

Editorial Page of "The Capital Journal"

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DISCONNECTED BY A CONJUNCTION

Ralph R. Duniway, an attorney of Portland, criticises the criticism of the supreme court by the Oregonian in its issue Monday, on the court's decision in a recent case because the defendant, or her attorney for her, used the conjunction "and" instead of "or" in replying to an answer filed by the defendant in a damage suit. The Oregonian scores a bull's eye in criticising the criticism of its critic. Mr. Duniway points out the very simple rules of pleading and the Oregonian shows that under these rules the statement in the answer was not made according to them, and that the reply was in fact both a general and specific denial of the defendant's statement of new matter. If the plaintiff violated the rules of pleading so did the defendant, and did it first, and this violating of the rule was what caused the apparent violation by the plaintiff.

There is another phase to the matter that should not be overlooked and that is that the plaintiff lost her case through the "carelessness and negligence" of the attorney, if the supreme court decision is right. This attorney was admitted to practice law in this state by this same supreme court, if not by the same members of it. He was given a certificate to practice by this supreme court and was thus "carelessly" and "negligently" held out to litigants as being sufficiently learned in the law to handle their legal business.

A person having need of a lawyer's services in many cases has no means of knowing anything about their abilities, but they know they have the indorsement of the supreme court and should know the law well enough at least to attend to any usual business.

How does the supreme court feel about it when called upon to decide a case which has not been properly pleaded or tried, through the inefficiency of an attorney it has indorsed as being fitted by his knowledge of the law to attend to just such business?

It is an axiom of the law that every man is supposed to know the law. This is a pleasing fiction of the legal mind, for no man knows the law or any great fraction of it. The learned lawyer is the one who is familiar not with law but with precedent. The doctrine of stare decisis is the foundation of this, and that upon which the attorney familiar with precedent builds his cases and his reputation.

Yesterday's dispatches stated that certain leading progressives had made a virtual demand on Mr. Hughes to disavow Murray Crane, Senator Smoot, Boies Penrose and other recognized leaders of the old guard. What they want is a letter similar to that written by Wilson to George Harvey in the 1912 campaign. They are not willing to trust Mr. Hughes so long as he is coupled up with this gang of wire pullers. Of course Mr. Hughes will not even think of writing that kind of a letter or any other that reflects in any way upon the gentlemen named. At the same time it is pretty certain these gentlemen will not stand behind Hughes unless he does this, and so will perform their influence to Wilson. Mr. Roosevelt going into the Hughes camp so soon after betraying them, and being welcomed with open arms is another thing that is not making them feel any more kindly toward Hughes.

There must be a rumor factory somewhere on the coast running three eight hour shifts a day. It is certainly turning out some very poor samples of workmanship. As an illustration one rumor is that Germany is stirring up the troubles in Mexico. This is so utterly absurd as to be unworthy of mention among sensible people, yet it had, and has many believers. Another of the same piece of goods is that Japan has warships on the Mexican coast ready to attack the United States the minute war breaks out with Mexico. Japan has no desires to have trouble with this country, and no reason for having, hence this rumor is as silly as the other. These are but samples of the flock of "canards" that are always in our duck pond.

The war with Mexico in 1846, started under circumstances very similar to present conditions. Outrages along the border on the property of American citizens who had obtained concessions in Mexico, stirred both countries. Mexico then as now, was full of military chiefs each desiring to be the national leader. An American army was sent to the border. Clashes followed on American soil, just as they have been doing recently and American soldiers were killed in these. The war was fought without a formal declaration of war, President Polk simply declaring a state of war existing by reason of Mexico's acts.

With three hours leave of absence in which to get married, say farewell to his bride and return to duty, Chester M. Briggs, corporal of Company B, Washington militia, hunted up his girl, Helen C. Pain, and one hour later was married. This is a case of getting a Pain suddenly and unexpectedly, but it is hoped it will be a Pain that will prove a real pleasure. Some poet said: "He never knew pleasure who never knew pain," and perhaps this is the one alluded to.

It is announced that the Duke of Devonshire will succeed the Duke of Connaught as governor general of Canada. This statement was given the press bureau last night. The retiring governor general has proven a strong man, and well equipped for his work. His management of Canadian affairs has resulted in great good to all the provinces.

The United States is willing to assist in relieving the famine stricken people of Poland, and a bill is before congress appropriating two million dollars for this purpose. However nothing can be done until it is learned whether or not England will permit supplies to be sent them.

Yesterday's dispatches stated 45,000 full blooded Indians have enlisted in Carranza's army. This may be correct, but few acquainted with Mexico, will believe there are that many "full blooded" people or animals of any kind in Mexico. Even the mules are of mixed breed.

The movement to establish a fund of fifty million dollars for the purpose of pensioning protestant ministers is meeting with success. The board of conference claimants of the Methodist Episcopal church announces that twenty millions of the required amount has been secured.

A dispatch yesterday stated that preparations for the reception of the Third Oregon militia regiment were being made at Fort Rosencrans near San Diego. This is the only intimation so far received as to the destination of our boys.

President Wilson can feel an especial pride in his state as all the New Jersey quota of militia is on the way to the border, the last installment leaving the mobilization grounds at 4 o'clock yesterday morning.

The suffragettes have evidently got their work in to some purpose. Senators met suffrage workers from suffrage states yesterday, and agreed to submit the Susan B. Anthony amendment to the senate soon.

It seems that with shorter riding habits fashion has decreed longer boots for women riders. Naturally this makes the boots come considerably higher.



QUITTING A JOB

I said, "My wages are too low; I've worked away, the best I know, since I was young and hale, and my employer never cries, 'Oh, James Adolphus, you're a prize, I'll see you draw more kale.' I know his business will go broke, when I throw on the galling yoke that I so long have worn; without my rare abilities, 'twill soon be bagging at the knees, and he will weep and mourn. He'll realize, when comes that frost, how great a treasure he has lost; he'll beg me to return; and now I'll quit this office chair, and get a situation where more roubles I can earn." So I resigned, with language brief; my boss's face showed great relief, instead of pain and woe; he cried aloud, "Oh, happy day! It's long since you have earned your pay--I'm glad to see you go!" He's doing business as of yore; things boom in his department store, his goods are all the rage; while I plod on, with sign and sob, and vainly try to get a job at half my former wage.



DYNAMITERS AT WORK

Chicago, June 28.—Watchman N. L. Tolgoun extinguished a burning fuse today just in time to prevent the destruction of the German-American ball bearing company plant by six sticks of dynamite to which the fuse was attached. Peter Cumis, an electrical worker, who was seen running from the building, was arrested.

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COLONEL HOFER GOES FISHING AND CATCHES TWO AUTOMOBILES

Gathers Up Derelicts On the Road and His Fish Cost Less Than Dollar Each

Col. E. Hofer last Friday, probably due to the day, suddenly developed a great desire for fish. It is perhaps unnecessary to use the word "great" for when the colonel develops anything it is always of the "great" kind. However, this has nothing to do with the story. Now when the colonel wants fish he wants the best, and that is the only kind the Little Nocturna produces.

He mentioned the fact to his son, Larry. You no doubt know Larry, though not by sight unless you met him outside of his auto. He is the chap you see in the periscope of the Blue auto, that like Mark Twain's Jack rabbit, "splits long cracks in the atmosphere." Larry groaned up the big automobile, got the Colonel aboard early Saturday morning and proceeded to stretch a section of dark marine Italian sky along the usually traveled highway to the Little Nocturna.

The colonel having been long in the newspaper business had no fear of "piloting" his form and besides—well, he is not afraid to travel on "high," and the result was that about the time the smell of the boat's gasoline drifted out of the steel bridge they passed Independence, and the hills around the Nocturna were in sight a few minutes later. As they climbed Dolph hill, they came across a little Hummobile, in which were a gentleman and his wife also bound for the Nocturna but just at that time hopelessly stuck in the mud and unable to negotiate the climb. Larry produced a rope at the colonel's suggestion and took the Hum and its stranded ones in tow. In a short time they overhauled a Ford stuck tight on the muddy hill, and with a couple of very disconsolate would-be fishermen holding an inquest on their fishing chances.

Got a rope? asked the colonel. They had. They hitched. They hitched. Larry gave the absentminded an extra twist, and the automobile popped a hunk on the soft pedal and the innobubble went up the hill with both derelicts in tow. The colonel built a fire on the outer end of a long black cigar, and from his position on the poop deck superintended the voyage. It was made on time and without trouble, but it spoiled the colonel's fishing trip, for as he thought of his auto and the freight train it hauled up the hill, he swelled up so big he couldn't get between the big trees along the creek. However, Larry caught enough trout to make their rest something less than a dollar apiece.

Thirtieth Convention of Missionary Society

The thirtieth annual convention of the Woman's Home Missionary Society of the Oregon conference will open tomorrow morning at 10 o'clock at the First Methodist church. After the formal organization, an address of welcome will be made by Mrs. J. C. Spencer, with response by Mrs. J. B. Canfield of Portland. Following the response, Mrs. E. A. Nolin of Portland will read the minutes of the last meeting and the district secretaries will make their annual report.

The afternoon services will begin with an address by the Rev. Richard N. Avison, followed by department reports and report of the conference corresponding secretary, Mrs. George H. Allen. A report of the Old Peoples' Home will be made by Mrs. Fannie Penn. A paper on "Our National Work" will be read by Mrs. M. B. Patronsburg. The evening session of tomorrow will be taken up with a special music program, a reading by Mrs. J. M. Brown and the segment, featuring the work of foreign missions. For those who wish to stay in the church following the afternoon session and have brought a basket lunch Thursday evening, hot coffee will be served. A nursery for children will be provided in the ladies' parlor both days of the conference.

Food Speculators May Overreach Themselves

Washington, June 27.—Food speculators attempting to use the Mexican situation as an excuse for boosting prices will do so at their own risk, it was said at the department of justice today. Reports have reached here that food dealers will seize upon big orders for the government for the army as an opportunity for gouging smaller consumers.

Two Mexicans Killed

Brownsville, Texas, June 27.—Two Mexicans who started to cross the river in a row boat early today failed to answer the challenge of an American sentry. He fired, killing one Mexican and wounding the other.

Peace Delegates Are Not Popular

El Paso, Texas, June 28.—Dr. David Starr Jordan and Montez C. Bolland, two delegates representing the American Union to Prevent Militarism, were today en route to Albuquerque, N. M.

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