ASHLAND, OR ... THURSDAY, May 19 1899 L. R. Webster, who wants to be attorney-general of Oregon, never had a law case in court in his life.

How many men having business to transact in Webster's court have had their patience exhausted and their trip to the county seat prolonged in the vain waiting for the hour for calling court to R. Webster, of Jacksonville, who wants come around, caused by the pampered count taking his ease till almost noon, and then finding himself "indianced" to be attorney-general. When we have given Mr. Webster's record it is possible that the voters will consider him tetally was sentenced to fifteen days in jail and and then finding himself "indisposed" because he had his high-toned partner to al-minded gentleman. George E. Chamentertain for dinner.

cess in taxes alone to educate L. R. Web-any newspaper criticising him was guilThis sounds healthy. It's re ster to that point of legal excellence that ty of "contempt of court," and on his to find a sensible upper court, just now, has enabled him to secure an affirmance own motion, and with himself as com- teaching a light-brained lower one its of less than one hait his cases in the supreme court, and to make him an eligible candidate for attorney-general of the candidate for attorney-gen

my Lord Webster's court!

The frequent occasions when Webster's laziness and "indisposition" have caused him to adjourn court within five minutes after convening, merely because shakes of a sheep's tail, But, Lord. Lord; hasn't it been rough on the litigants and the people, who have paid the

supreme court of Oregon from the first than one-half of his cases have been afon June 6th.

good opportunity to show his contempt and ingratitude for those who boosted him into a position where he felt at liberty to play the czar, and lash his opponents into subjection, that man also once sought to raise him from medicancy nence. The score will be even

debt that now harrasses our people. When a man of such superlative "dignity" as Webster boasts is given the opportunity to spread himself at the public expense, the little matter of dollars and cents out of the people's pockets cuts no figure in his calculations. The dignity of the man who presides in the court must the man who presides in the court must RECORD for contempt of his court in be preserved at any cost. We have never having the temerity to offer an unfavorhad time to figure out just what his ex-periment of hauling up the RECORD cost the state outside his imperial jurisdicthe people of this county, but it involved tion has had a word to say, and not in a nice little fee out of the county treasury for his pardner. Hammond, whom he never forgets to remember when he can do so at the public expense. The brace of "bench workers" did not know enough law between them to make the

When Webster was first placed on the bench, he was so ignorant of the first principles of law that he was compelled to take every case that came before him "under advisement." He continued the court on Thursday on an appeal from practice after he learned something about Jackson county from a decision by judicial procedure, because he has simply been "farming" the bench for political purposes, and the practice of land RECORD, referred to the conduct taking cases under advisement worked and actions of Judge Webster in an unso well in allowing public feeling to die complimentary manner, whereupon out that of late years he has carried these | Webster hauled him up for "contempt tactics to such an extent that a case of court. Webster sat with autocratic that had been argued and submitted was power in a case to redress his own grievin danger of sharing the fate of a meritorious congressional matter that has been argued and submitted to a standing committee, and then "dies in the committee room." Cases have been argued of which the syllabus appeared in yeshe could recollect nothing at all when cate that he is unfit for his high posiurgent litigants humbly asked his might- tion. iness for a decision to be rendered, after months of tedious waiting for the court to feel disposed to guess at the merits or merits of the case. With a few more Websters in public life in this state, its

his head again in public. [FURTHER EDITORIAL ON PAGE 5.]

He Is Justly Disliked. The press of Oregon has no partiality for Judge Lionel Webster. He has received the cold shoulder as a general is L. R. Webster. He is a man who felt grieved, when circuit judge, bething, and he ought to be snowed under. Here is what the Corvallis Times has to some of his official acts and he had the scribe brought before him for contempt. After a farce of a trial, in which the judicial acts and was only prevented his judicial acts and was only prevented by the supreme court. Nearly every ence. That is the kind of a man Webster.

The republican candidate for attorney for E. J. Kaiser, defendant in the contempt proceedings instituted by an irate judge, has filed a brief in the Supreme Court of Oregon that will let the bottom out of Judge Webster's proceedings. It is well enough that it should."

We webster gave him a heavy sent-live and said and was only prevented by the supreme court. Nearly every ence. That is the kind of a man Webster.

We have the republican candidate for attorney for E. J. Kaiser, defendant in the contempt proceedings instituted by an irate judge, has filed a brief in the Supreme Court of Oregon that will let the bottom out of Judge Webster's proceedings. It is well enough that it should."

Yoters, it is your duty as self respects. by the supreme court. Nearly every paper in the state then commented on his personal bigotry and he has done nothing since to change their opinion. George Chamberlain is head and shoulders above all such narrow-minded men and he is worthy of your vote for the supreme court. Nearly every ence. That is the kind of a man Webster paper in the kind of a man Webster is. He would muzzle a free press, and the free press of Oregon should muzzle him. No self-respecting paper will support him for any position unless it does the obscurity he deserves.

Voters, it is your duty as self respecting, free American citizens, to go to matter, but a polls on June 6 and cast a ballot against liquidge webster gave him a heavy sent-ence. That is the kind of a man Webster is. He would muzzle him. No self-respecting paper will support him for any position unless it does the obscurity he deserves.

American citizens, to go to matter, but a judge webster gave him a heavy sent-ence. That is the kind of a man Webster is. He would muzzle him. No self-respecting paper will support him for any position unless it does the obscurity he deserves.

American citizens, to go to be matter, but a judge webster gave him a heavy sent-ence. That is the kind of a man Webster is. He would muzzle him. No self-respecting paper will support him for any position unless it does the obscurity he deserves.

American citizens, to go to be ing, free American ci

Among the many amounts given that will take place at the Band Boys Benefit at opers house May 20, will be a laughable farce entitled "My Turn Next."

Sixty minutes side-splitting joy for afteen the finding of the lower court, will know more next than butter only.

WHAT THE STATE PAPERS THINK

Lionel R. Webster, Candidate for Attor ney General-How the Press Views Him.

Not the Man Wanted. [Heppner Gazette, May 13, 1892.] The freedom of the press must be unfit for that office, and vote for a liber-

It has cost Jackson county \$12,000 exlain, of Albany.

Oregon. Do you want your taxes redition was promptly reversed by the suddeed in that way, voters?

Some time ago E. J. Kaiser, editor of the source from that better or other source from the source from the source from the choice of the same. The Gazette is opposed to the what appeared to him as corrupt process.

Some time ago E. J. Kaiser, editor of the source from the choice of the Republican party of southern Orewhat appeared to him as corrupt process. The autecrat of all the Russias could not be more freezingly dictatorial than Lord

the same. The Gazette is opposed to the anti-republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the press. By its potent power, under a republican principle of muzzling the pressure of the first district, and to a pressure of the same. The Gazette is opposed to the same. The Gazette is opposed to the anti-republican principle of muzzling the pressure of the first district, and the declarations made in his tices in the courts of the first district, and the declarations made in his tices in the courts of the same. The Gazette is opposed to the anti-republican principle of muzzling the pressure of the same. The Gazette is opposed to the same. The Gazette is opposed to the same of the Lionel, wrapped in the fancied dignity of can rest assured of the continuance of Webster who wears the judicial ermine his own personality, when presiding on his temporary throne, the circuit bench of the first judicial district. Many a juryman has had his head almost taken of the irst lead to states, as interpreted by those matchless statesmen, Andrew Jackson, Henry Clay, Daniel Webster (no relative to the bench of that district, whereupon the irste judge had the recalcitrant editor dragged before him and fined him the county juryman has had his head almost taken of the continuance of those principles laid down in that price-less document, the constitution of the United States, as interpreted by those matchless statesmen, Andrew Jackson, Henry Clay, Daniel Webster (no relative the irste judge had the recalcitrant editor dragged before him and fined him the county jail for 15 days all for "contempt of attorney general."

[Marshfield Sun.]

Lionel Webster, the judge who fined and tried to send the editor of the Valuer of the irste judge had the recalcitrant editor dragged before him and fined him the county jail for 15 days all for "contempt of attorney general." off by the irate lord, because the juryto Lionel) and others. With the press
man's boot-squeaked in open court. This Jeffery-like proceeding throttled, the would-be autocrats would be met with the earnest disapproval of Mr Fancy it, the presumption of a juryman soon rule to our ruin, and therefore, allowing his plebeian boots to squeak in of right, and denounces Mr. Webster as pealed the case to the supreme court,

A Step Toward Fiendish Persecution.

[Roseburg Plaindealer.]
For the publication of an "uncompli mentary" article in the VALLEY RECORD the lawyers did not show up to the min- a few weeks ago, Editor E. J. Kaiser ute, has been a fine thing for the sheriff was brought before Judge L. R. Weband the bailiffs, who were enabled to ster on a charge of "contempt of court," earn their days wages in less than three and was fined \$50 and ordered to be in carcerated in the county jail for fifteen days. We fail to perceive anything contemptuous in this alleged contempt of court article. It is true the article is not very flattering to the court, jury or bar, but from what we have learned in a general way, the article is but a summary of common report, with the excepjudicial district during the term that L. tion of its allusion to Judge Webster. R. Webster has presided over the circuit We never heard of his being charged court of that district, 26 cases have been with being a corrupt man. We have afirmed, 23 reversed and 5 modified. Less heard him condemned as wanting the requisite knowledge and experience to fit firmed. This same Webster is candidate for attorney-general of Oregon. Is he qualified for the analysis of the law. This may or may not qualified for the position of legal adviser any art or profession aside from good for the whole state? Voters will answer natural common sense, sound judgment and honest purposes, is no surety against If there ever was a man who had good fortune thrust upon him, that man has been L. R. Webster; if there ever was a construct thrust upon him, that man has been L. R. Webster; if there ever was a construct thrust upon him, that man has been L. R. Webster; if there ever was a construct thrust upon him, that man has been senting the papers to expose him. But Lionel R. Webster, a gentleman with a very boson that chiefest of all virtues, gratish cognomer sets a construct while the papers to expose him. But Lionel R. Webster, a gentleman with a very boson that chiefest of all virtues, gratish cognomer sets a construct while the papers to expose him. But Lionel R. Webster, a gentleman with a very boson that chiefest of all virtues, gratish cognomer sets a construct while the nonor above that chiefest of the public to whom, up to this time he had displayed a reasonable while the nonor above that chiefest of the public to whom, up to the chiefest of the public to whom the chiefest of the public to whom the chiefest of the public to man who thoroughly despised the hand technicalities of the law. But to the prisonment for alleged contempt of plea that judges must not be criticised-- himself back in his judicial seat with an that did the thrusting, and took the first contemptuous language of the article court. The contempt consisted in the but they have free license to practice air that bespoke a sense of security for

ponents into subjection, that man also has been L. R. W. He truly has "done enough for southern Oregon." Now let show that the court, jury and bar have ested in, and is therefore within the in this position. But for him to appear southern Oregon give it to him in the not acted with "the fear of God before scope of legitimate criticism of public as prosecutor, judge and jury, places neck, and pay him off in his own coin. their eyes" in Jackson county. If such servants, and does not in any sense come him in a position that both press and Nine-tenths of our citizens now enter- be the facts as stated, the VALLEY within the class of offenses designated public will condemn. If this case is tain fully as hearty a contempt for Webster as he dare entertain for the men who

RECORD has done a good thing for the as contempts.

A contempt is the act of disturbing a properly attended to the probability is that Webster will soon be retired to where was before a freely and hearty. purpose by showing the way of transgressors to be hard. It is said, "The licentiousness of the press is the pala-like like act of performing its functions as such, or disobedience to its lawful process or mandates. A few isowhen Webster is beaten in a state having ten thousand republican majority. Let the people of Jackson county see to it that he does not have this section to thank for saving him from defeat.

The cost of making a tenth-rate judge

The cost of making a tenth-rate judge judge in Jackson county, by the name of L. R. Webster,

There no little to do in piling up of the county and smacks somewhat of the star chamber court over 400 years ago, or of

Jeffrey's Bloody Assizes in 1685. Lionel's Native Modesty.

[Yamhill Reporter.]
Apparently Judge Webster of the Ashland district has not scored so many native modesty doesn't restrain him he can learn a good deal of wisdom by sitting down on a pin.

[Salem Daily Statesman, May 3. There was a decision of the supreme Webster which has attracted much attention in southern Oregon and throughances. He convicted Kaiser of contempt, the "contempt" consisting in telling the truth about the judge. Of course the decision was reversed, Chief Justice Thayer rendered an able opinion,

Judge Webster's Mistake. [Daily Oregonian.]
E. S. Kaiser, editor of the Ashland RECORD, is feeling very good over the action of the supreme court, which repeople would retrogress to a camas dig-Jackson county, who fined the editor \$50 versed the decision of Judge Webster of ging basis in a very few years. The and fifteen days imprisonment for criticountry has had enough of Webster.

Let's fire him so far out of the state that he will never have the hardihood to show his head again in public.

Let's fire him so far out of the state that he presided. Webster is a young man and made a mistake as to his head again in public.

Let's fire him so far out of the state that he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided. Webster is a young man and made a mistake as to him he presided where the head again in problem. the extent of his power to punish uncomplimentary newspaper criticism.

Should Muzzle The Judge.

A Principle Involved.

The supreme court of the state of Oregon on May 1 handed down its decision | Ashland is in the city. Kaiser is the in the contempt case against E. J. editor whom the vealy, callow are Kaiser, editor of the VALLEY RECORD of alleged judge, Webster (who is running Ashland. The court reversed the deci- on the Republican ticket against the sion of the lower court. This will able, honest and just George Chamber please Brother Kaiser and his numerous and for attorney general), put in jail for friends.-Rogue River Courier.

riends.—Rogue River Courier.

We told you so. The Courier says Kaiser's "crime" was that he dared that it will please Kaiser and his num- point out in his weekly newspaper some ours offers his name for public prefererous friends. We say that it will of the faults of the court. For this preplease a world of true American citizens.

[Yreka, Cal., Union, May 3.] An Ashland telegram of May 1, says: fined \$50 by Judge Webster, for publishing last December a severe criticism of the management of the judiciary of this

This sounds healthy. It's refreshing

A Righteons Judgment

jail for 15 days all for "contempt of met with the earnest disapproval of Mr. an improper man for the office of attorney-general.

and the decision of Webster's court was of course, promptly reversed Webster's of course, promptly reversed. Mr. srn Oregon, who got to be judge by ac-Kaiser is to be congratulated that in his cident, recently had the editor of the

Royalty Receives an Upset. [East Oregon Herald, June 4.] E. J. Kaiser editor of the Ashland RECORD, has been released by the ster of Jackson county should obtain in supreme court from paying a fine of \$50 this country the czar of all the Russias and serving 15 days in the county jail for criticising the acts of the circuit a circuit judge. According to this parcourt over which Judge Webster pre- ticular Webster, who happily for the

We venture to say that the country would be getting rather despotic and tyrannical when the press would be deprived of the right to criticise, or call the attention of the public to any judicial acts it believed to be wrong.

The People Will Not Stand It. Crescent City, Cal., News, Jan. 26, Judge Lucas an able lawyer, editor.]

under consideration, if we properly un- publication of an article criticising the corruption, if such be their desire, and the coming six years and gave growing derstand it, there is nothing worthy of punishment other than such as an en
Jackson county. The article is pointed tor Kaiser libeled Mr. Webster, why did station from which he had been lifted

> independent spirit of free America will for expressing his opinion of the way never sanction any principle that will public offices were conducted in the shield the dishonest biggot or unprinci- county, Webster is certainly the most

Should be Condemed.

[Portland Mercury.]
Editor Kaiser of the VALLEY RECORD, s live Ashland newspaper, has occasion now to remember the arrogance of the kaiser. The kaiser is a sort of a doublebarrelled, stem-winding nabob who runs things about as he pleases in a country terms always complimentary. A judge that don't amount to much except to will generally do well to keep order in kaisers. For kaisers, however, it does proportion to population, amount and proportion to population. his court and see that its functions are first-rate. There the highfalutin swine well oiled and in running shape. If his can grunt and woe to him who dares say him nay. In this country, however, Kaisers dare not even chirrup. If they from attempting to sit as judge and jury in seeking redress of his own grievances, do they are jerked out of their trousers, fined and imprisoned. At least this has been the experience of the Kaiser of the VALLEY RECORD. Not being a coward, he dares to preach the truth and defend justice and sentenced him to \$50 fine the helpless. For this offense it is sought to punish him. If there is an editor in Oregon who would not condemn such a high-handed outrage, the puerile idiot and craving coward should hide his head in shame. He is not worthy of his cloth.

We Will Know Soon Judge Webster on the 6th inst. fined ping, to say nothing of his ears. The E. J. Kaiser of the VALLEY RECORD for editor of the RECORD had the temerity contempt of court, said editor Kaiser to criticise in his paper a decision made having in the issue of his paper of Dec. by this august personage, and forthwith 12th published a defamatory and con- he is held for contempt of court. Per-

temptuous article implicating and de-faming the good name of said Webster and judge of the first judicial district of Oregon, contrary to the statutes thereof in such cases made and provided. He one in question are to prastitute law and and submitted of which he had become terday's Statesman. Judge Webster's fixed poor Kaiser's fine at \$50 and 15 strive to rob the people of one of their utterly oblivious, and concerning which foolish action in this case would indidays in jail and then released him on his "inherent rights," the sooner he or the own recognizance. Raiser will appeal and Webster will get pealed and learn not to answer until he's called. Our boast under of the alleged judge. is of a free country and a free press. See to it friend Kaiser, that we have one, and that the rights of freedom are not abridged. We fail to see that Webster's official or private acts should be cism than any other citizen's. If his know it so we may avoid similar calam- It strikes us that since that outrageous

ities of ourself. A Lawyer-Editor Opinion. The city editor of the Crescent City

Voters, it is your duty as self respect- advised as to this Webster and RECORD ing, free American citizens, to go to the matter, but are led to believe that the

The same of the same

WEBSTER'S RECORD.

Judge (?) Lionel Webster.

[Portland Daily Dispatch, May 10, 1892.]

"Unfit for Anything."

[Portland A. O. U. W. Reporter.]

A Blow at the Press

possesses but little more authority than

good name of the latter, is in no way re-

lated to the immortal Daniel-judges

may be corrupt as Satan himself, and

the newspapers must not apprise the

people of the fact. The decision of this

Lionel R. Webster strikes the press a

blow no less severe than it does the en-

tire people. The public looks to the

newspapers for information. If a pub-

lic officer is corrupt, fails to perform his

Should Pull Out for Russia.

Will Stand by the Truth.

among other things, it was stated that

magnitude of crime and purse of crim-

inal) as it is in the cities where these

cases are regularly 'handled' by the

Hot Shot at an Alleged Judge.

[Yreks, Cal., Union.]

killing of Terry and the following cir-

cumstances, "light-headed" and valner-

able judges are apt to mistake their mis-

A Judicial Ignoramus.

[Roseburg Review.]

tionable article entire.

in the state.

E. J. Kaiser of the VALLEY RECORD of OVER HALF HIS DECISIONS HAVE BEEN REVERSED.

> Whose Opinion Isn't Right Half the Time?

sumption, Webster, with the air of a fitness and worthiness for the position Russian czar, summoned the editor be- which the lowliest citizen has the sovfore him and ordered him to jail. But ereign right to make. If the candidate Kaiser was not inclined that way and has before been honored by public office. The contempt of court case of editor appealed to the Oregon supreme court, high or low, and has a consciousness of which tribunal reversed the outrageous having faithfully discharged the trust, and wanton decision of this Jackson he will not object to an examination of county tyrant. Webster is a consum- the record he has made. Upon this recated excrescence of ignorance, imbecil- ord he invites his fellow citizens to ity, tyranny and gall, and his nomina- judge him and by it he must stand or ion by the Republicans on the ticket is fall. an insult to the freedom of the press, one of the bulwarks of our liberty. Webter has become so unpopular in Jackson upon the Republican ticket for the high above? It is not believed that they will,

unty by his display of tyranny, ignor- and responsible position of attorney gen- and all who read this are requested to ance and vicious and imbecile decisions eral. The people of this state are en- watch the returns after June the 6th that over half the Republicans will vote titled to know whether as a lawyer he is next and he will see that the sentiments against him. He is unpopular where he qualified to become the legal adviser of of Democrats and Republicans are alike [Albany Daily Democrat.] is best known and will be snowed un-Some time ago E. J. Kaiser, editor of der so deeply at the June election that better or other source from which to ob-Judge Webster is not the choice of is best known and will be snowed un- this great commonwealth. We have no expressed.

[Marshfield Sun.] Lionel Webster, the judge who fined indicial district became vacant by the resignation of Hon. H. K. Hanna, who was then the able incumbent. A Republican governor then presided over attorney general. He is unfit for anylawyer was found willing to accept the Some bobtailed lawyer downin southperson the freedom of the press has been Ashland Record arrested and fined for a young man of pleasant manner, reasonjudicially vindicated. Judge Webster contempt of court simply because the ably good education, poor in purse, marwill learn from this that men who don RECORD insinuated that said judge was ried and ambitious. The people of the judicial ermine are subject to criti- a dishonest nincompoop, wholly unfitted Jackson county thought of him as a [Sunday Mercury.]
If the position taken by young Web-

> inclined to view his mistakes with complaicency, feeling that time would fill out his qualification by that experience which must make up the finishing part of every man's education. In this, however, the people were to be sorely disappointed as the sequel will show. At the first general election he was elected to fill the unexpired term of two years, at the end of which being

ted and elected because of the weakness E. J. Kaiser, editor of the Ashland, duty or violates the confidence reposed of his opponent and the good natured

> apparently with premeditation withdrew himself from the kind offices and recognition of those who so aided him in the days of his need. A stiff bow and salutation. His friends have with vexa-tion often remarked this foolish young

eign wills at the ballot box. ing person an intellectual shallowness pled tyrant from the just criticism of colossal figure of arrogance, stupidity inconsistent with the idea of a sound and lofty legal mind, and the record will vindictiveness and meanness to be found verify this conclusion. To prove this a reference to the Oregon supreme court reports shows that since Judge Webster [Portland Daily Oregonian.]
Not long since the VALLEY RECORD of out of fifty-four cases decided by Ashland published an article in which, him and appealed to the supreme court, twenty-three have been reversed, five modified and twenty-six affirmed. Less right along up.

"When will the cupidity, indifference and lack"

"When will the cupidity, indifference and lack" "the practicing condition of jurisprudence in this section of the world is as than one-half of his cases have been afcorrupt and criminal in its methods (in

No comment is needed. No lawyer who is mistaken more than half his time is a fit person to be the legal adviser of a whole state.

political boss who 'makes' the officials, 'fixes' the juries, and attends to the case for a large sum." For this the circuit judge, Lionel R. Webster, hailed the his administration as circuit judge has editor, E. J. Kaiser, before the bar of entailed a large and useless expense, as the records will also show. and fifteen days imprisonment. If Judge The records show that for the fiscal Webster thought to muzzle the press by

year ending July, 1885, the cost of runthis operation he was mistaken, for the ning the circuit court in Jackson county RECORD this week reprints the objecalone, exclusive of the sheriff's and clerk's fees for the same time was twelve thousand two hundred and twenty dollars and sixty-six cents (\$12,220.66); the clerk's fees incurred in circuit court business for the same time was \$831.55. thousand two hundred and twenty dol-[Portland Welcome.]
They have an alleged judge down in business for the same time was \$831.55, and the sheriff's fees about the same, making a total of about \$14,000 for that one year alone. The next year it reached over \$7,000, the next about \$7,000 and the following year it approximated \$6,-000, making a sum total of \$28,000; and this does not include the salary of \$3,000 a year paid by the state to the judge. As near as can be obtained from the record the aggregate cost of the same court for the past four years not including the judge's salary has been approximately \$16,000, an average of four thousand dollars a year, Assuming \$4,-Judge Webster, of the district in young man to that standard of legal which Ashland is situated, took excep- ability that has enabled him to get any more secure or exempt from criti-VALLEY RECORD, denominating it "con- the supreme court and to make him

through the public press, we want to for the present on his own recognizance. only presenting the figures for Jackson county alone and that during all this time Judge Webster's jurisdiction has extended over three other counties. which it may be reasonably inferred

[Portland Dispatch, May 18, 1892.]

The press of Oregon has no partiality of Judge Lionel Webster. He has re
The republican candidate for attorney of Judge Lionel Webster. He has re
The republican candidate for attorney for E. J. Kaiser, defendant in strong for E. J. Kaiser, defendant in stron upon the people, a still heavier expense has been incurred by litigants in civil suits and actions arising from complainant, judge and jury—the discipled the appearance of the people, a still heavier expense has been incurred by litigants in civil suits and actions arising from complainant, judge and jury—the discipled the appearance of the appearance unnecessary delays that could and would have been avoided by an expeditious judge. It is a well known fact behalf of the defendant editor, made a complainant, judge and jury—the district attorney not appearing in the case upon him the punishment imposed, depends upon whether the offending was done in the immediate view and presence of the court.

The publication, according to the general definition, according to the general definition. behalf of the defendant editor, made a full exposition of the law and thoroughly an exasperating slowness and that cases argued and taken under advisement are sometimes held until forgotien, and it is confidently believed that many severals might have been avoided to use my decision of these cases had been given where fresh in the mile arguments and citable of the charges before some disinterested judge and jury would be a defense to multiple of the court of the court

court for Jackson county from and in-clusive of 1886 to the present time were tain him in the belief that he was needed to convict, but it does not appear in the 496, or eighty-two and a fraction of days for each year, and the average though he were defeated. The RECORD here are though the was the fact, nor as I can see, that it was calculated to innumber of hours during which the court editor also wanted it to be action for If the set were such an one as could have been was in session would not exceed five hours each day, while weary litigants, ability and only desired the opportunity whose rounds of duties at home demand their attention are kent with an array to establish in a legal way the truth, and direct contempt; but it not having been so committed and not involving a direct disobedience their attention, are kept with an array unearth in a libel case the abuses in the to any order of the court, it comes within the

of witnesses, day after day, with all the circuit court. consequent expense and loss to farm and business hanging upon the sweet will But Circuit Judge Webster would do Law Reg. vol. 20, 147. business hanging upon the sweet will and pleasure of this man who has grown so great upon their gift, who has forgotten gratitude, but asks them to raise him a little higher in June next. It is hardly to be doubted that they will remove a few that he are already to be doubted that they will remove the shown by an affidavit presented to show the shown by an affid

Will the people of this state think it to their interest to elect a man to so

was nominated are not indorsed by one-Toward the close of the year 1883 the half of the Republicans of Jackson counoffice of district judge of the First ty where he has lived for ten years.

A JUDICIAL DESPOT the state, and no available Republican UP FOR THE OFFICE OF ATTOR-

cism the same as other officials are when for the position he occupied. Does this they get out of the line of honest public mean that the press is to be muzzled for for the place. The governor made the first judicial district of Oregon, telling what it believes to be the truth? appointment, and though very young over which Lionel R. Webster presides and without experience in the law, he as judge. The next day Judge Webster, began the tasks imposed with commend- the grieviously offended party in the able zeal and appropriate modesty. For court room at Jacksonville, sixteen miles a time the good people of this district from Ashland, in his own handwriting, issued the following, to wit: honor upon a worthy person and were

> editors and publishers of the Valley RECORD, a newspaper published at the City o Ashiand, day of December, 1859, in an issue of the said VALLEY Record published on said day did publish of and concerning the above Court and the Judge and officers thereof the following, towit:
> "The circuit judge has ordered an investiga-

still on probation, he was again nomina- tion into the whys and wherefores of a mater witness disappearing in a criminal case in which his important testimony was needed to convict. While the honorable court is at the warm and interesting to some of the executors. In fact then the evidence would be laid bare to

the people of Southern Oregon and they would know just why one man can be convicted of punishment other than such as an enlightened sentiment would visit upon the offender.

The language is not the most commendable of the court, and may tend to matter which the general public is intermentable of the court, and may tend to matter which the general public is intermentable. The language is not the most commendable of the court, and may tend to matter which the general public is intermentable. The language is not the most commendable of the court, and may tend to matter which the general public is intermentable. The language is not the most commendable of the court, and may tend to matter which the general public is intermentable. The language is not the most commendable of the court, and may tend to matter which the general public is intermentable. The language is not the most commendable of the court, and may tend to matter which the general public is intermentable. The language is not the most commendable of the court, and may tend to make the indulgent patience of friends to move the intermentable and the indulgent patience of friends to whom he owed his good fortune.

He soon discarded those little virtues that had attracted friends to him may tend to make the converted of the newspaper and the indulgent patience of friends to whom he owed his good fortune.

He soon discarded those little virtues that had attracted friends to him, and the indulgent patience of friends to whom he owed his good fortune.

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He soon discarded those little virtues that had attracted friends to him, and the indulgent patience of friends to whom he need the now patients and the indulgent stantial evidence that made the first man stretch hemp was far less convicting in its cir-cumstantialness than was the case that the blind Goddess of Justice could not find guilty. Why attorneys can offer bribes to even such august personages as grand jurors to bring in suitable verdicts. And why—yes, why a lot of other things just as queer, irregular and delicate, and "too numerous to mention," are occurring as periodically as there are exigencies that make them. In fact, the court would have an all year's job on its hands. The practicing condition of jurisprudence in this section of the world is as corrupt and criminal in its methods (in preparation to complettion amount and mark (in proportion to population, amount and mag-nitule of crime and purse of criminals) as it is in the cities where the cases are regularly "handled" by the political boss who "makes" the officials, "fixes" the juries and attends to the case for a large sum. These irregular methods are becoming so numerous that it seems as though they have ensoysted themselves

upon, and are part of, the-unwritten-works Such conduct will suggest to any thinkof Blackstone.
"This is one of the conditions and dangerous consequences of the political methods in vogue in Jackson county, an immediate result of which is shown in the shameless way in which which is shown in the shameless way in which its representative officials are allowed to sell out their constituency for a beggarly fee. Another direct result of this state of affairs has placed an indebtedness of from \$100,000 to \$150,000 such as State vs. Morrill, 16 Ark 284 and the court and bring the administration of justice into disrepute, has never been conceded in this country. Counsel for respondents have cited in support of that doctrine, from the American decisions, State vs. Morrill, 16 Ark 284 and 100 miles are supported by the court and bring the administration of justice into disrepute, has never been conceded in this country. has been on the bench in this district, magnitude that no one does know the exact

of courage of the people in public affairs cease, and an effort made to at least put a check to

these grasping vultures:"

It is therefore now hereby ordered that you and each of you be and appear before said Court at the Court House in Jacksonville, said county and State, on Monday, 16th December, 1889, at 9 But this is not all. The complaint is almost universal among the people of this county, regardless of party, that so county, regardless of party, that so published and circulated the matter above set out as aforesaid.

The Reply.
Said writ was issued on motion of his Honor
the said Judge and without an affidavit or other

In the Circuit Court for the State of Oregon and County of Jackson:
An order citing E. J. Kaiser and N. A. Jacobs o appear and show cause why they should not

be punished for contempt:

E. J. Kniser comes and in answer to a citation sued out of the above entitled Court and hereofore served upon him: Says that he is engaged in publishing a newspaper of general circulation at Ashland, Oregon.

That in publishing said article that appears in said citation he did not make any reference to any action or proceeding then pending in said Court, or before any Grand Jury. Nor was there any Grand Jury in session at said time as defendant is informed. That said article was, so far as the same relates to the Courts of this County, a criticism of past acts therein and the courts in regard to matters of contempt, to the punishment only of such acts as are specified in the sections of the code above set out.

Nor can I discover any reason why the legislature does not possess authority to prescribe the mode of procedure to be observed by the courts in regard to matters of contempt, to the punishment only of such acts as are specified in the sections of the code above set out.

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And denies that this Court has no jurisdic-tion to punish this defendant or to adjudge him in contempt for the publishing of said article set forth in said citation. set forth in said citation.

All of which is respectfully submitted. E. J. KAISER.

The RECORD's editor was represented

The number of judicial days of the change off from an action for contempt dered an investigation into the "whys and

for over a year previous had been roundly criticised by the state press, particularly the leading paper. Judge Webster expected that the supreme court would sustain his action out of a mutual sympathy, and proceeded to fine Editor Kaiser \$50 and sentenced him to the county jail for fifteen days. An appeal was taken and the supreme

court rendered the following decision against him on May 1, 1890:

Two questions are presented for consideration

upon this appeal: First-Whether the matter published by the appellant was punishable as a contempt of the circuit court.
Second—Whether said court had authority of its own motion to cite the appellant to appear before it and inflict punishment upon him for

the alleged offense.

The civil code of this state, Sec. 650, prescribes lawyer was found willing to accept the position. L. R. Webster, Esq., was at that time clerking in one of the dry goods houses at Jacksonville. He claimed to have studied law and had just been admitted to the bar. He was a young man of pleasant manner, reasonably good education, poor in purse, married and ambitious. The people of Jackson county thought of him as a worthy subject and recommended him for the place. The governor made the for the place. The governor made the appropriate the first judicial district of Oregon, approjument, and though very woung approjument. to an action, swit or proceeding was defeated or prejudiced thereby, before the contempt can be punished, otherwise than by a fine not exceedfor himself.

ng \$100. Sec. 651. Section 652 of the code provides that "When a contempt is committed in the immediate view or presence of the court or officer it may be or presence of the court or officer it may be punished summarily, for which an order must be made reciting the facts as occurring in such immediate view and presence, determining that the person proceeded against is thereby guilty of a contempt and that he be punished as therein prescribed:" and sec. 653 provides, "that in cases other than in those mentioned in sec. 652, before any proceedings can be taken therein, the facts constituting the contempt must be shown by an affidavit presented to the court or officer may be punished summarily, for which an order must be made reciting the facts as occurring in such immediate view and presence, determining that the person proceeded against is thereby guilty of a contempt and that he be punished as therein prescribed:" and sec. 653 provides, "that in cases other than in those mentioned in sec. 652, before any proceedings can be taken therein, the facts constituting the contempt must be shown by an affidavit presented to the court or officer may be punished summarily, for which an order must be made reciting the facts as occurring in such immediate view and presence, determining that the person proceeded against is thereby guilty of a contempt and that he be punished as therein prescribed:" and sec. 653 provides, "that in cases other than in those mentioned in sec. 652, before any proceedings can be taken therein, the facts constituting the contempt must be shown by an affidavit presented to the court or officer may officer, and thereupon such court or officer may ither make an order upon the person charged, to show cause why he should not be arrested to inswer, or issue warrant of arrest to bring such person to answer in the first instance."

etion 655 provides that "in the proceeding State is the plaintiff: and that in all cases o e State is the pinintin; and that it all cases of blic interest, the proceeding may be proce-ted by the district attorney on behalf of the ste, and that in all cases where the proceeding s commenced in the relation of a private party, uch party shall be deemed a co-plaintiff with

Oregon. If some of the methods employed could be sifted to the bottom, a system of debauchery would be unearthed that may be very the act constituting the contempt is not com mitted in the immediate view or prese court or officer it must be such a one as is calcu-lated to affect the right or remedy of a party in litigation.
Section 651, which limits the punishment to a

fine not exceeding \$100, unless it appear that the right or remedy of a party to an action, suit or proceeding was defeated or prejudiced by the contempt clearly shows this.

If this view be correct it follows that unless the matter published by appellant constituted a contempt under subdivisions 1 or 2 of said sec. or tended to affect the right of a party to a litigation pending in said court, or before the judge thereof, it does not come within the purview of the code. But counsel for the respondents urge that a court of justice has power to punish for contempt, and that its power in that cannot be limited by statute.

This is undoubtedly true so far as it is necessary to maintain order in the conduct of its

ousiness and in the enforcement of its jurisd The legislature could as well abolish the courts outright as to deprive them of the right to punish for contempt, those who impeded, obstructed and embarrassed the administration of the law.

It would a aralyze their functions and render

But whether they possess inherent authority to punish as contempt, acts which do not affect causes actually pending before them, although the acts tend to degrade the court and bring the

State vs. Morrill, 16 Ark. 384 and Stewart vs. Peo-ple, 4 Ill. 405; but it is well understood that the amount—over the county, that is bearing practically to per cent, interest (mighty large returns and safe investment for big capital)—and no effort is being made to keep it from climbing an attorney of an article in a newspaper, criticising the rulings of a court in a cause tried and the county of the publication, did not not constitute that the publication, did not constitute that the publication, did not constitute that the publication, did not constitute that the publication by an article in a newspaper, criticising the rulings of a court in a cause tried and county that the publication is constituted to the county.

determined prior to the publication, did not constitute contempt punishable by the court, and referred approvingly to Dunham vs. State, 6 Iowa 245, in which it was held that the publication of articles in a newspaper, reflect-ing upon the conduct of a judge in relation to a ing upon the conduct of a judge in relation to a cause pending in court, which had been disposed of before the publication, however unjust and libelous the publication might be, did not amount to contemptuous or violent behavior towards the court, under chapter 94, code of 1851 of that state, nor that such articles were calculated to investe ambarrage or observed the same of the court of the conductive of Done in open Court on Friday, 13th December,

1 lated to impede, embarrass or obstruct the court in the administration of the law as to justify the

summary punishment of the offender under that chapter.

The inherent power of a court of justice to punish parties for contempt, who commit acts which have a direct tendency to obstruct or which have a direct tendency to obstruct or complaint containing a statement of the facts onstituting the alleged contempt having been resented to said Judge or filed in said Court.

Service of said with having been made upon by the subsequently, to-wit: on the 17th day of December, so 9, filed in said Court the following answer. authority to so punish any one for criticising the court on account of its procedure in matters which have fully terminated however much its dignity and standing may be affected thereby, however unjust, rude or boorish may be the criticism; or whatever may be its effect of bringing the administration of the law integring

In any event it seems to me that the legisla-

and decorum in the presence of the courts of the state while engaged in the transaction of their business; for the enforcement of obedience to their lawful judgments, decrees, orders and processes, and for the performance of official duty upon the part of their officers.

hardly to be doubted that they will remember Bobbie Burns and may justly say to him:

Our toils obscure and a' that:
The rank is but the guinea stamp;
The man's the gowd for a' that.

The supreme court at that time and the recommendation of the court to protect in the court, etc., before the proceeding can be taken. "The power of a court," said Wallace, in the court of the court to protect inherent right of the court to protect is for an alleged contempt of its authority, though undoubted, is in its nature arbitrary, and its exercise is not to be upheld, except under the circumstances and in the manner preder the circumstances and in the manner pre-scribed by law." I am of the opinion, therefore, that the court was not authorized to pro-ceed in the matter of its own motion, nor was

> During this time the RECORD reiterated the truthfulness of all it had writ-ten and printed and openly alleged that it could prove even more and challenged Circuit Judge Webster to bring an action against the RECORD for libel. Although circuit Judge Webster claimed that the reason that he brought the

was that he proposed to defend his honor, which had been attacked. One would suppose that after failing to have his honor vindicated when he sat as offended party, complainant, judge and jury that the logic of the situation would compel him to do one of

editor of the RECORD up for contempt

reached on the face of this situation, that Circuit Judge Webster has created

"German Syrup"

Here is something from Mr. Frank A. Hale, proprietor of the De Witt House, Lewiston, and the Tontine Hotel, Brunswick, Me. Hotel men meet the world as it comes and goes. and are not slow in sizing people and things up for what they are worth. He says that he has lost a father and several brothers and sisters from Pulmonary Consumption, with colds, and he Hereditary often coughs enough

to make him sick at Consumptionhis stomach. Whenever he has taken a cold of this kind he uses Boschee's German Syrup, and it cures him. every time. Here is a man who knows the full danger of lung troubles, and would therefore be most particular as to the medicine he used. What is his opinion? Listen! "I use nothing but Boschee's German Syrup, and have advised, I presume, more than a hundred different per-

sons to take it. They agree with



Consign your Wool to a responsible Wool House located at the chief market of the Coast, and you will find that bringing the administration of the law into dis- it will pay you so well, that ture has the authority to limit the power of courts in regard to matters of contempt, to the you will continue to send us your business. Our charges for handling Wool are reasonthousand dollars a year. Assuming \$4,000 to be a reasonable average cost per year, we have the modest sum of \$12,000 paid by Jackson county alone for the priyilege of educating this promising young man to that standard of legal ability that has enabled him to get almost one half of his cases affirmed by the supreme court and to make him eligible for the new and important trust

far as the same relates to the Courts of this County, a criticism of past acts therein, and the same was not intended to have, and would not have any tendency to interfere with the proper and unbiased administration of the law in any case or cases then, or now pending in said Court, and that said article was published only as the defendant believed in the intere t of society, and defendant expressly disclaims any intentional disrespect toward said Court or the officers thereof in the publishing of s id article.

And further auswering, defendant avers that said court has any jurisdiction of the person of elitite more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the little more than declaratory of the law upon the law in any count; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plaintiff in all cases of that court; the state is a plai said Court has any jurisdiction of the person of this defendant under this proceeding.

And denies that this Court has no jurisdicportion of the several states at the said court has no jurisdicportion of the courts of the several states at the said court has any jurisdiction of the person of this defendant under this proceeding.

And denies that this Court has no jurisdicportion of the courts of the several states at the said court has any jurisdiction of the person of the more than declaratory of the law upon the subject of contempt as understood by a large portion of the courts of the several states at the said court has any jurisdiction of the person of this defendant under this proceeding. treatment.

Advances up to full limits of value on consignments,

Correspondence solicited.

THOS. DENIGAN, SON & CO. 132 Market Street San Francisco.

Mark Shipments T. D. S. & CO.

S. F.