

The Oregon Statesman

"No Favor Sways Us; No Fear Shall Awe"
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Old Theory and Modern Practice

WHEN times are hard there is always the resort to political power to accomplish what the operation of economic law will not accomplish or will do so tardily. The present is no exception to this experience of history, and we have now both in national and state legislative bodies a plethora of special interest legislation. It seems to be human nature to want to tip the scales in one's own favor. The competitive struggle is so keen even in good times that the slightest advantage will determine the victor. That is why there is a race for securing some special favor under the sanction of law, so that the favored person or group may feel more secure in the field of competition.

The eighteenth century was especially productive of works on political theory and then it was that John Locke wrote:

"The great and chief end, therefore, of men uniting into commonwealths and putting themselves under government, is the preservation of their property."

Out of this theory of economic determinism grew the modern state whose economic system was capitalistic. For a long period the dominating school of thought, expressed in the classic "Wealth of Nations" by Adam Smith, stood for free competition. "Laissez faire" was the cry—let business alone; permit industry and commerce to grow and develop and the operation of the free laws of competition will effect a healthy balance.

In later times this theory has been deviated from in two ways: first, business interests were not satisfied with the gains from the system of free competition; they sought to advance their interests through legislation or through control of the machinery of government. Second, the triumph of whiggery under which the government became definitely the agency for "development", for the expansion of agriculture and industry, under the guise of the "greatest good to the greatest number."

Running counter to this development was the old agrarian democracy theory of Thomas Jefferson and the French physiocrats. To them, the less government the better. As Jefferson wrote in this first inaugural:

"A wise and frugal government which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government."

Far indeed has government gone from the simple sum compounded by President Jefferson. Now there are open group raids on the federal treasury apologized for by the assertion that other groups are "getting theirs."

This lengthy preliminary is merely to trace the development of the political and economic theory and practice which explain the type of problem which legislators are coming more and more to face. Never more true than now are the words written by Hamilton in The Federalist:

"It is of great importance in a republic not only to guard against the oppression of its rulers; but to guard one part of society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure."

In the complicated structure of modern society one cannot simply say, let us restore the free competition of the 18th century. Yet how may the ends of justice be secured in this clash of self-interest, a clash in which particular groups may be well armed and well represented and directed, and other groups like the mass of the people who are directly affected, unorganized and unrepresented?

Study the bills which have been submitted to the legislature and note how many of the really important ones are economic in character, and special in the interest they will serve.

The well-worked battleground of taxation affords a case in point. The struggle is not to provide revenue for the support of state government, but over carrying of the load. Owners of real property are rebellious under the load they have carried, and are trying to shift the burden to other groups. The other groups are wincing under the shoulder-packs—many of them having very tender skins so far as tax experience goes.

Old age pensions represents a surrender of our ancient politico-economic theory that in our free society a man could and should provide for his own old age. The "have-nots" hope to be supported by the "haves", and that not as a charity but as a due.

The whole power program is designed to cripple and harness the utility companies ostensibly to prevent them from exploiting the masses of the people. In this case hobbies are put on the industry.

In sharp distinction to this program is the program of the dairy interests which seek to have the state foster their industry through hobbling competitors; if not effectually to put them out of business.

Another zone of sharp controversy which has now reached the political sphere is the contest between the chain store and the independent merchants. Here the independents seek to put an extra weight on chain stores in the form of a license tax. It is just another example of the ones we are citing of how rival economic groups take their difficulties to legislatures rather than leave them remain in the zone of free competition.

There are many special bills which might be mentioned:

The Rogue river fish bill in which the upper river group profiting from tourists and game fishermen, seek to put the lower river commercial fishermen out of business.

Abolishing billboards, in its origin for esthetic considerations but supported by many newspapers who are rivals to billboards in the field of advertising.

H. B. 145, prohibiting trusts and conspiracies in restraint of trade.

H. B. 157, which would put restrictions on a railroad company moving its division offices and shops.

The seventy-car limit bill, whose purpose is chiefly to give unemployed trainmen employment.

The Portland police and firemen's pension legislation, imposing special premiums for the benefit of these groups.

This does not include other special interest legislation such as bills for the abstracters, the doctors, nurserymen, contractors, mortgagees, banks, engineers; much of which is essentially group legislation. We are discussing here not the merits but the type of these bills.

Perhaps when better times roll round there will not be such an epidemic of special interest bills. But the tendency seems to grow. The farmers thought for a long time that they were the victims of all this special legislation,

HEALTH

Today's Talk

By R. S. Copeland, M. D.



DR. COPELAND

Nothing is more fascinating than to watch an infant sleep. Thoroughly relaxed, with no worry or care, the sleeping babe is a joy to look upon.

The sleep of early infancy is quiet and peaceful. In the first month of life, it is a deep sleep and may be almost continuous. The child awakens only for nourishment. After this period the sleep becomes more disturbed. Not until after the third year does the normal heavy sleep of childhood make its appearance.

During the first six months, the awake periods are from half an hour to two hours long. The infant sleeps from 18 to 19 hours a day.

At one year old the infant sleeps from 14 to 15 hours. When the age of two years is reached, 13 to 14 hours of sleep make up the daily rest period.

When children have reached the age of four, they require from 11 to 12 hours of sleep. It is advisable that the daily nap be encouraged until the children are six years old.

For children between the ages of six and ten years, the amount of sleep required is ten or 11 hours. Nine hours of sleep should be the minimum for children from 12 to 15 years.

Proper sleep is merely a matter of proper training. This training should be begun at birth. The infant will soon learn that when placed in the crib it is time to go to sleep. Rocking, or the giving of a rubber nipple to suck and other artificial methods of inducing slumber, should not be resorted to for the woeing of sleep. They are unnecessary and often harmful.

Quiet is Essential

The sleeping quarters should be a room free from noises, and during the hours for sleep, it should be darkened. A warm and comfortable bed, a satisfied appetite and dry napkins, are all that are needed to induce sleep in a normal child.

In training the infant it is best to keep in mind that the child is to have his long sleep at night. This is best accomplished by waking the infant regularly every three to four hours during the day for feeding. Then he is permitted to sleep as long as possible during the night.

Irregular sleep in an infant is due to one of two things. Either the child is hungry, or is suffering from indigestion. Continued disturbed sleep is a sign of trouble. If the mother can't locate it, it requires careful investigation by a physician.

Lack of sleep in children beyond infancy results in delayed development. Its cause must be found and removed. The mental and physical growth demands abundance of sleep.

Answers to Health Queries

J. G. L. Q.—I broke my wrist about a year ago, it pains me when I try to lift something heavy. What will stop the pain?

A.—Your wrist will become stronger in time. Massage may be helpful.

A. E. W. Q.—What causes chills in the leg from the hip down to the foot? This condition happens either when I sit or stand.

A.—This is probably due to nerve irritation.

Yesterdays

... Of Old Oregon
Town Talks from The Statesman Our Fathers Read

February 21, 1906
"Way Down East" will show tonight at the Grand theatre.

Andrew Verrier, who has been interested in the Allen and Gilbert Ramaker Music company, has sold his interest to L. E. Savage and will give his future attention to his fruit farm in Polk county.

P. A. Cochran of Woodburn has filed petition for nomination as democratic candidate for congress from the first district.

In the eighth grade examinations held in the county schools recently, 25 pupils succeeded in passing all tests and will receive diplomas. Forty-two pupils failed.

A water ditch in front of the brick store on South Commercial street has caused considerable inconvenience to the farmers who visit town.

There are 26 telephone lines in service between London and Paris.

but they are learning the trick themselves, as is witnessed by the amount of pro-farmer legislation which is now under consideration. The federal government in late years has gone a long way to legislate in favor of the farmer, passing these measures: federal farm loan act; establishing of intermediate credit banks; exemption of farmers' organizations from Clayton act; and the federal farm relief act. We fear two things—either the machinery of government will break down and we will get so far from "first principles" that governmental red tape will cripple the economic success of the country (as for instance the federal farm board has in agriculture); or the tendency to live on political favor will grow so much that the state will be handed over to socialism under the badge of republicanism or democracy.

This is a very lengthy dissertation, we admit; but it is a subject American citizens must ponder over. Is it wise to run to the government for specific support; or should we adhere to the simple structure of government which Jefferson envisioned, and the Adam Smith theories justified? Our own conviction is that there should be a definite slowing down of group legislation both, from the standpoint of political theory and economic security.

FOLLOWING THE TRAIL BREAKER



"Murder at Eagle's Nest" By WINIFRED VAN DUZER

The body of a woman was found in the garden of Eagle's Nest, Emily Hardy's palatial country home, wrapped in Mary Frost's shawl. Preceding her murder, the Baroness had given a note to the butler. This is best accomplished by waking the infant regularly every three to four hours during the day for feeding. Then he is permitted to sleep as long as possible during the night.

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CHAPTER XXVIII

This was Wednesday and the Baroness von Wieser, as Walter reminded Bim, had been murdered Monday about midnight.

"And," he went on, "the honorable Mr. Fury is of the opinion that the case should be in the bag. In other words, the chief is beginning to yell at us before the public yells at him. It looks very much as if he means to make plenty of trouble from now on."

"Old four-flusher!" Bim raged. "After all you've done!"

"What have we done, honey? That gets us anywhere, I mean. Oh, sure, we're working here and there and everywhere and we've turned up more than somewhat. But all we've turned up leaves us just about where we were at the start—with a fistful of hot clows and a slew of suspicions."

"Wally, have you any idea who the Baroness met in the garden—who she must have been with when she was killed?"

"I don't know, Bim. Ideas aren't good enough now. We can't work from that angle; there's not enough to go on. What we want is to trace the identity of the woman who was the third party in the garden. She left a trail like a row of sign posts—and then vanished into thin air. We've done up every thing with a fine-tooth comb and that's that—and all of it."

"Wouldn't it help to go over her trail again? Why not call at Eagle's Nest this afternoon? If you can stand my society?"

He caught at Bim and tried to kiss her before they left the station house. She did not in the

least mind being kissed by him but this time, for reasons of her own she laughed and dodged and he followed her into the street, muttering and shaking his head.

They drove the little gray police car up Pine Hill and parked it beside Lowland Drive, entering Eagle's Nest through a break in the hedge and making a circuitous way around the grounds toward the summer house.

The little building was opened on this late summer afternoon and looked very inviting, very pleasant, and not at all like a place with a sinister history. Walter and Bim strolled around toward the rear and stood there gazing at the flower-beds where footprints had shown yesterday morning.

"They measured up with Mrs. Hardy's shoes," Walter remarked thoughtfully. "But she wasn't in the garden the night of the murder. Did someone want to make it look as if she was?"

"And who," Bim supplemented, "wears a white linen uniform? Em's maids dress in blue stripes and Imogene and Jane wear black. But somebody caught her skirt—or maybe it was her

blouse—on the rose-vines and left a shred of starched white linen sticking there for the police to find next morning. And where, she went on dreamily, "Do you suppose the rest of the uniform is this minute?"

"Where, indeed," echoed Bim's young man, "Not within a mile of where we stand if you're to believe Officer Burke."

"The old Triangle Burke? Whoever wore—and tore—that dress isn't going to keep it around here, you know. Not for long, anyway. Also who lost a sheet? And whose laundry mark has a smudged B or D or P or R at the beginning of it?"

"And whose French heel," continued Walter, "ground the note the Baroness von Wieser wrote? And who did she ask to meet her here in the garden? And how did the owner of the French heel come into possession of the note?"

"It looks very much," Bim declared, "like the old triangle. The beautiful other woman steals somebody's boy friend and gets clipped in consequence."

(Continued on page 7)

BITS for BREAKFAST

By R. J. HENDRICKS

First merchant in Corvallis:

(Continuing from yesterday.) An explanation is due the reader. One of the effects of the mining exodus of 1848, after gold had been discovered by James W. Wadsworth in California on January 24 of that year, was the suspension of the regular session of the provisional government, which should have convened the first Tuesday in December, at Oregon City. Only nine members were present, out of the 23 entitled to seats, though Governor Abernathy had sent out a call for an extra election, to fill the places of the members who had joined the gold rush.

The governor sent out a second call for a special election, to attend an adjourned meeting, to come together the first Monday in February, 1849, which fell on the 6th. The body came to order with 17 members, and organized. But J. C. Avery had been elected after the second call to represent Benton county, and as he was not present the sergeant-at-arms was sent after him, with a duly sworn out warrant.

That last session of the provisional government legislature was notable mainly for the fact that it passed a license law; made old Oregon wet, though it was dry at first. This was done after a hot fight in that same session preceding the territorial government. Also, there was a lot said about paying the expenses of the Cayuse war, but little done. And an act was passed to govern the weighing and storing of gold dust. There was present in that body as a member S. R. Thurston, a new arrival, destined to cut a wide swath in the brief time he served in congress as Oregon territory's delegate. Thurston plumed himself for the soaring political flights for which he came to this territory to take off. In the brief session, he was able to get the vantage point he coveted.

The first session of the territorial legislature was convened by a call of General Joe Lane, governor, for July 16, 1849. He had proclaimed the territorial government March 3. There was a short adjourned session of that body in May, 1850, to consider the matter of punishing the Cayuse Indian murderers of the Whitmans.

The second regular session of the territorial legislature convened at Oregon City, December 2, 1850, by common consent, the first session having failed to locate by law the capital, as contemplated by the law of congress making Oregon a territory. J. C. Avery of Benton county was a member of the lower house of that body. He had evidently by then concluded that it was not a bad idea to have a hand in making the laws under which he was to live. And he might get something for his new town. So being a member of the legislature became a sort of habit with him.

That very session of the territorial legislature gave Salem the capital, Portland the penitentiary and Marysville (Corvallis) the state university, and Oregon City nothing, after a terrific fight.

So the third regular session was held in Salem, convening December 3, 1851, when Mr. Avery was again in the lower house from Benton county, and Geo. E. Cole was his colleague.

The vote on the location act had been 6 to 3 in the council (same as senate in a state government), and 10 to 8 in the house. This third session of the territorial legislature, in Salem, was held in "the basement story of the Oregon Institute, on the right-hand side as you enter the door; to be furnished with stove, seats, tables and spittoons," according to the official arrangements and record.

The special session convening July 24, 1852, was also held there, and the fourth regular session of that year, coming together December 6, so was the fifth regular session, convening December 5, 1853.

By the time of the fourth session of December 6, 1852, a start had been made in the clerkship scramble that has grown ever since, and a committee room was provided at the "right of the stairs immediately opposite the council (senate) chamber for committees and enrolling clerks, with desks, and more if needed," as the record says.

J. C. Avery and Geo. E. Cole represented Benton county in that session (the one of '52-3). Mr. Avery did not come back to the 1853-4 session, which, as he stated, was also held in the Oregon Institute rooms. Nor did he serve in the '54-5 session, which was held in the completed rooms of the uncompleted territorial state house in Salem. Nor in the '56-6 session. A lot of things happened. At that session, the capital was relocated. Corvallis was named as the capital, and Jacksonville as the seat of the state university. And Representative Avery had the name of his town changed from Marysville to Corvallis in a bill he introduced.

The governor (Geo. L. Curry) moved his office to Corvallis, and the Statesman office, doing the state printing, went there, by boat. But the legislature had not secured the ratification of congress in attempting to remove the capital to Corvallis, and in the session of '55-6, F. Grover, member of the council from Marion, got through a bill moving the capital back to Salem, and the governor and the Statesman office came back.

But on Dec. 30, 1855, the nearly completed territorial state house was burned down, by an incendiary fire. It was located where the state capital is now. Corvallis got the blame for the fire, and that sent her hopes of getting the capital glimmering. It was finally located at Salem by vote of the people. That fight makes a story too long to tell here. For 20 years the sessions of the legislature, after 1855, were held in the Turner block, on the corner north of the present Statesman building, and the state offices and state library were in that and the present Statesman building, in rented offices, until the present state house was finished.

Mr. Avery came back to the 1856 territorial legislative, and renewed the fight for giving Corvallis the capital.

Which is larger—the white ball or the black? Don't answer too quickly.

YOUR EYES MAY FOOL YOU BUT YOUR TASTE tells the Truth!

MILDER...AND BETTER TASTE

They Satisfy

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