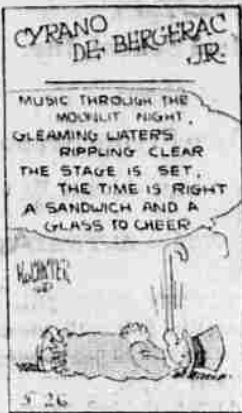


JUST KIDS

By Ad Carter



"JUST KIDS" SAFETY CLUB
NOW HAS MEMBERS IN THE UNITED STATES - CANADA AND WAY OVEN IN NEW ZEALAND - ALL OF WHOM HAVE PROMISED TO LOOK UP AND DOWN BEFORE THEY CROSS THE STREET!

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The Jury of His Peers

Some of the jurors in the Sinclair case have admitted that they became so utterly confused before the thing was over that they hardly knew what it was all about. This is not surprising, since the case was one of a certain complexity, and to be understood had to be studied with a concentration of which not everyone is capable.

In New York the other day Mrs. Knapp, admitting many of the facts as charged, nevertheless argued so cleverly that what she had done was not criminal that she succeeded in hanging the jury. There was no great complexity about this case, but a powerful personality impinging upon weaker ones swayed them irresidibly.

In Chicago a few weeks ago a jurymen voted stubbornly against a verdict for first-degree murder against bandits who killed a man when he interrupted them in the job of robbing his wife. This jurymen stated his belief that a man has the right to stage a hold-up if he can, and that when the intruder refused to put up his hands and made an effort to molest the burglars, shooting him became an act of self-defense. This jurymen, regardless of his intelligence quotient is evidently a moral imbecile who is incapable of grasping an ethical point which is as plain as a pike-staff to the normal man.

Well, what of it? Is the system of trial by jury becoming hopeless? These three cases certainly reveal defects in it, and they seem to be very serious defects indeed. It is conceivable that here is evidence that it is rotten to the core.

But is our American system, after all, the old system of the English common law? That provides for the trial of the accused by a jury of his peers. Perhaps the Chicago jurymen is actually the peer of the bandits; but it is preposterous to argue that the Sinclair jurors were the peers of the accused intellectually, whatever their relative moral rank may be. It is not likely, either, that the jurors in the Knapp case were the peers of Mrs. Knapp, who is a politician—which is to say a practical psychologist—of exceptional attainments.

In the Sinclair case, indeed, we have an unusual proof of this inadequacy of the jury. Shortly before his acquittal on the criminal charge Sinclair had been tried on essentially the same set of facts before jurors who were at least his equals intellectually and morally, to wit, the justices of the supreme court of the United States. They were not in doubt as to their understanding of the case, and

their verdict was not that of the petty jury.

The fact is that a man's peers are likely to be rougher on him than are his superiors. This is well understood by veteran criminals. In Maryland, where the accused may elect to be tried by the court without the assistance of a jury, it is exceptional for a man who has been in court on many petty charges to demand a jury. He knows that he has superior chance with the judge, who is socially and financially, as well as morally, his superior.

In England once a nobleman, charged with an offense for which an ordinary court would have given him a fine and possibly a short prison term, made the mistake of demanding a jury of his peers, that is to say, of members of the House of Lords. He got it, but he wished he hadn't asked for it, for the lords gave him twenty years.

There is much complaint that it is becoming practically impossible in America to do anything with rich, prominent and able scoundrels. Perhaps one way of remedying the situation would be to have them tried by juries who are really their peers. If Sinclair had been acquitted by a jury of first-class business men, men who have made national reputations for their astuteness, his reputation now would be better. Such a verdict would not have been open to the suspicion that it was reached by men fumbling thru mental obscurity, and therefore just as likely to return an unjust as a just verdict.

Money enables a man on trial to employ better counsel than ordinarily represents the state, and astute counsel are able to secure endless delays, and when they do go to trial to obscure the issue and obfuscate the jury. But even without this advantage, if the prisoner is obviously an able and successful man he possesses an advantage over a jury likely to include a large proportion of conscious failures. Envy of the rich may influence some verdicts, but respect for and fear of a forceful man probably influences a great many more.

But aside from these debatable factors, it is perfectly clear that there are certain cases which should be submitted only to specially selected juries. In the Sinclair case, for example, it is a criminal prosecution, to be sure, but it necessitated the consideration by the jury of some highly complicated business operations, difficult for well-trained business men to understand, and quite beyond the comprehension of a jury drawn at random from the streets. It is really no wonder certain members of the jury are now admitting that the whole thing was incomprehensible to them.

Similarly in the Knapp case the offense with which the defendant was charged lay in the obscure border land between official discretion and outright embezzlement. To decide on which side of the line it lies requires a nicety of judgment which the jury admittedly did not possess, and it never reached a verdict.

So a jury which is to reach a true verdict must be adequate, not only to the defendant but also to the intricacies of the case. Every man above the level of the Chicago jurymen already mentioned is aware that murder, theft and arson are crimes, and in such cases it is simply a matter of proving the responsibility of the accused for the offense which has occurred. Such matters are usually within the comprehension of the great twelve men one meets, and as a jury they are able to return a verdict which is likely to be just.

Even so a battery of high-priced criminal lawyers, and a powerful personality in the accused may defeat justice; but justice has at least a fighting chance. Add to such handicaps a case so intricate that it is altogether beyond the comprehension of the jury and the cause of justice is lost at the start. It is a gamble, then, with natural human sympathy stacking the cards in favor of the accused.

What, then, is to be done about it? Obviously, nothing unless and until we revise our notion that all men are equal before the law. All men are not equal anywhere, and money alone does not constitute the difference. A forceful, successful man has an initial advantage over any jury not composed of men at least as forceful and successful as he is.

But one proof of a man's forcefulness and success in life is his ability to avoid jury duty. In this he is powerfully aided by the bar, for the lawyer who has any doubts about his case usually prefers to try it before a jury whose mind he can mold. Therefore he eagerly assists strong men to avoid serving. He doesn't want them.

The recent failures of the jury system are simply another phase of the protean question with which democracy wrestles incessantly—namely, how the great mass of

COLUMBIA WINS 150 POUND RACE

PHILADELPHIA, Pa., May 26.—(AP)—Columbia university won the Varsity 150-pound crew eight-oared shell race, the feature event of the American Rowing association regatta, known as the American Henley today. Columbia won by four lengths. Pennsylvania was second, Princeton third, Yale fourth and Harvard last. Time for the Henley distance, one mile and 550 yards, was 7 minutes, 8 3/5 seconds.

SOUTHERN PACIFIC STARTS NEW LINE OREGON, CALIFORNIA

SAN FRANCISCO, May 26.—(AP)—Oregon and northeastern California will be connected by a new standard gauge railroad Monday morning when the first train over the newly rehabilitated 155-mile Nevada and California-Oregon line leaves Lakeview, Oregon, for Wendol, Cal. This was announced here today by George W. Boshack, chief engineer of the Southern Pacific company which took over the old narrow gauge road at the direction of the California state railroad commission.

This line connects with the Southern Pacific company's Ferdy Sissonville line. Residents of the three counties served by the line will join in a trail-to-rail celebration at Lakeview, September 1 to 3.

FISH STOCK BOOSTED BY VOTE IN OREGON

WASHINGTON, May 26.—(AP)—A claim that Representative Hamilton Fish of New York has received assurance of support from a number of western states for the republican vice presidential nomination is made by Representative Knutsen, republican, Minnesota.

After interviewing republican leaders in Minnesota, Illinois, Nebraska, Indiana, Missouri, Oklahoma, Colorado, Kansas and Nevada, Knutsen said in a statement yesterday that he had been convinced that Fish's candidacy has assurance of support from all these states. He added that Fish's poll of 40 per cent of the republican vote in the Oregon primaries, entered at the last moment by the New Yorker, exhibited his strength in the west.

Casualties of the Air Service

RICHMOND, Va., May 26.—(AP)—James R. Reid, a reserve air mail pilot, was fatally injured in an airplane accident on the farm of Robert Martin, eleven miles north of Richmond, on the Mechanicsville turnpike.

Reid was flying the northbound mail on the New York-Atlanta air mail route and residents of the vicinity of the crash expressed the opinion that he had become lost in the fog. An ambulance from Memorial hospital was sent to the scene but the physician in charge said the pilot was dead when he arrived.

Clean rags wanted at the Mail Tribune office. **17**

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WEALTHY, pleasing sweethearts for all. Write, enclosing stamp, Fern Grey, Station B, Cleveland, Ohio. **66**

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WANTED—Hear from owner ranch for sale. State cash price, particulars. D. F. Bush, Minneapolis, Minn. **66**
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WANTED—Shoe repairing; expert workmanship, first-class materials. Men's hats and coats \$1.50; women's hats and coats \$1.00. C. M. Kidd & Co. 631-R. **63**
WANTED—Orchards to thin by contract. Have my own crew; experienced workers. Address 433 S. Fir. **67**
WANTED—Good second hand iron-wheeled wagon. Call 1366. **67**
WANTED—Hear from owner of ranch for sale. State cash price, particulars. D. F. Bush, Minneapolis, Minn. **66**
WEALTHY, pleasing sweethearts for all; write enclosing stamp. Fern Grey, Station B, Cleveland, Ohio. **66**
WANTED—Lawn mowers sharpened. Call and deliver. Medford Cycle & Repair Shop, 19 N. Fir St. Phone 261. **45**
WANTED—2nd hand goods & junk. Pat's, 1506 Prune. Tel. 547-L. **72**
WANTED—Bicycle repairing, lawn mowers, knives and shears sharpened. Repairing of all kinds. Work guaranteed. Star Cycle, 114 N. Front St. Phone 411-R. **63**

FOR RENT—HOUSES

FOR RENT—6-room house and garage, close in. Inquire 29 So. Fir, upstairs. **71**
FOR RENT—Furnished house, 1922 W. 10th. **72**
FOR RENT—Unfurnished 3-room modern house, \$25. 235 Palm. **63**
FOR RENT—5-room modern house. Inquire 425 So. Oakdale. **70**
FOR RENT—Two well furnished houses. Inquire 701 W. 11th St. **67**
FOR RENT—Parties wanting real home, first floor, strictly new, all furnished, nice private yard, garage, shade, fruit, flowers, about see my duplex at 412 S. Central, ready for occupancy. Call 739-J for appointment. **64**
FOR RENT—6-room house No. 29 Ross Court. Inquire 27 Ross. **68**
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FOR RENT—House 228 N. Central; 6 rooms, sleeping porch, 2 toilets, garage, \$25. Klein the Tailor. **62**
FOR RENT—7-room house, corner Ivy and 10th; \$47.50, water paid. Phone 1042-W. **67**
FOR RENT—Half a duplex, furnished or unfurnished. Inquire 207 No. Riverside. **60**
FOR RENT—New 6-room modern house, Pacific highway; easy terms; monthly payments if desired. O. C. Boggs. **64**
FOR RENT—Homes. Furnished or unfurnished. Brown & White. **47**
FOR RENT—Modern 5-room furnished bungalow. Phone 581-L. **44**
FOR RENT—House in Everett Court, West 11th St.; modern, plants, built-ins, electric range and water heater, garage, etc. Phone 224. **42**

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FOR HIRE—Ten-passenger Cadillac bus always ready, long or short trips; Klamath Falls, Portland and way points, California, Ta. Juan, etc. Eastern riding car in Oregon. Rates reasonable. Chas. B. Howard. Phone 1128. **12**

FOR EXCHANGE

WILL TRADE—Buick Touring in good condition for good team harness and wagon; car has California top and two spare tires. Answer, Box 26, care Tribune, where horses can be seen. **67**

FOUND

FOUND—Bunch of keys. See Geo. Maddox at Whiseman's Barber Shop. **67**

FOR SALE—LIVESTOCK

FOR SALE—Weaner pigs. Phone 401-J. **63**
FOR SALE—Red Durocs from 100 to 150 lbs. Some will fatten in about 30 days. E. E. Stump, on Pacific highway, 2 blocks from Howard school. **63**
FOR SALE CHEAP—Weaner pigs. C. L. Hockegsmith, Beagle, Ore. **67**

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WE BUY FOR CASH All Used Furniture and Stoves
Call 505
W. A. KINNEY
Furniture House
315 East Main

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WANTED—Experienced waitress. Wages \$18 week. If day month will pay back amount spent for fare to get here. Write Diamond Cafe, Medford. **67**
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FOR RENT—Modern furnished apartment; adults. 345 No. Bartlett. **27**
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FOR RENT—Pleasant room, modern, close in, with board. 714 1/2 Main. **10**

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To Buy for Cash All Your SECOND-HAND FURNITURE
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FOR SALE OR RENT—5-room modern bungalow, 2 lots; 1 block from high school. For details phone room 526 Hotel Medford. **66**
FOR SALE—Modern 6-room bungalow, hardwood floors, fireplace, tile bath, 2 bedrooms, sleeping porch, basement, heating plant, electric flowers, shade trees, east front, close in, \$6,500, and a bargain. Terms. C. S. Butterfield, 203 Medford National Bank Bldg. **69**

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FOR SALE—4 1/2 tiers green pine slabs, \$5.00 per load, Valley Fuel Co. Phone 76. **32**
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FOR SALE—MISCELLANEOUS

FOR SALE—Aster, zinnia, callifolia and snapdragon plants. 45 Quince. **63**
FOR SALE—Front door and a screen. Phone 396. 316 E. Main. **63**
FOR SALE—Used piano, a bargain. 611 W. 8th, corner of Laurel. **64**
FOR SALE—Credit slip on new Buick for sale at a bargain. Call 65-R. 529 So. Grape. **63**
FOR SALE—Buick Coach, reconditioned, 8 terms and trade. Tel. 65 or 212-J. **66**
FOR SALE—Remington portable typewriter, good condition. Tel. 934-X. **71**
FOR SALE—Grain hay, beardless, loaded, \$7.50; 99 in 100; shock; ready to haul Monday. J. G. Love, Snowy Butte Orchard, Central Point. Tel. 198-J. **67**
FOR SALE—Choice strawberries for canning. Call 437-M. **68**
FOR SALE—Excellent alfalfa in shock, 2 miles north Central Point. E. L. Touyelle. **70**
FOR SALE—Unfilled for suit; very fine blue serge, size 35; just right for graduates. Klein the Tailor.