

## THE OREGON WEEKLY STATESMAN

Published every Tuesday and Friday by the  
STATESMAN PUBLISHING COMPANY

R. J. HENDERSON, Manager.

## SUBSCRIPTION RATES.

One year, in advance, \$1.00  
Six months, in advance, .50  
Three months, in advance, .25  
One year, on time, \$1.25

The Statesman has been established for nearly fifty-two years, and it has some subscribers who have received it nearly that long, and many who have read it for a generation. Some of these object to having the paper discontinued at the time of expiration of their subscriptions. For the benefit of these, and for other reasons we have concluded to discontinue subscriptions only when notified to do so. All persons paying when subscribing, or paying in advance, will have the benefit of the dollar rate. But if they do not pay for six months, the rate will be \$1.25 a year. Hereafter we will send the paper to all responsible persons who order it, though they may not send the money with the understanding that they are to pay \$1.25 a year, in case they fail to do so. The subscription account runs over six months. In order that there may be no misunderstanding, we will keep this notice standing at this place in the paper.

CIRCULATION (SWORN) OVER 4000



## "WE MUST FOLLOW THE LAW."

"BUT WE MUST FOLLOW THE LAW AS LONG AS IT STANDS ON OUR STATUTE BOOKS. DOUBTLESS WE HAVE THE POWER TO DISOBEY IT, AS THE SUPREME COURT HAS THE POWER TO IGNORE THE CONSTITUTION, BUT BECAUSE WE HAVE THE POWER DO WE ALSO HAVE THE AUTHORITY TO ADOPT THIS RESOLUTION IN VIOLATION OF LAW IS TO ADOPT THE POLICY OF ROB ROY."

"Let him get who has the power; Let him keep who can." The above were the words used by Hon. C. W. Fulton, Senator from Clatsop county, when it was proposed in the Oregon Senate on Thursday to violate the Kuykendall law in regard to the employment of clerks for the Oregon Legislature.

"We must follow the law as long as it stands on our statute books," says Mr. Fulton. That is right. That is the sentiment of duty and patriotism. It is in line with good and loyal citizenship. But Mr. Fulton is proposing in another case to do the opposite thing—to violate a law on the statute books. He and his friends at the session of two years ago supported the bill which became the law providing for the election of United States Senators by direct vote of the people—or providing for such vote by the people. The vote was taken. Some 78,000 men participated in it, and 45,000 of them voted for T. T. Geer.

Now Mr. Fulton and his friends propose to "refuse to follow the law." He proposes to have the members of the Legislature refuse to carry out the mandate of the people and to go to the United States Senate himself, if he can secure the support of the requisite forty-six members of that body.

"Doubtless we have the power to disobey it" (the Kuykendall law), says Mr. Fulton, "as the Supreme Court has the power to ignore the Constitution, but because we have the power, do we have the authority?"

Certainly not. Nor the right. Nor the authority or the right to disobey the law in regard to the election of United States Senators.

And yet Mr. Fulton proposes to exercise the power, not having the authority or the right. He proposes to adopt the policy of Rob Roy:

"Let him get who has the power; Let him keep who can."

But it must not be. He must not go in order that he may keep. It would ruin the prospects of the Republican party of Oregon. It would be political suicide for the Republican members of the Legislature.

## THEY SHOULD BE ASKED.

Men and women whose positions or doings have brought them into prominence are interested, as they have the right to be, in the subject now being agitated, as to the right of concerns booming certain wares to use their portraits to attract attention to the advertisements. More frequently there is no connection or association between the persons whose pictures grace the advertisement and the goods that are being advertised. To those not acquainted with the persons, however, the juxtaposition is apt to convey a hint that they use and approve of the things so advertised.

Recently a nerve food company began using President Roosevelt's picture on billboards and in magazine ad-

## Hair Splits

"I have used Ayer's Hair Vigor for thirty years. It is elegant for a hair dressing and for keeping the hair from splitting at the ends."—J. A. Gruenfelder, Grantfork, Ill.

Hair-splitting splits friendships. If the hair-splitting is done on your own head, it loses friends for you, for every hair of your head is a friend.

Ayer's Hair Vigor in advance will prevent the splitting. If the splitting has begun, it will stop it.

35.00 a bottle. All druggists.

If your druggist cannot supply you, send us one dollar and we will express you a bottle. Be sure and give the name of your nearest express co. Address, J. C. AYER CO., Lowell, Mass.

vertising. It was not alleged that the President used the stuff in order to attain his proverbial strenuousness. The idea was that if you used it you might get to be as strenuous as the country's chief magistrate. The President's private secretary sent the company a request that it discontinue the use of the picture, and it was done.

To be sure there is more analogy between nerve food and strenuousness than there is between Mayor Low of New York and champagne. Yet it seems that Mayor Low's picture was used by the agents of a certain brand of champagne in connection with their advertisement. Mayor Low appears to have been not a bit sensitive about it until some ladies interested in the cause of temperance rebuked him for thus publicly countenancing the use of wine.

Then he, too, objected. There can be no doubt about it—public men or prominent women have the right to be consulted about it before their faces are used on billboards or in other forms of advertising for cigars, cigarettes, wines, whiskeys, nerve foods, headache powders, etc.

## FIGURE IT UP.

The Oregon Senate has granted to each of its members the right to employ a clerk. This means thirty additional clerks—additional to the entirely sufficient number on the various committees; sufficient to do and expedite the work of the Legislature. That is, thirty additional clerks, providing that every member of the upper house shall exercise the right granted.

Heretofore clerks have often been paid \$5 per day. Some of them, "experts," have been paid \$10 per day. Say \$5 average. This means \$6,000 for the thirty additional clerks, if they are paid \$5 per day for the whole session, which also has often been done.

Now it is proposed to bring up the same matter in the House—to allow each of the sixty members a clerk.

By the same figures, this would amount to \$12,000 additional, or \$18,000 in all.

And this on top of the already large sum provided for committee clerks, to do the work of the committees to whom bills are referred, and many of these having little or nothing to do. (Some of them have important work, of course.) This looks like the clerkship abuse gone to seed. The cry for years has been for the abatement of this worse than nuisance and scandal. Is it to grow still worse and worse? Have the people no rights?

But it is to be presumed that there are more than thirty men in the House who will refuse to support this measure for that body. The work of Monday will tell the story.

## ONE OF UNCLE SAM'S GRANARIES

Some interesting facts regarding our Pacific wheat trade are presented in the New York Sun by Walter J. Rulard, of Schenectady, N. Y. Quoting official reports of the United States Department of Agriculture, the writer finds that in 1901 the principal ports of the Pacific Coast exported 34,925,188 bushels, valued at \$29,911,456, distributed as follows:

San Francisco, 12,262,736 bushels, or 35 per cent.  
Portland, 12,044,008 bushels, or 37.3 per cent.  
Puget Sound ports, 8,619,384 bushels, or 24.7 per cent.  
Total 34,925,188 bushels, or 100 per cent.

The San Francisco shipments went to Cork (Ireland), South American ports, St. Vincent and Liverpool in the order named. Cork alone received 10,517,993 bushels, or nearly 80 per cent of the total shipment from San Francisco. Of the wheat shipped from Portland during the year, 10,881,000 bushels, or 31 per cent of the total amount, went directly to the United Kingdom for further distribution, as did also 5,062,950 bushels, or nearly 60 per cent of the Puget Sound shipments.

Of the 16,432,175 barrels of wheat flour that were exported on the average from the United States during each of the last ten years, about 2,000,000 barrels, or about 12 per cent, with an average value of \$7,000,000, were exported from the principal ports of the Pacific Coast.

Exports of flour from the Pacific Coast have steadily increased from 1,497,879 barrels in 1892 to 2,736,313 barrels in 1901, an increase of 1,238,434 barrels, or nearly 83 per cent.

During 1901, trade between Pacific Coast ports and the Orient has made wonderful strides—China, Japan and other Oriental countries now receive more than 70 per cent of all the flour exported from the Pacific Coast.

Puget Sound ports have taken the lead in the Oriental flour trade, having shipped in the past year 802,419 barrels to Oriental ports, against 573,389 barrels from Portland and 553,803 barrels from San Francisco.

From this statement it appears that our wheat exports from Portland and Puget Sound in 1901 aggregated 11,843,332 bushels. Flour exports the same year from the same ports were equivalent to about 6,878,995 bushels, or a total of 28,542,387 bushels. This does not cover the total exports in that year, for the reason that considerable wheat was shipped from the Pacific Northwest to San Francisco and passed into the figures of that city's exports.

Considering this fact, and making allowance for home consumption of flour and wheat retained for seed, it

appears that the 1901 wheat crop of the Pacific Northwest was not far from 35,000,000 bushels. Since Western Washington grows practically no wheat and the Willamette valley of Oregon has nearly ceased to export grain, it follows that substantially all of this 35,000,000 bushels was grown in the Inland Empire—that is, in Eastern Oregon, Eastern Washington and Northern Idaho, thinks the Spokane Review.

## LIMITATIONS TO NEWSPAPER CRITICISM.

In referring to the position of the Los Angeles Times in its maligning of Mrs. Katherine Tingley, the head of the Theosophical movement, a form of Buddhism, who recently won a suit against that paper, the San Jose Mercury says:

"The Buddhists have as much right to send missionaries into 'heaven America' (they regard us as heathen) as we have to send our Christian missionaries into 'heaven India' to convert the 'heathen Buddhists'; and the missionary Buddhists have come among us to stay. They have established themselves in many of the large cities, and in New York especially have succeeded in gathering about them a large number of eminent people who chose the theology of Buddha in preference to the doctrines of Christ. This is to be lamented, of course, from our viewpoint, but our constitutional law makes religion free and protects it from the assaults and shafts of those whose convictions are founded on other faiths.

"But aside from the religious aspect of the matter there are limitations to newspaper criticism which cannot be overlooked. A wanton, malicious attack upon either an individual or a society, particularly if unsupported by the truth, is libelous and cowardly, and merits prompt and adequate rebuke. The field of legitimate criticism is so broad that the newspaper is not obliged to go out of its way to find victims upon whom to pour out the vials of its wrath. Usually the person or society attacked has no means of defense, and if the courts fail to come to the rescue they are denied the right of vindication. Katherine Tingley went to the courts and was vindicated. We trust the lesson taught will serve as a reminder to others who may for the sake of sensation be tempted to libelously catechise those who have as much right to personal opinion or religious choice as have those who disagree with them."

## LEGISLATIVE RETRENCHMENT.

Senator Pendleton, of the California Legislature, offers what he thinks is a good plan for retrenchment in the cost of such law making bodies. His proposition is to pay the members of the Senate and Assembly \$1,000 a year each and make them employ attaches at their own expense.

Commenting upon such a movement, a newspaper of that state says:

"At the present rate of salaries given Legislators, together with their per diem of patronage, \$20 for Senators and \$12 for Assemblymen, the cost of a year's session would be about \$160,000. As we have only one regular session in two years that may be considered the present limit. Pendleton's proposition would cost \$120,000 a year; but that would have to be paid just the same in the year when there is no session. Consequently it would cost the state \$240,000 for two years, where it now costs under the present extravagant system only \$160,000; that is provided there are no extra sessions. If there were an extra session or sessions during the off-years, the cost under the present system might be doubled.

"As a matter of fact we seldom have extra sessions and none are wanted as a rule. The people are prone to view with some dismay the gathering of the Legislature, and to receive its adjournment, sine die, with a sigh of relief. Considering that at least half the business of a session is undoing the vicious or foolish legislation of previous sessions, and that the other half is largely taken up with equally vicious or foolish legislation, it is natural for the people to dread extra sessions.

"Consequently, Pendleton's argument that under his plan the Legislature could meet at any time without much cost to the state is an argument against his proposition. The last thing we want to encourage is the holding of extra sessions."

## A PUBLIC SCANDAL.

Under the law as passed in 1894 the Senate and House of Representatives have sixty-six clerks, two Sergeants-at-Arms, two door-keepers, and six pages, at a total cost per day, as provided in said law, of \$294.00, or \$11,760.00 for the forty days' session. Many men who have had practical experience in the Legislature claim that this force of clerks and officers is entirely too large; that it can be decreased 25 per cent, and yet have ample clerks to efficiently do all the work of both houses. Now it is proposed to have ninety additional clerks, one for each member, and such a resolution has already passed the Senate, and will come before the House on Monday. If these additional clerks are paid the lowest salary of \$3 per day, it will amount in the aggregate to \$270 additional per day for clerk hire, or \$10,800 for the forty days, making a grand total of \$22,560. If each of said additional clerks were paid the larger fee of \$5 per day, it will amount in the aggregate to \$450 additional per day for clerk hire, or \$18,000 for the forty days, or a grand total of \$29,760 for clerk hire.

When it is taken into consideration by men of practical experience that the law as it now stands provides for 25 per cent more clerks than are necessary, this addition of ninety clerks can hardly be regarded otherwise than as amounting to a public scandal.

The Senate resolution did not specify that the thirty extra places should necessarily be occupied by lady clerks. Some of them may be men.

## ARE 45,000 VOTERS TO BE DISREGARDED AND DISFRANCHISED?

The remark is heard everywhere that ex-Governor Geer is the "logical" candidate for United States Senator, because of the popular vote he received for that office. For the reason that he has received 45,000 votes for that position he is the only candidate who should at all be thought of by the Legislature, but he would be the logical candidate without the popular vote.

The Statesman is saying nothing not already known and universally conceded, that for ten years Mr. Geer has been the best and most effective Republican campaigner in Oregon. This has been claimed by all factions of Republicans, even by those now opposing him. His rare ability in clearly understanding and plainly presenting public questions to the people has placed him by common consent at the head of public men in Oregon. His unusual effectiveness along these lines has been freely considered by his political opponents. This they have done while testifying always to his fairness as a public debater.

Mr. Geer served four terms as a Representative from Marion county in the state Legislature, making a good record as a safe legislator, and in the session of 1891 served as Speaker of the House, winning the plaudits of the minority as that of the majority as a ready and impartial presiding officer.

In the great campaign of 1896, when many Republicans were not only wavering on the absorbing question that was stirring the very depths of the Nation, but when many of those who are now opposing him, even after his almost unanimous endorsement by the people, were loudly clamoring for free silver, Mr. Geer stood as a rock for the gold standard, and as one of the McKinley electors of that year, was on the stump for six weeks continuously battling for Republican principles. It was freely admitted everywhere at the close of the campaign of '96 that but for Mr. Geer's campaign work among the farmers of the state Bryan would have carried it without question.

When he was nominated by acclamation for Governor in 1898 he at once took the field for himself and his associates and visited every county in the state, touching its boundary lines, and nearly all the interior counties. The result was his election by a plurality of over 10,000 and a clear majority of over 5,000, the largest ever given any candidate for Governor.

In 1900 he campaigned in every part of the state in the spring campaign and again in the Presidential campaign in the fall. This was in the middle of his term, but he volunteered his services at his own expense in both campaigns.

As is well known, at the beginning of his term as Governor he was besieged to at once commence laying his wires to enter the contest against Senator McBride as a candidate for his seat, but he assured the Senator as well as the public that his ambition was to serve two terms as Governor and that under no circumstances would he be a candidate.

## BLOOD HUMOURS

Skin Humours, Scalp Humours, Hair Humours,

Whether Simple Scrofulous or Hereditary

Speedily Cured by Cuticura Soap, Ointment and Pills,

When All Other Remedies and Best Physicians Fail.

COMPLETE TREATMENT, \$1.00.

In the treatment of torturing, disfiguring, itching, scaly, crusty, pimply, blotchy and scrofulous humours of the skin, scalp and blood, with loss of hair, Cuticura Soap, Ointment and Pills have been wonderfully successful. Even the most obstinate of constitutional humours, such as bad blood, scrofula, inherited and contagious humours, with loss of hair, glandular swellings, ulcerous patches in the throat and mouth, sore eyes, copper-colored blotches, as well as boils, carbuncles, scurvy, sties, and sores arising from an impure or impoverished condition of the blood, yield to the Cuticura Treatment, when all other remedies and methods fail.

And greater still, if possible, is the wonderful record of cures of torturing, disfiguring humours among infants and children. The suffering which Cuticura Soap and Ointment have alleviated among the young, and the comfort and relief afforded worn-out and worried parents, have led to their adoption in countless homes as priceless curatives for the skin and blood. Infantile and birth humours, milk crust, scall head, eczema, rashes and every form of itching, scaly, pimply skin and scalp humours, with loss of hair, of infancy and childhood, are speedily, permanently and economically cured when all other remedies suitable for children, and even the best physicians, fail.

date for Senator. This promise was strictly kept and under all the trying circumstances attending the protracted struggle of two years, Governor Geer refused to be drawn into it. It was supposed that his faithfulness in this matter would be remembered and recognized.

His ability as an effective public speaker on the questions of great national concern had attracted the public men of the Eastern States, and in the fall of 1900 he was invited to visit Ohio and take part in the campaign in that state. On account of the campaign at home he declined, but devoted two weeks of his time in Idaho and Washington. In 1901 the Republicans of Ohio renewed their invitation, which was accepted, and Mr. Geer was in the thick of the fight during all the campaign, winning the applause and admiration of the people of that great state, many of the newspaper reports of which were republished in the Statesman at the time.

During the first week of the campaign in Ohio, Governor Geer was on the same platform with Senator Hanna and during the last week was the speaking companion of Governor Nash, who the week before had divided time with Governor, now Secretary, Shaw, of Iowa. His success in campaigning with the leading men of the Nation in one of its most noted and critical political battle grounds, but attests his fitness to enter the National Senate, where he would at once take high rank as a representative and influential Senator.

Mr. Geer has just completed a term as Governor of the state, during which time he has shown his capacity for public affairs in a marked degree. As he was able to truthfully say in his farewell message: "No state in the Union is in better condition in all branches of the public service than is Oregon."

Perhaps no party in any state for a hundred years has ever deliberately committed a more unjustifiable blunder than did the Republicans of Oregon last spring when they declined to re-nominate Mr. Geer. No reason was given for it at the time nor has any been given yet. Having been a farmer all his life, those who are called the "common people" had a friend at court and they felt honored that one who had been one of them all his life had been selected because of his proved ability to represent them in the highest office within the gift of the people. That he was refused a renomination because of his independence in the executive office, was an inexcusable mistake that few, if any, will at this time undertake to deny. The people did not intend and do not intend that a man of Mr. Geer's proved ability and faithfulness to public duty shall remain in private life.

This fact is attested by the remarkable popular vote received by him for United States Senator under conditions which prompted many of those who had been instrumental in defeating him for a renomination to predict that his vote would be so small that it would eliminate him from the Senatorial contest. The humiliation heaped upon him by renominating all his colleagues by acclamation while rejecting him, together with the continued persecution afterward by those who had been successful, made it impossible for him to take part in the campaign, which he had intended to do, and although a candidate himself in a campaign where a small vote would destroy his own chances, he left the entire matter to the people for a decision.

The result is known. Mr. Geer's submission of his name to the people at the polls should have been followed by a similar act on the part of every other aspirant to the Senatorship who believed in trusting the question to the people. He has acted openly, fairly and honestly in the matter by the people of Oregon, who, in turn, have endorsed him by an overwhelming vote. He is entitled to the election without this endorsement, but with it, his defeat will bring disaster in the future where an observation of the verdict at the ballot box will clearly avoid it.

We are soon to know whether, having "passed some bill or other providing for a popular vote for Senator," we have a Legislature that will "brave public opinion hardly enough to disregard the mandate."

An endorsement of Mr. Geer is not now the question—that was secured at the polls last June. The question now is one of popular sovereignty and good faith with the people of Oregon.

## REMEMBER THE STATE CONSTITUTION AND YOUR OATH.

No member of the Legislature can or will deny the statement that if he votes for any member of either house for United States Senator he directly votes to violate the Constitution of Oregon.

Article 4, section 30, of that instrument says:

"No Senator or Representative shall, during the term for which he shall have been elected, be eligible to any office, the election to which is vested in the Legislative Assembly."

This is a wise provision in our organic act, since it was intended to prevent members themselves from scheming or combining for the purpose of becoming the beneficiaries of positions the bestowal of which was at their dis-

posal. That it could be overridden in some cases, as in that of the election of United States Senators, was, of course, foreseen by the framers of the Constitution, but it was, nevertheless, placed there as an inhibition against the very thing we see an attempt to do at this time. It was an expression of the people, incorporated into our organic law, prohibiting a thing on good grounds, and not a single member of the Legislature should permit himself to violate his oath to support the Constitution of Oregon.

No man who expects to become a candidate for United States Senator should allow himself to become a member of the Legislature, where, whatever else may be said, he cannot ask a single member to support him without directly asking him to violate his oath to support the Constitution of the state.

No man is obliged to become a member of the Oregon Legislature, and he has no right to become such, if, in advance, he supposes himself to be a candidate for any office "the election to which is vested in the Legislative Assembly."

This would be true under any circumstances, but especially so when there is a law providing for a way to submit his name to the people for a direct expression from them at the ballot box.

And more especially in the case of any man who has said he was in of the direct choice of Senators by the people!

And still more especially in the case of a man who was in favor of the law conferring that privilege on the people!

Of course, Legislators have the power to trample under foot this prohibition of our State Constitution, but should such power be used when there is no authority for it?

Senator Fulton, of Clatsop, entered a strong protest against this revolutionary procedure the other day when he said:

"BUT WE MUST FOLLOW THE LAW AS LONG AS IT STANDS ON OUR STATUTE BOOKS. DOUBTLESS WE HAVE THE POWER TO DISOBEY IT, AS THE SUPREME COURT HAS THE POWER TO IGNORE THE CONSTITUTION, BUT BECAUSE WE HAVE THE POWER DO WE ALSO HAVE THE AUTHORITY TO ADOPT THIS RESOLUTION IN VIOLATION OF LAW IS TO ADOPT THE POLICY OF ROB ROY."

"Let him get who has the power; Let him keep who can."

One of the reasons, that Mr. Geer should be elected United States Senator is that he is still a young man, one of the youngest men named for the place, and with his familiarity with public questions and his proven ability to discuss them with unusual clearness and to always get on the right side of them, he would at once take high rank in the Senate. For ten years he has been the leading campaigner in Oregon, and his successful campaign with the foremost men of the Nation in Ohio last year only served to prove his fitness for the work which the people of Oregon last June said should be placed in his charge. Aside from the instruction which members of the Legislature received from the people on this question, he is the best qualified man in Oregon at this time for the position of United States Senator. The future of Oregon politics is to be largely affected by whether the Representatives and Senators obey the popular vote. No after-excuse will explain a flat disregard of the popular vote of the people.

Senator Kuykendall of Lane, and Senator McGinn of Multnomah, both displayed the most silly schoolboy weakness in the discussion of the clerk question on Thursday, by threatening each other with a negative vote for revenge on the two appropriation matters which are locally important to each. Kuykendall threatens to throw stones at Henry's dog, and the latter is to retaliate by making faces at the doctor's big sister. Gentlemen, drop your nonsense and talk as reasonably conscientious men and legislators.

On every hand one hears that Mr. Geer is not a politician. True enough. If he were a politician he would have known better than to get on a ticket and submit his name to the people for United States Senator. Good politicians only pretend to favor the election of Senators by a direct vote, and then "flake" when they have an opportunity to give the people a chance. No, he is no politician.

With what an eagerness are some of the insurgent papers suggesting Geer's name for the lower house of Congress! Mr. Geer proposes to remain true to every one of the 45,000 voters who declared in favor of him for United States Senator. If the combination of politicians should succeed in trampling under foot the popular vote, it will then be time to discuss the future of Oregon politics.

In justice to the gentleman named herein, as well as to this paper, it is only fair to state that Mr. Frank Davey, Representative from this county, is not connected in any capacity with the Statesman, and has nothing to do, actively or by inspiration, with its editorial utterances. Mr. Davey has not done any work for the Statesman since October, 1901, except an article for the late New Year's edition.