

The Times

(MORNING, EVENING AND SUNDAY.)

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Sunday, May 23. 22,874

Monday, May 24. 27,945

Tuesday, May 25. 38,432

Wednesday, May 26. 38,492

Thursday, May 27. 38,244

Friday, May 28. 38,286

Saturday, May 29. 38,226

Total. 220,192

Weekly average (Sunday, 23,874 excepted). 38,220

WASHINGTON, SATURDAY, JUNE 5.

Proctor District Justice.

Without desiring to find fault with our

Proctor District Justice, it must be said that

they are entitled to sympathy, in that they

frequently are compelled to rule and get under a

strict and even severely technical interpretation of laws which

undoubtedly were designed to promote justice and to

punish crime, but which sometimes in their necessary

application become practically unworkable, and, in

effect, are made to operate to the subversion of the

one and the encouragement of the other.

Two cases in point have but just been

presented in evidence before the community.

One of them is of such unimpeachable authority

that, outside of the conservative and law-abiding

people of the District of Columbia, even as near to

our boundaries as the city of Alexandria, it could not

have gained the notoriety it has here, without producing

a riot in which every respectable citizen would have

been morally certain to join, and, incidentally and

safely, a lynching.

In this case an aged man has been

found guilty of debauching five little girls

of the neighborhood, systematically and persistently

for a period covering several years. His guilt must

have been beyond any legal peradventure, or the jury that

tried, would not have convicted him. He is let off

with a fine of fifty dollars in each case. We are afraid that this sentence

will be made the text of unpleasant comments

on justice at the National Capital by the press of the

country. It is very likely to be said that the deliberate

and awful depraving of little girls from the

ages of eight to thirteen years, by an individual of

vergeable age and possessed of average intelligence

and social standing, deserves some severe punishment

than a fine of fifty dollars.

In the other case referred to, that of the

Greek scholar and author, Mr. Timayens, he was

accused of sending obscene matter through the

mail. The offense charged in detail is that in a

letter written in the Greek language he used one

word which is susceptible of an obscene meaning

by a strained construction, but which is properly and

frequently used in connection with its true common

and innocent meaning. Mr. Timayens has twice

been tried on this charge. On the occasion of his

trial just concluded, eleven of the jury from the

start were in favor of acquittal, but one man held out, a man

who is said to have "hung" several other juries. It

is stated that there is some likelihood that Mr.

Timayens, who enjoys the respect of a large circle

of friends and acquaintances in this community,

is again to be harassed in this connection. We

trust that this may be a mistake.

Where such apparent miscarriages of justice

are possible, it might be well for the District

Justice to memorialize the Congress, and to ask for

the passage of laws that would serve to correct

irregularities such as we have called attention to.

Amplification in the text of legislative acts, and the

flexible of counsel are apt sometimes to subject courts

to public misunderstanding in a way that must be

would be objected to by the League, to

in any way connect a strictly philan-

thropic, orderly and legal movement of

American sympathy with organizations

and leaders that might be interpreted by

the laws of this country, as obstructing to

the Administration.

It would be essentially unjust to Messrs.

Estrella Palma and Quesada to mix them

up with an American national movement

that might easily, and probably will, attract

the reprehension of the Administration.

As Americans, members of the League

will do what they may think best for

the cause in which they are enlisted. As

far as may be, it is probable that they

will observe the Constitution and laws of

the United States, although they daily

see the Government of the United States

openly defying both by violent oppression

of the House of Representatives. But it

would be a cruel hardship to implicate

the agents of the struggling republic in

anything that the National League may

do. Even if they were invidious enough

to take the chances, which they are too

good diplomats to do, it would not be

advised.

Whatever aid and comfort the National

Cuban League is able to give to a fellow-

countryman, struggling for the blessings of

liberty, must and will be devoted directly,

and not through any agency other than

that of the organization, acting indepen-

dently in its own time and in its own

way. Only on these terms could the move-

ment attract or justify the support of the

American people.

The Waste Paper Crime.

A Philadelphia paper starts an editorial

with this remark: "Some moral defect or

deficiency must exist in those persons who

throw waste paper into the street or who

permit the waste paper of their households

to be blown about on the tops of barrels."

This is quite strong and violent for

Philadelphia. The editor goes on to say:

"Any person who needlessly litters and

detaches the public streets is deficient not

only in the sense of order, but in regard

to the comfort and pleasure of others,

and that in itself is an offense against the

law."

It was in Philadelphia that the ancient

custom of sweeping sidewalks existed, and

may still exist, for all that is known to

the community. Every morning before break-

fast, the filthy household waste is put

into a tub, and the tub is taken to the

sidewalk in front of her door. It is

possible that in earlier days she also

swept the streets, and required the

houses to take off their shoes and put on

slippers before coming into the city, but

this is not so now. She did not delegate

the duty of sweeping to the servant. She

did it herself.

Notwithstanding a beautiful thing, and next

to goodness, but few people have the

generosity to say that it is actually a

part of goodness, and the most important

part of that. It is not merely possible, but

it may be carried to excess. It is possible,

for instance, for a woman to have worried

over the dirt on the top of her shoes, and

to have the whole tribe of madonnas at the

tail of a sea of soap suds. Possibly the

ill temper engendered by rheumatism and

influenza caught on these Philadelphia

sidewalks. In the early morning hours, may

not weigh the immaculate bricks, when the

judgment day arrives. And when people

talk about a moral defect that is shown

in throwing away a piece of waste paper

instead of folding it carefully up and carry-

ing it home in the trousers pocket, they

are losing their moral perspective, and

need new glasses.

Unhappily, however, the American people

do not seem to have any sense of the

subject of waste paper, and broken bottles, and

tin cans, and rubbish of all sorts which

is allowed to defile public places. It

may not be a moral defect to sing "Push

Park (Closes Away)" in a secluded nook

of a park, so long as nobody within hearing

can think of anything else, but it is bad

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