

THE WEEKLY OREGON STATESMAN

Published every Tuesday and Friday by the STATESMAN PUBLISHING COMPANY

H. J. HENDRICKS, Manager. T. T. GIBBS, Editor.

SUBSCRIPTION RATES: One year in advance \$1.00, Six months in advance .50, Three months in advance .25, Single copies 10c.

The Statesman has been established for nearly fifty years, and it has some subscribers who have received it nearly that long...

CIRCULATION (SWORN) OVER 4000



With calmness and confidence we await the people's verdict.—Judge Parker. That's right, Judge, though we knew it all along.

The Big Stick is still supreme. Governor Mickey of Nebraska, will attend the launching of the battleship named after his state, at Seattle on October 3d.

It is reported that Bryan is to "work overtime" in the Indiana campaign. That will settle Indiana. He worked overtime in that state during two other campaigns and we are real glad he is going again.

Senator Clark of Montana, having "financed" the national Democratic committee and the state committee of his own state, is going to furnish the staff for the Democrats of Indiana.

The New York World says there are no statements in Parker's letter that "will not ring as true a month hence as they do now."

"Shall our government stand for equal opportunity or for special privileges?"—Judge Parker. And yet, here is the Judge himself, born and raised a poor farmer's boy...

"Shall we cling to the rule of the people or shall we embrace beneficent despotism?"—Judge Parker. Well, that would depend upon the bent of one's mind, but, as for us, give us Teddy with the perfect freedom ever, baby enjoys and a country unusually prosperous.

With what a feeling of inexpressible satisfaction must a man admire his good fortune, thrust upon him by the partiality of an over-kind Providence, as he finds himself able, oh hand, to decide when the people of the entire state have "had a measure foisted upon them by a few designing bosses!"

Advertisement for Ayer's Sarsaparilla, featuring the text 'Poorly?' and a testimonial from John McDonald of Philadelphia, Pa.

SENATOR FULTON'S OPINION.

Although Senator Fulton is generally conceded to be a pretty good lawyer, his reasoning in support of the conclusion that the direct primary law is unconstitutional, is plainly lame in its principal analysis.

Mr. Fulton rests his case upon the statement that "the constitution of the state provides the qualification of the voter, and the Legislature cannot add to nor take from these qualifications, nor impose any additional condition to the right to vote."

But the constitution only "provides the qualifications of voters" at general elections, and the primary law only provides qualifications at the primary election.

The constitution only takes cognizance of the voter, as such, when he arrives at the polls on election day, and since that instrument makes no mention of primary elections nor of any other manner of selecting candidates for office, it is presumed that any nominating law that does not interfere with the right of the voter at the polls is to be considered constitutional.

A law which would require a voter to register his political faith before he could vote at a general election would, no doubt, be unconstitutional, but this is not the case under the direct primary law.

If a voter should refuse to give his political faith at a primary election it would, of course, exclude him from participating in that election, but it would have no effect upon his right to vote at the general election, and as has already said, the constitution only provides qualifications for those who are to vote for officers, and not for those voting for candidates.

Primary election is not an "election" in the meaning given that word in the constitution. The men who are chosen at a primary election are not to perform any of the duties prescribed under the constitution.

And the Senator is evidently wrong in his statement that "the Legislature cannot impose any additional condition to the right to vote other than those provided by the constitution."

The grounds upon which the Senator bases his ability to "beat the direct primary law in the Supreme Court," are not well taken, though it has defects which can be easily cured by the next Legislature.

But it is as free of constitutional or vital shortcomings as many of the acts which have had all the advantage of the "deliberation" which is assured by regular procedure through the Legislature, and should, therefore, be exempt from special denunciation.

SHORT HISTORY OF OREGON.

One of the latest books to come to this desk is "A Short History of Oregon," compiled by Sidona V. Johnson, from the A. C. McClurg & Co. press at Chicago.

The dedication is very properly addressed to George H. Himes, the curator of the Oregon Historical Society who has done more perhaps than any one else to gather together historical matter relating to this state.

The book is a handsome volume of handy size, well printed on good paper and is replete with interesting illustrations, including two fac-similes of Jefferson's correspondence with Captain Merriwether Lewis, of the Lewis and Clark expedition, relating thereto, the latter being very interesting as the letter of general credit which that great president extended to Captain Lewis for such use as he might find necessary on his trip.

The history is divided into six parts, the first taking up in a very interesting way the earlier discoveries and the causes that led up to them on the Pacific shore of North America, and to the final abandonment of Port Nootka on the sound of that name on the British Columbia coast.

SLEEP

For Skin Tortured Babies and Rest for Tired Mothers



In Warm Baths with Cuticura SOAP

And gentle anointings with CUTICURA Ointment, the great Skin Cure, and purest and sweetest of emollients. It means instant relief and refreshing sleep for tortured, disfigured, itching, and burning babies, and rest for tired, fretted mothers, when all else fails.

Sold throughout the world. Cuticura Soap, Six Ointment, Six, Rosin Soap, in form of Chocolate Coated Pills, Six, per vial of 50. Deposited London, 7, Chancery Lane, E.C. 4, England. Made in U.S.A. by Cuticura Soap Co., Lowell, Mass., U.S.A.

the early trading posts, and how the Oregon country was finally restored to the United States. This comes down to the history of the Whitman massacre.

Part four is the story of the final settlement of the Oregon question, the establishment of territorial government and the admission of Oregon into the Union as a State.

The history is told in the analytical and narrative style, is interesting reading, having enough data for all purposes, yet not being so filled with them that the book becomes simply a dull tedious recounting of figures.

FOREST FIRES AND FOREST PRESERVATION.

Now that the rains have subdued the forest fires which for the past month have done so much damage in Oregon, many newspapers are calling attention to the necessity for more stringent measures for their prevention and the punishment of the parties who are guilty of setting them out.

But there is no more difficult law on our statute books to enforce than that directed toward the prevention of forest fires. It is safe to conclude that of not one in twenty fires could it be determined where it started or who had to do with it.

For months in every summer our pine and fir forests are almost as combustible as a powder magazine. A lighted match let fall on the resinous carpet which is found in our forests almost everywhere will in a moment start a fire that within five minutes no man can extinguish without water, a help in trouble of that character that is usually farther away than Sheridan was when the little disturbance at Winchester arose.

And yet it is a serious problem that should meet with the earnest attention of the next Legislature. Millions of dollars of private property are invested in these valuable lands as well as the interests of the state and general governments. How would it do to suggest that a more stringent law be passed looking to the regulation of clearing up the waste from logs cut for lumbering or other purposes, thus lessening at once, perhaps 50 per cent, the material contribution to the starting of these disastrous fires?

In all logging camps the most combustible portions of a tree, the smaller limbs and pitchy needles are left as they are stripped away and the wonder is, not that forest fires ensue, but that we have any timber left at all.

limbs and pitchy needles are left as they are stripped away and the wonder is, not that forest fires ensue, but that we have any timber left at all. In Germany and many of the other continental countries, no owner of timber is permitted to cut down one of his trees without first getting the consent of the forest inspector.

Of course there will be an objection to this and it will not be done, but as long as the present reckless manner of wasting timber, resulting in filling our forests with endless piles of kindling wood already surcharged with pitch, is permitted, forest fires will continue to destroy thousands of acres of our natural wealth in timber year by year.

Anything like adequate patrolling will be found too expensive to be at all practicable.

LIMITATIONS OF THE DEMOCRATIC PARTY.

"If the tariff made dollar wheat, why didn't it make more of it?"—Portland Journal. "Well, if the Democratic party knows how to give us good times, why don't they do it?"—Salem Statesman. "A party 'giving us good times' is the veriest bosh. Why didn't the Republican party give us all pensions, abolish taxes, and make it possible for us to live without working?"—Portland Journal.

Every time the Journal denounces a robbery, it declares its belief that the Republican party is filching from the people. To the extent to which it is engaged in robbing the common people of the country, if it is, the Republican party is subjecting the people to hard times.

The Democratic party only wants to return to power that it may immediately stop this gigantic robbery. It wants to save millions to the people every year. In other words, it wants to "make good times" for the people—the Democratic party does!

And yet, it says "a party giving us good times" is the veriest bosh. Indeed it is, if you refer to the Democratic party, which perhaps you did. Why, the Democratic party is to give the workmen better wages without having to pay more for their living.

And since there is an inequality in the circumstance of higher wheat making higher bread, easily traceable to the "robber" feature of protection, that discrimination would not exist under a Democratic administration.

Without his promise of better times which somehow he thinks he could bring about, Judge Parker's letter of acceptance would have been as flat as a boiled potato without salt, and it lacked very little of it, anyhow.

But, of course, speaking of its own party and its particular powers, the Journal is not to be criticized too severely for its opinion that "a party giving us good times is the veriest bosh." Viewed from its own party position, it no doubt looms up that way from where it has located its observatory.

A WORD MORE ABOUT THE PRIMARY LAW.

The failure of the direct primary law to provide for the registration of voters at municipal elections to be held this fall has raised a general discussion as to its merits and demerits, including a statement by Senator Fulton that it is unconstitutional, for the reason that the constitution of Oregon provides the qualifications of voters and that the Legislature cannot make any additional conditions.

The requirement under the new primary law that a voter must register his political affiliation before he can vote at a primary meeting, the Senator holds, is unconstitutional, in that it provides a qualification not mentioned in the constitution. But we have shown that since a primary meeting is not an election in the sense that the word is used in the constitution, a requirement that might altogether bar a man from the primary meeting but permitted him to vote at a general election, would not be unconstitutional.

necessarily get anywhere on account of that result, and his status, if he had any, would be entirely outside of anything contemplated by the constitution. But a registry law that is perfectly constitutional, though imposing an additional qualification than those mentioned in the constitution, has been passed and promises to remain permanently. To this it may be urged that those not registering might vote, anyway, but the contrivance by which this is done makes it six times as difficult to vote at all in many cases as if he had registered in the first place.

Under this provision a man who might be known to every citizen of his county as a duly qualified voter, is required to find six men who will make oath to his qualifications. The knowledge of the judges of election is not sufficient. It is much less trouble to register than it is to vote in this manner. And yet, though "additional," it is constitutional.

But the Astorian is still exercised about the constitutionality of the primary law, and, after quoting Senator Fulton extensively, says "the constitution defines the qualifications of voters. Any voter possessing these qualifications shall be entitled to vote at all elections authorized by law. The law authorizes primary elections but the constitution does not stipulate that a man must declare his political faith before he may vote."

But suppose it doesn't? The laws of Oregon provide for annual school elections. In other words, school elections "are authorized by law," and yet, the qualifications "provided by the constitution" for a voter are not enough to entitle him to vote at a school election. There has been "an additional condition" imposed. He must have property upon which he must be liable to pay a tax.

The most worthless hobo who ever traveled a tie pass and who never in all his life owned a dollar's worth of property, may be qualified under the provisions of our constitution to vote for any state or county officer. But at an annual school election, "an election authorized by law," he cannot vote. The law provides "an additional qualification," the same as it does in the direct primary law as to primary elections, and yet where is the man who has said that the school laws are unconstitutional for that reason?

Indeed, this school law goes further. It quite eliminates the personality of the voter and places the property qualification supreme. The qualifications enumerated by the constitution and which Senator Fulton says shall not be added, to limit the exercise of the voting privilege to men, but the school law says that a twenty-dollar horse belonging to a woman, may go to the polls and vote, the restriction to men in the constitution as it fixes the qualifications of voters being held by the school law, and, no doubt, by Senator Fulton, to be null and void! The fact that the horse belonged to a woman in one case and did not in the other alone determined her right to vote under the constitution which fixes the qualifications of voters in "all elections provided by law!"

The horse, and not the woman, is the determining factor in this annulment of what Senator Fulton calls the unalterable qualifications fixed by the constitution.

A little examination will show that there will be no trouble in requiring that a voter shall register his political faith—at least, none from the constitution—but there will be opposition by those who, thinking the people cannot be trusted in a matter of this character will invoke the constitution as a very convenient aid in an illy supported cause.

THE SALEM PRIMARIES.

There can be no doubt of the right of the city council to pass an ordinance providing for the registration of voters at the coming city election, in the absence of any such provision in the direct primary law applicable to municipal elections this fall. The state law provides that a certain thing shall be done, but a requisite preliminary is lacking before the state requirement can be met. This preliminary can be supplied by the city council without the violation of any law and would not be deemed a usurpation of authority by any objector.

This would be a simple and orderly way out of a temporary difficulty, if any great question was at stake, but since there will probably be no struggle of any consequence, it may be as well to follow the suggestion of the council committee and adopt the plan adopted last year by mutual consent.

And yet these matters are sometimes far-reaching in their consequences. The legality of some important and valuable franchise might be attacked in the years to come on the ground that the coming election was illegally held. To this it may be truthfully said that where there is no law any action taken by the body politic will be afterwards sustained by the courts, though it may still be urged that the city could very easily provide for the registration of its own voters during this lapse in the application of the new primary law, and avoid all danger of future controversy. It is a matter of sufficient importance to merit careful investigation.

Portland Business College. Established in 1866. Open all the year. Private or class instruction. Thousands of graduates in positions; opportunities constantly occurring. It pays to attend our school. Catalogue, specimens, etc., free. A. P. ARMSTRONG, LL.B., PRINCIPAL.

Established in 1866. Open all the year. Private or class instruction. Thousands of graduates in positions; opportunities constantly occurring. It pays to attend our school. Catalogue, specimens, etc., free. A. P. ARMSTRONG, LL.B., PRINCIPAL.

CORRESPONDENCE

IS HE UNSAFE?

To the Editor: It amuses me to read the charges the Democrats make against President Roosevelt, especially that one which says he is an "unsafe man" an imay, if elected, one day plunge the United States into war. It is so utterly inconsistent and absurd that one is forced to smile at it.

But this cry of the Democrats is amusing in the extreme. Everyone knows that during the war between England and the Boers nearly every Democrat was a Boer sympathizer and did all they could to force Roosevelt to take a hand in the fight in favor of the Boers.

And what could we have said if England or France or Germany had stepped in and said "Hands off, gentlemen!" Why, every man with a spark of manhood and patriotism in his makeup would have called upon this nation to "let slip the dogs of war" and at them. And yet the leading Democrats of this country endeavored to force Roosevelt to take a hand in that war!

Following is the present standing of the contest: Miss Pauline E. Remington... 12380, Miss Edna Wilson, Macleay... 3835, Miss Thelma Durbin, Tangent... 3025, Miss Mary E. Davidson, Liberty... 2925, Dean Nitzel, Salem... 2100, Cleavis Shields, Gearsville... 1525, Miss Beatrice Shelton, Salem... 1270, Miss Opal Heimken, Salem... 900, Miss Jessie Reed, Aunsville... 850, Miss Nettie Beckner, Salem... 840, Frances Kremis, Polk county... 650, Miss Margaret Mulkey, Salem... 500, Miss Clara Jones, Brooks... 500, Mrs. Cal Patton... 375, Miss Willow Pugh... 325, Miss Orletta Kraus, Aurora... 255, Mrs. John East, Salem... 200, Miss Minnie Ineson, Liberty... 200, Miss Opal Hatch... 175, Miss Grace N. Babcock, Salem... 100, Miss Eva McAllister... 100, Robert Whitney, Hubbard... 100.

SPECIAL FOR PORTLAND.

Train Will Be Run Probably to Accommodate Those Who Would Hear Fairbanks. State Chairman of the Republican Committee, Hon. Frank C. Baker, writes the Statesman as follows: Portland, Oregon, Sept. 27 1904, The Statesman, Salem Oregon.

To the Editor: Will you kindly announce in the Statesman that I will upon application be pleased to mail reserved-seat tickets to citizens of Marion county who intend to attend the Senator Fairbanks rally in this city Saturday evening next?

The Southern Pacific General Passenger Agent telephoned me as follows substantially: "We have wired our agents at Albany, Salem and Woodburn to let us know the guaranteed number of people in those cities who desire to come to Portland and attend the above meeting. Tomorrow forenoon we will very likely be able to let you know exactly what can be done in the premises." He added at the end of his conversation: "We will certainly take care of them all right."

No Substitute Wanted.

Not I did not ask for a bottle any cheaper, or twice as large, or one made by yourselves. I did ask for and will not have any substitute for Perry Davis' Painkiller; I have used it, my father used it and I would not be surprised if my grandparents did so too; there is no imitation that can equal it. That I am sure of—for stomach ache.

TYPHOID IN NEW YORK.

NEW YORK, Sept. 28.—New York is threatened with what may be the severest epidemic of running typhoid fever in its history. Not only the number of Typhoid cases reported for the first three weeks in September are greater than in any month last year, but since the beginning of the summer the death rate is much higher than formerly. The Health Department is bending every energy to control the disease.

CATHOLICS CONDEMN FRANCE.

NEW YORK, Sept. 29.—One thousand Roman Catholics attending the third general Eucharistic congress today adopted resolutions condemning the recent action of France in curtailing the scope of the Romish Church, as affecting the religious liberty of the people.

Legal Blanks, Statesman Job Office.