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THURSDAY, JULY 5, 1923

PROCRUSTEAN DIVORCE LAW

A public man who has had a

great deal to do with divorce law

says he is opposed to a federal

law for the regulation of divorce

and explains:

Such a law at this time would be

too much like a mythical bed of

Procrustes, where those who were too

short were stretched to fit it and those

who were too long had their feet chopped

off.

At present, the divorce laws range

from no divorce in a few states to the

granting of them on 40 different

grounds in others. These laws reflect

in an appreciable measure, at least, the

views of the people living in those

states.

Local views deserve respect,

and it might be all right if mar-

riage and divorce were purely local

questions. That is to say, any

state might safely be left to deter-

mine its own marriage and divorce

laws if the people who are married

or divorced were sure to spend

the rest of their lives there. But

everyone knows what the actual

situation is. People are always

moving around.

Marriages, generally speaking,

are respected everywhere, regard-

less of the state where they origi-

nated. Divorce is a different

matter. Because of widely vary-

ing laws we may find people re-

garded as married in one state,

single in another and guilty of big-

amy in a third, all at the same

time.

The logical thing would be for

the states voluntarily to agree and

thus bring order out of chaos. If

they cannot, or will not, do this,

uniformity will be possible only

through a federal law. The Pro-

crustean allusion is appropriate.

Some of the divorce laws need

stretching and others need to have

their extremities lopped off.

EXTRAVAGANT OPERA

The Chicago Civic Opera com-

pany, in its first annual report,

announces that its operating season

of 10 weeks was "the most suc-

cessful ever held in Chicago." The

company lost only \$351,778.

Any business institution in

America would set down such a

record as a disastrous failure. So

would any operatic institution

abroad.

It is absurd to call grand opera

or anything else a success when,

in the long run, it cannot make

itself self-supporting. And if this

is true, most of the grand opera

in America is a failure.

That is because it tries to be too

grand. There are successful opera-

tic companies in the country.

They give good opera, and give

them pretty well, to the delight of

many thousands of people, without

asking any social leader or phil-

anthropologist to dig down into his

pocket and make good a business

loss. It is because they go

about the matter in a more modest

way, ignoring the "star" system

more interested in music than in

celebrities.

LOGIC AND CONVENTION

"We need more dogma and less

rationalism. Reason, like every

other faculty, has a habit of usurp-

ing a place that does not belong

to it, and working mischief."

Dr. Paul Elmer More of Prince-

ton, speaking last week at the

Oberlin College Commencement,

made this declaration, and went

on to assert that reason must be

restrained no less than the pas-

sions. He is a bold man, and many

will quarrel with him.

And yet, his case is defensible

enough. Consider, for instance,

the ancient rule of the sea: "Wom-

en and children first." It was

easy to argue that the strongest

should live; easier still to plead

that it is folly for men of proved

value and ability to lay down

their lives in order that women of

no demonstrated importance and

children of doubtful promise

should live.

Pure logic, we may suspect,

would find the twin institutions

of property and matrimony, the

true foundations of everything

which we can call civilization, very

hard to defend—as you may de-

termine for yourself with more

risk than profit. But some hun-

dreds of centuries of experience

have made plain their worth.

The fact of the matter is that

convention, however ridiculous it

may seem, and however irksome,

is a guide surer in the affairs of

life than reason can hope to be.

It represents what the process of

trial and error, rather than that

of pure logic, has taught mankind.

That Centralla, Washington,

judge who sentenced eleven moon-

shiners to attend church has a

mistaken opinion of religion. It

is not a punishment, regardless of

his views.

President Harding has been

made a full-fledged member of

the Cayuse Indian tribe. Even be-

fore that, though, he had a repu-

tation as a "good Indian."

That explorer who is starting

north to find out if a new ice age

is beginning ought to take a look

at the thermometer first.

Nevada's prohibition law has

been declared faulty, but her di-

vorce law is still air-tight and at-

tack-proof.

Dempsy won the fight on a de-

cision, but Shelby's financial back-

ers lost by a knockout.

Earlier Days in Eugene

(From the Morning Register, July

5, 1894.)

Professors Mc Allister, Gamber,

and Adams and four students of

the U. of O. have returned from

the Santiam where they made a

topographical survey of the North

Santiam from Idanha to Mill City,

a distance of about 23 miles.

The Lane County Electric com-

pany has received a number of

desk motor fans which may be at-

tached to the ordinary incandes-

cent lamp.

Several big chunks of gold from

the Great Northern mine in the

Blue River district were on dis-

play at the First National bank

yesterday. The gold came from

the two stamp mills operated at

the mine by the owners, W. S.

Standish and A. J. Inman.

The Oregon State Baseball

league disbanded after the fourth

of July game was played. The

Giant Marries Midget in New York



Benjamin Theller and Dora Vieg

This unusual couple have just been married in New York. The

groom is Benjamin Theller, 5 feet 10 inches tall and weighing 210

pounds. The bride is a midget, Miss Dora Vieg, 40 inches tall and

weighing 55 pounds.

new faith in America. I have said

it before, and I choose to repeat it

now: If in the wreaths of immor-

tality there is separate bloom for

every noble achievement, then the

Angel of the South will have placed

on William McKinley's grave the

sweetest garland that may bloom

there.

There was destiny in that re-

union. It equipped us to go on, to

grow in strength, to expand in in-

fluence, to plant American ideals

of liberty in the Orient. We

planted the flag across the seas.

We made sure of the flag at

home, with every glittering star

fastened by popular faith and

enlightened by popular hope, then

held it aloft in the Philip-

pines and Porto Rico, as the em-

blem of the same liberty and the

guarantee of the same justice that

we cherish for ourselves.

Foremost in industry, commerce

and industry, we made ourselves

foremost in education, we notably

advanced in art, we had reared new

standards of living, and out of our

example of representative democ-

racy the stars of many new repub-

licas were aglow above the horizon

of human hope and happiness.

We passed the vicissitudes of

social evolution, from our organiza-

tion, from our resources, so essential to develop-

ment, but unhappily attended by

the greed that conscience had not

inhibited, to the reaction and re-

asserted freedom. Amid the solu-

tion of the problems of recovery,

correction and preservation, we

maintained the fundamentals, and

we grew in population, in wealth,

aye, in the finer attainments be-

yond our fondest dreams.

But we have been guilty of one

gross neglect. We were so eager

to explore our boundless national

wealth, we were so keen for that

development which makes com-

munities and in their aggregate

makes the greater nation, that we

called to the man-power of the

world to come and participate.

And the men of the world came.

They came from the lands of the

oppressed, to drink and drink free-

ence to the two contending

schools of American politics. It

must have been destined that the

nationalist school should triumph.

Every new experience, every larger

aspiration, confirmed the national

viewpoint. I know of none in all

the land who is desirous of abridg-

ing the rights of states. Few, if

any, could be charged with federal

responsibility for any considerable

period without wishing to dimin-

ish that responsibility. Traveling

across the continent one may hap-

pily survey states ample in domain

and resources to be empires within

themselves. If they were content

to wall themselves within their

borders and diversify their pro-

ductivity, they could live and pros-

per within themselves alone. But

nobody in America wishes to live

that way. We are national in our

vast areas, in our larger aspirations,

in our practical helplessness, for

each other; we are national in our

common destiny.

The broader viewpoint is not

limited to defense alone, because

we mean so to deport ourselves,

and so appeal to honor and love

and justice among others, that we

shall never again be called to wage

armed warfare.

Only the broadest national

viewpoint makes possible the vast

projects of irrigation, reclamation

and power development through fed-

eral aid, in which the West is so

deeply interested. The immediate

gain is within the state or group of

states; but the added wealth and

the larger achievement is a na-

tional triumph.

Good Highways Prime Need

Only the broadest national

viewpoint could sanction \$75,000,-

000 annually to be paid out of the

federal treasury in improved road

construction. Many of the states

have largely improved their roads

at their own expense, as they were

well prepared to do, and from the

strictly state viewpoint there is

little concern in New York or New

England about road improvement

in Idaho or Oregon, but the nation

is concerned about improved com-

munication, cheapened and ef-

fectly maintained; and out of the

national wealth we contribute

to aid the newer states, and make

a greater land and a happier people.

We are confronted with no

greater problem than transportation,

both by rail and water. Only

national solution is possible. You

can have no merchant marine if

that problem be left to the states

alone which border the salt seas;

you can hope for no inland water-

ways where the states directly in-

terested are to assume the cost;

and the railway problem is espe-

cially national in scope, and only

a federal plan will bring about an

ample solution