

THE TIMES-HERALD SUPPLEMENT.

THE DISTRICT JUDGESHIP.

The people of this District will be called upon in a few days to vote for a candidate for Circuit Judge. There is no office to be filled at the coming election that is of so great importance to the people and business interests in this district as that of Circuit Judge.

It is to the best interests of the people that this office be filled by some one of known integrity and ability. Judge Morton D. Clifford, who has filled that office for the past eight years, and is now a candidate for re-election, possesses those qualifications in an eminent degree, as his great record will show; and no one who has ever given any attention to the official work of Judge Clifford during the time he has been on the bench, or any one who will take the time and trouble to examine the record, can either justly or truthfully question his integrity or deny his ability.

There are a few, who have some special motive, and among them John C. Luce, who have taken some time and trouble to circulate certain reports derogatory to Judge Clifford and his work. It is doubtless remembered by most of the people of this county that some years ago Mr. John C. Luce was indicted by the Grand Jury of Grant County for criminal libel. He was tried before a jury of twelve men, who promptly found him "guilty as charged." It then became the duty of Judge Clifford to pass sentence upon him, which he did by imposing a fine.

Mr. Luce, of course, was naturally not pleased with all this, and now through what would seem to be a spirit of animosity towards a man for simply doing his duty as an officer, is trying to malign Judge Clifford. It seems almost unnecessary to refer to anything which Mr. Luce might say, since the motive is so apparent; and yet it may be well enough, on account of some few others, to notice for a moment the principal complaint, or rather assertion, which he makes. He claims that out of about 39 cases that have been tried before Judge Clifford, and appealed to the supreme court, 31 cases have been reversed. This is simply a perversion of the truth. But even if it

were literally true, it would be only a half statement of the truth, which is unfair. The truth of the matter is, as any one who will examine the records may find for himself, that there have been 75 cases appealed; of which only 31 have been reversed or modified.

In order to really understand this matter, it must be remembered that there have been more than 1000 cases actually tried, and decided, before Judge Clifford (which includes 500 jury trials) since he has been on the bench, and out of all these cases the fact that only 75 have been appealed shows one thing very conclusively, and that is Judge Clifford's fairness and ability as a judge; in such a very small number of cases, in proportion to the number decided, did the attorneys who tried the cases, and lost, have confidence enough in their being in the right to even take an appeal.

It is a well known fact that the very best and ablest judges are frequently reversed by the Supreme Court, and the records show the number of cases reversed on appeal from this district, are no greater in proportion than appeals from such judges as Judge Bean, now on the Supreme Bench, Judge Shattuck, of Portland, and Judge L. R. Webster who was for eight years Judge of the First District, and who is well known throughout the State as one of the ablest lawyer and jurist. These are simple facts in regard to this matter that should be considered by every voter.

One of the best qualities of a judge, and one which Judge Clifford possesses to an eminent degree, is that of courage—the courage of his convictions. The people want a judge whose integrity and honesty is above reproach, and who is not afraid to decide a case according to the law as he understands it, regardless of what any one else may say; and they do not want a man who will try to shape his course so as to gain special favor of any one. It is well understood by many, and can be understood by all who will investigate, that a circuit judge can always save himself from being reversed in the trial of criminal cases if he wants to, by always ruling, no matter whether right or wrong, in favor of the defendant and against

the State; because the State cannot appeal, and therefore criminal cases, if decided in favor of the defendant, would never be reversed. But that is not the sort of judge the people want.

But even if Mr. Luce's statements were really entitled to any attention, it will be seen they are, when properly understood, so far as there is any truth in them, favorable to Judge Clifford as a courageous, impartial and able judge.

The people of the Ninth District have a right to feel proud of Judge Clifford, both as a judge and as a man. They have confidence in his integrity and should, and we believe will, re-elect him by the greatest majority ever given any man in the district.

The following extracts are from a speech of Hon. Robert Eakin, Judge of the Eighth District, delivered at a meeting of the Bar, in Union county, March 29, 1895, upon the retirement of Judge Clifford from the old Sixth District:

"I have practiced before Judge Clifford ever since he has been upon the bench. I have always found him an able Judge. A Judge has to necessarily pass upon questions on the spur of the moment without opportunity for investigation other than is presented to him by the attorneys during the trial. During all of his years as judge, I think Judge Clifford has been reversed as seldom in the supreme court as any circuit judge. I do not think his decisions have been reversed as often as Judge Shattuck of Portland in proportion to the number of cases tried. Therefore, I consider Judge Clifford an able judge.

"I have always been satisfied with his decisions; satisfied he decided according to his best judgment regardless of friendship for me or the attorney against me, or interests or friendship for the clients."

Such remarks as these coming from such a man as Hon. Robert Eakin are truly a high compliment to any man and show how Judge Clifford is regarded by lawyers of ability who have practiced before him, when they have occasion to express themselves.