

NOT THEIR DUTY.

From the dispatches concerning the sentiment of the members of the Oregon legislature regarding Senator Mitchell's recent troubles and indictments found against him by the U. S. grand jury, it seems that the Oregon legislators have each resolved themselves into a court of their own to try and adjudicate the guilt or innocence of Senator Mitchell. It is reported that some of the members have said that "the interests of the state are paramount."

When certain classes of questions are involved it is certainly well said that "the interests of the state are paramount." But it is true that the primary and paramount object in the formation of the government of the United States and of the state was to protect life, liberty and property of individual citizens and there are no other questions of any kind which are, or can be, paramount or equal in importance when the question involving the life, liberty and protection of property is at stake. If this question is not paramount to all others then our government is a failure—a delusion to catch individuals and crush them to earth.

The dispatches claim that some days ago the legislators decided that there was grave doubt as to Senator Mitchell's guilt and then took action to adjourn the legislature at a fixed date. Recently, however, they are again questioning the Senator's position and if he does not resign, strong talk is indulged in whether the legislature should not adjourn to meet at a future time in order to be able to elect Mr. Mitchell's successor.

It is certainly hoped that the reporters formulating the dispatches are all wrong and that the members of the legislature are entitled to credit for knowing that they have no concern with passing upon the merits of the Senator's troubles.

If the legislature should adjourn to meet at some future date, with the avowed purpose of electing Mr. Mitchell's successor, the action would be construed to the effect that they believed the Senator guilty of the charges preferred against him, when in fact the legislature has nothing whatever to do with the questions involved in the indictment. The court and jury alone are the only proper tribunals to pass upon the questions. The duties of the Oregon legislature is defined by statute, and nowhere can it be found that they can take any part in trying, or in any way influencing, questions of the guilt or innocence of parties under indictment.

CAUSE OF INDICTMENT.

Many prominent men in Eastern Oregon, principally those who are organizers and interested in the Butte Creek Land, Lumber and Livestock Co., were indicted by the federal grand jury recently in session at Portland. The causes which resulted in these indictments are that on Feb. 15th, 1902, the defendants entered into a conspiracy to defraud the government by preventing the use by others of the public lands of Wheeler county. It is charged by government officers that the employees of the company, and others secured for the purpose by the company, would take up claims scattered along the line of a large circle through Wheeler county. They would fence in their claims, enclosing many thousands of acres of government land, which would

thereafter be used by the company for pasturing their stock.

It is also claimed that the men who filed on these claims were hired to do so by the company with the understanding that the claims should be deeded to the corporation when the patent from the government was obtained. The claims were so taken, surrounded with rim rocks and streams forming natural barriers which cattle could not cross, that fences could be built from claim to claim, leaving no point of egress to and from the lands enclosed. After the lands had been fenced up as stated, it is alleged that officers of said Butte Creek company would so harass and intimidate the persons who had filed on land inside the fences formed by the claim of the company's holdings, until they were glad to take their flocks and leave the land they had claimed to the use of the corporation. These are chiefly the charges claimed for the indictments against the Butte Creek Land, Lumber and Live Stock Company. It has been claimed that cattle companies interested in the control of large areas of government land have been the cause of so many sheep shooters operating on the ranges in the destruction of sheep. Possibly these indictments have been brought about by those interested in the sheep industry. Some light may develop in the trial of these cases.

RAILROAD FREIGHTS.

In regard to the attitude of the President upon the question of regulating railroads doing interstate commerce, the GAZETTE took the liberty of writing to members of the U. S. Senate on the question and the following, copied from one of the letters received, shows how the President is regarded there. The letter states in part as follows: "I have just received your letter of the 30th ult., in which you state that many people misconstrue the message of the President as intimating that he favors government ownership of railroads. That is a very erroneous impression, indeed, and a wholly unwarranted construction of the language employed by the President in his message. As a matter of fact, I know the President does not favor government ownership of railroads, nor does he advocate the same, and nothing that he has ever said would indicate that he is in favor of such ownership. He is in favor of government control and regulation, as most people are. I am personally very strongly in favor of government regulation to the extent even of empowering the Commission to fix rates, but I am not in favor of government ownership of railroads.

"I cannot furnish you with anything that the President has said on the subject, as I do not, at the present time have by me any publication containing an expression of his views. I know, however, that he does not advocate government ownership and does not favor it. You have, of course, a copy of his last message to congress, in which he advises the enactment of a law authorizing the Commission to fix rates. That is the farthest he has gone, and that is a long way from advocating government ownership."

Fraud Exposed.

A few counterfeiters have lately been making and trying to sell imitations of Dr. Kings New Discovery for consumption, Coughs and Colds, and other medicines, thereby defrauding the public. This is to warn you to beware of such people, who seek to profit, though stealing the reputation of remedies which have been successfully curing disease, for over 35 years. A sure protection, to you, is our name on the wrapper. Look for it on all Dr. Kings or Bucklen's remedies as all others are mere imitations. H. E. Bucklen & Co., Chicago, Ill. and Windsor, Canada. For sale by Allen & Woodward.

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