

The Evening Herald

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ARE WE SOVEREIGN
OR SUBJECT?

EVERY Herald reader is advised
to read Calvin Coolidge's arti-
cle on the limitations of the law
in an adjoining column. We know
it is long and that readers do not
like long dissertations on subjects
that may prove dry and uninter-
esting.

But the vice-president's portrayal
of the new national conditions is
not uninteresting. It is chock-full
of interest to every American citi-
zen, for it is a clear and vivid por-
trayal of the new governmental con-
ditions under which he lives.

In the last thirty years there
has been a flood of legislation that
has swept away many of the old
barriers against federal dominance.
The federal government has under-
taken to regulate in a score of dif-
ferent directions the personal affairs
of the citizens.

The situation has reached the
point where it is nearing a posi-
tive question as to whether we are
still a sovereign people, or a nation
subject to the centralized power
that has been established at Wash-
ington.

There is no doubt that a vast
change has taken place in the gov-
ernment established by the constitu-
tion.

The question for every Ameri-
can to consider is: Do I under-
stand this matter fully, and if so,
do I approve the change?

Vice-President Coolidge neither
advocates the new order, nor a re-
turn to the old. He pictures con-
ditions as they are, shows the fal-
lacy of expecting the law to ac-
complish its aims if the will of the
people is not behind it, and alto-
gether shows a masterly grasp of
the subject and presents it in a
fashion that every person who reads
English can understand.

DAIRYING PAYS

IS THERE any argument neces-
sary for the establishment of the
dairying industry in Klamath?
Probably not. But the department
of agriculture has recently compiled
some interesting statistics on the
per capita wealth in dairying com-
munities, as against communities
where other forms of agriculture
predominate, that may interest you.

In Mount Vernon, Washington, a
town of 3,200 people, there are
bank deposits amounting to \$3,-
002,470, or a per capita deposit of
\$907.33. In Camas, Washington,
where fruit growing is the princi-
pal industry, there are bank de-
posits of \$649,770, or a per capita
deposit of \$541.46, the popula-
tion being 1,200. In Nampa, Idaho,
dairying is the main industry. This
town of 5,000 people has bank de-
posits of \$4,031,600. This is a per
capita deposit of \$806.32. Rox-
burg, Idaho, has 5,000 population.
Grain and sugar beets form the
principal crop, yet \$1,213,000, a
per capita of \$242.60. Malad,
Idaho, also raises grain and sugar
beets. Its population is 3,000. Bank
deposits amount to \$600,750, a per
capita of \$200.25. Many other
towns are listed, the larger per
capita deposits being in favor of the
dairying cities. Grove City, Minn.,
has the largest per capita, this
small town of 351 people having
bank deposits of \$1,370,500, a per
capita of \$3,906.27. The average
of the dairy town was a per capita
of \$1,328.75 and of the grain, etc.,
towns \$473.89.

Felt slippers make a fine Xmas
present. Get them at Enders. 14-20

The Limitations of the Law
BY THE HONORABLE CALVIN COOLIDGE, VICE-
PRESIDENT OF THE UNITED STATES

THE growing multiplicity of laws
has often been observed. The
national and state legislatures pass
acts, and their courts deliver opin-
ions, which each year run into scores
of thousands. A part of this is due
to the increasing complexity of an
advancing civilization. As new
forces come into existence new rela-
tionships are created, new rights and
obligations arise which require es-
tablishment and definition by legisla-
tion and decision. These are all the
natural and inevitable consequences
of the growth of great cities, the de-
velopment of steam and electricity,
the use of the corporation as the
leading factor in the transaction of
business, and the attendant regula-
tion and control of the powers creat-
ed by these new and mighty agen-
cies.

This has imposed a legal burden
against which men of affairs have
been wont to complain. But it is a
burden which does not differ in its
nature from the public requirement
for security, sanitation, education,
the maintenance of highways, or the
other activities of government neces-
sary to support present standards. It
is all a part of the inescapable
burden of existence. It follows the
stream of events. It does not at-
tempt to precede it. As human ex-
perience is broadened, it broadens
with it. It represents a growth al-
together natural. To resist it is to
resist progress.

But there is another part of the
great accumulating body of our laws,
that has been rapidly increasing of
late, which is the result of other mo-
tives. Broadly speaking it is the at-
tempt to raise the moral standard of
society by legislation.

The spirit of reform is altogether
encouraging. The organized effort
and insistent desire for an equitable
distribution of the rewards of indus-
try, for a wider justice, for a more
consistent righteousness in human
affairs, is one of the most stimulat-
ing and hopeful signs of the present
era. There ought to be a militant
public demand for progress in this
direction. The society which is sat-
isfied is lost. But in the accom-
plishment of these ends there needs
to be a better understanding of the
province of legislative and judicial
action. There is danger of disap-
pointment and disaster unless there
be a wider comprehension of the
limitations of the law.

The attempt to regulate, control
and prescribe all manner of conduct
and social relations is very old. It
was always the practice of primitive
peoples. Such governments assumed
jurisdiction over the action, prop-
erty, life, and even religious convic-
tions of their citizens down to the
minutest detail. A large part of the
history of free institutions is the his-
tory of the people struggling to em-
ancipate themselves from all of the
bondage.

I do not mean by this that there
has been, or can be, any progress in
an attempt of the people to exist
without a strong and vigorous gov-
ernment. That is the only founda-
tion and the only support of all civ-
ilization. But progress has been
made by the people relieving them-
selves of the unwarranted and un-
necessary impositions of govern-
ment. There exists, and must al-
ways exist, the righteous authority
of the state. That is the sole source
of the liberty of the individual, but
it does not mean an inquisitive and
officious intermeddling by attempted
government action in all the affairs
of the people. There is no justifi-
cation for public interference with
purely private concerns.

Those who founded and established
the American government had a
very clear understanding of this
principle. They had suffered many
painful experiences from too much
public supervision of their private af-
fairs. The people of that period
were very jealous of all authority.
It was only the statesmanship and
resourcefulness of Hamilton, aided
by the great influence of the "wisdom
and character of Washington, and
the sound reasoning of the very lim-
ited circle of their associates, that
succeeded in proposing and adopting
the American constitution. It estab-
lished a vital government of broad
powers but within distinct and pre-
scribed limitations. Under the pol-
icy of implied powers adopted by the
federal party, its authority tended to
enlarge. But under the administra-
tion of Jefferson, who, by word
though not so much by deed, ques-
tioned and resented almost all the
powers of government, its authority
tended to diminish and, but for the
great judicial decisions of John
Marshall, might have become very
uncertain. But while there is
ground for criticism in the belittling
attitude of Jefferson towards estab-
lished government, there is even
larger ground for approval of his
policy of preserving for the people the

largest possible jurisdiction and au-
thority. After all, ours is an experi-
ment in self-government by the
people themselves, and self-government
cannot be reposed wholly in some
distant capital. It has to be exercised
in part by the people in their own
homes.

So intent were the founding fathers
on establishing a constitution
which was confined to the funda-
mental principles of government that
they did not turn aside even to deal
with the great moral question of
slavery. That they comprehended it
and regarded it as an evil was clearly
demonstrated by Lincoln in his
Cooper union speech when he showed
that substantially all of them had
at some time, by public action, made
clear their opposition to the contin-
uation of this great wrong. The
early amendments were all in dimi-
nution of the power of the govern-
ment and declaratory of an enlarged
sovereignty of the people.

It was thus that our institutions
stood for the better part of a cen-
tury. There were the centralizing
tendencies and the amendments aris-
ing out of the war of '61. But while
they increased to some degree the
power of the national government,
they were in chief great charters of
liberty, confirming rights already
enjoyed by the majority, and under-
taking to extend and guarantee like
rights, to those formerly deprived of
equal protection of the laws. During
most of this long period the trend
of public opinion and of legislation ran
in the same direction. This was ex-
emplified in the executive and legis-
lative refusal to renew the United
States bank charter before the war,
and in the judicial decision in the
slaughterhouse cases after the war.
This decision has been both criticized
and condemned in equally high
places, but the result of it was per-
fectly clear. It was on the side of
leaving to the people of the several
states, and to their legislatures and
courts, jurisdiction over the privi-
leges and immunities of themselves
and their own citizens.

During the past 30 years the trend
has been in the opposite direction.
Urged on by the force of public op-
inion, national legislation has been
very broadly extended for the pur-
pose of promoting the general well-
fare. New powers have been dele-
gated to the congress by constitu-
tional amendments and former
grants have been so interpreted as to
extend legislation into new fields.
This has run its course from the in-
terstate commerce act of the late
eighties, through the various regula-
tory acts under the commerce and
tax clauses, down to the maternity
old law which recently went into ef-
fect. Much of this has been accom-
panied by the establishment of vari-
ous commissions and boards, often
clothed with much delegated power,
and by providing those already in ex-
istence with new and additional au-
thority. The national government has
extended the scope of its legislation
to include many kinds of regulation,
the determination of traffic rates,
hours of labor, wages, summary
laws, and into the domain of over-
sight of the public morals.

This has not been accomplished
without what is virtually a change in
the form, and actually a change in
the process, of our government. The
power of legislation has been to a
large extent recast, for the old order
looked on these increased activities
with much concern. This had pro-
ceeded on the theory that it would
be for the public benefit to have gov-
ernment, to a greater degree, the
direct action of the people. The out-
come of this doctrine has been the
adoption of the direct election of
United States senators, the curtail-
ment of the power of the speaker of
the house, and a constant agitation
for breaking down the authority of
decisions of the courts. This is not
the government which was put into
form by Washington and Hamilton
and popularized by Jefferson. Some
of the stabilizing safeguards which
they had provided have been
weakened. The representative ele-
ment has been diminished and the
democratic element has been in-
creased, but it is still constitutional
government. It still requires time,
due deliberation, and the consent of
the states to change or modify the
fundamental law of the nation.

Advancing along this same line of
centralization, of more and more leg-
islation, of more and more power
on the part of the national govern-
ment, there have been proposals
from time to time which would make
this field almost unlimited. The
authority to make laws is conferred
by the very first article and section
of the constitution, but it is not gen-
eral, it is limited. It is not "all leg-
islative powers," but it is "all leg-
islative powers herein granted shall be
vested in a congress of the United

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What does your husband
want for Christmas?

Something to wear, of course---things to
wear are the gifts most appreciated by
all men

Perhaps you can give him a beautiful,
warm Crombie overcoat tailored by Hart
Schaffner & Marx

Maybe some smaller things will be more
appropriate---hosiery, shirts, gloves, an
umbrella, a muffler, neckwear, pajamas
or handkerchiefs

Whatever you decide on, you'll find it
here--- the best that can be had, and
most reasonably priced

You'll find courteous, unhurried service
here too

Gift certificates if you prefer

K. Sugarman

"I aint mad at nobody"

Hart Schaffner & Marx clothes