note).

JACK RAMAGE, Junior.

Class Debate Team '25.

School Debate Squad '26.

teaching criminology and penology

fustice, on the editorial page this

rovered America; semi tropical, 65 in winter, 81 in summer, 4000 women and girls work in embroidery factories. Tour is O. K. so The post card picture on the reverse side shows a view of Funchal from the sea, with the sea wall in front, behind which appears the business district on the level and the residence districts on the hills in the background. Maderia Island if off the west coast of Morocco and belongs to Portugal, forming, with four other islands, the Funchal district of Portugal, Maderia Island is 34 miles long and contains 300 square miles. Governor Pierce. according to Bill Lightfoot, his chief stenographer, suggests that, judging from his remarks about the 4000 women and girls and noting the fact that Columbus got his wife there, that Fred may be giving undue attention to the other sex and that he might be lost from the ranks of the widowers. Mr Erixon is one of the oldest and most prominent contractors of Salem, and he is now making a tour of Europe and parts of Asia and Africa.

RADIO SET IS ADDED TO STATESMAN PRIZES (Continued from page 1.)

can be you, if you will try. Don't let anyone discourage you. Just go ahead-pay no attention-and I am sure you will be a winner. Now, during the next few weeks, is the opportune time to win.

The diamond ring offer came to close last Saturday night, and owing to the fact that several contestants ran very close in this race for the diamond ring it is necessary to check and recheck the very carefully so that there will be no mistake made in practically all the signatures of making this award of the diamond

This work takes time and accordingly we will not be able to announce the winner of the diamond ring before Tuesday. The name of the winner of the ring will be published in the paper Tuesday morning. The amount of money collected by the winning candidate will not be announced at that time, but will be announced at the close of the competition or April 10.

It would not be fair to announce the amount of money collected by the street car service just as it as it would be contrary to the expressed wishes of the candidates nthe contest as they do not wish that announcement to be made until the end of the contest on April 10.

Frances M. Greenwood is very active these days. On Saturday she started to work in earnest. She and her friend, Mrs. May Irorganized an automobile party and started to work the rural routes. Both Mrs. Greenwood and Mrs. Irwin are good vote getters, and are bound to be seious contenders when the prizes are being handed around.

CLUBMEN WIN MEET

CORVALLIS, Or., Feb. 27 .-Multnomah club of Portland defeated Oregon Agricultural college today 36 to 33 in a swimming under the regulations of the city meet.

An Italian, having applied for citizenship, was being examined in the naturalization court.

"Who is the President of the United States?"

"Mr. Dawes." "No."

"Mister, you 'scuse, please.

some Kentucky fiction, she said. "Why not try Allen's 'Kentucky Cardinal'?" said the, salesman taking a copy of the book off the shelf: "That used to be a very popular book."

"I am not interested in the scandals of his private life," replied the young woman; and out she walked.

The little girl returned from church deeply musing on the sermon, in which the preacher had declared that animals, lacking souls, could not go to heaven. As the result of her meditation, she presented a problem to the family at the dinner table, when she asked earnestly:

"If cats don't go to heaven, where do the angels get the strings for their harps?"

There is a strong possibility chat Helen Wills, who needs no introduction to sport fans, as well as Suzanne Lenglen, who likewise needs no introduction, will clash again shortly, in fact as early as March 8.

Cannes in which the petite Californian met defeat it was presumed that these two well night peerless tennis players would not meet again until the Wimbledon match in England in June.

TINY GLAND **Get Up Nights**

with Urinary Irritations and disorders of riny but very vital gland begins to "slow up." many distressing ailmenls may arise, such as nervousness, restlessness, frequent night rising, scanty, painful smarting, difficult Urination—and sometimes lack of control, But now at last, there is a praiseworthy treatment for these annoying symptoms, that according to signed statements has broughte sweet relief to many thousands. The treatments pleasant and perfectly harmless and be seemingly remarkable in action that for a short time a liberal 'proof of merit' trial size is being offered absolutely Free to convince people of its amazing efficiency, ABSOLUTELY FREE. Just sond your name, address and 10c to help pay postage and packing, and by return mail you will get the liberal trial package. Act at once, as the offer may be made for a short time only. Write today to The Palmo Co., Battle Creek, Mich. Dept. B-284.

By having your eyes examined with the most modern and scientific optical equipment, such as you find in our offices. Your finished glasses are sure to be correct as well as becoming.

Staples Optical Co.

Masonic Temple Building

With the Red Cross Pharmacy

"Mr. Coolidge." "Who is the Vice-President?



"Could you be President?" "Why?"

vera busy worka da mine.'

A young woman entered a bookstore in Chicago and asked the aid of the clerk in selecting suitable

"But this cardinal was a bird.



After the recent match a

It is now believed that they will

pionship of Southern France. cially entered the tournament and race starts. while Miss Wills has not yet made er entry it is reported that she intends to do so, at least in the singles matches.

Needless to say the entire tenis eager to see the Pacific coast star try conclusions with Suzanne again for they feel she can re-

verse the decision. It may be that with a different brand of tennis she can do so. No less an authority than Bill Tilden said, following the recent Cannes setto; "If Miss Wills would go out and knock the cover off the ball at the start of the match, she might beat Suzanne."

A number of individuals in Bos ton are making a desperate attempt to stop Sunday baseball. Let's see, isn't this town Boston in the same state where they used to burn witches, put people in stocks and pillories, etc? We thought they finally become enlightened in the Back Bay disreading. She especially desired trict but this doesn't look like it.

There must be some jinx black cat or hoodoo hovering over the University of Oregon or at least over the gridiron department of that institution. Capt. John J. "No: I don't think I care for McEwan, the new football coach, those theological stories," said the is the fourth specialist the Eugene college has had in four years.

> The announcement that the Futurity at Belmont Park in 1928 will have a gross value of \$100,000 making it the richest stake in the world makes us think of that ancient wheeze about the "passing of the horse." Sure he's passing. Passing under the wire ahead so that his owner can hurry over to the secretary's office and collect the juicy purse which he had just won.

It is reported that Bob Weaver, president of the Southern California division of the A. A. U. is training a Zuni Indian to defeat Paavo Nurmi at the Olympic games in 1928. If the Flying Finn

wage battle again at Nice, the two years hence is anything like week of March 8, for the cham- he was last year, Weaver better put that Indian in a flying ma-Mile. Lenglen has already offi- chine or a motor cycle when the

We thought that the good ol U. S. A. was the only country where the heads of certan sporting organizations have to worry nis world of the United States about the player-writer rile but along comes Japan and Himbs into the band wagon. It that Tochigiyama (sneeze that one off,) champion wrestler, is cive ing matches for the Tokyo Nichl. Bill Tidden please note.

> Gold Beach Gauntless Block to erected this year.



And Sold Exclusively in Salem at



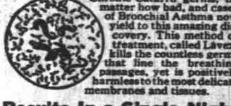
Fountain Goods

Light Lunches, Candy Bars

Cigars, Magazines

Kills Catarrh Germs In 3 Minutes!

Newly discovered treatment kills the germs, heals the tissues and works wonders. The discoverer, a famous French chemist, in actual laboratory tests isolated germs on microscopic slides and killed them in 3 minutes.



Lavez works like magic. The germ laden mucus that causes all the trouble is quickly eliminated, and the sore, inflamed tissues respond instantly to the wonderful healing powers of Lavez, Sufferers are releved in a single night and thousands of former Catarrh

Brunswick Panatrope

Stark Magic!

Electrical Reproduction of Sound - -

all the sound - - - every sound

It's a real orchestra that's playing your favorite piece-right here in the room with you! Hear that snare drum, get the 'cello that the rumbles in the background, keen and quick is the clarinet-have you heard the Panatrope?

No trouble to display it. Hear the Brunswick Panatrope if its only to keep up on modern inventions.

