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THE ARBUCKLE TRIAL

There appears to be a disposition on the part of numerous critics to find fault with the verdict of the majority of the jurors who sat on the trial of Roscoe Arbuckle, charged with manslaughter, in connection with the death of Miss Virginia Rappe.

It is a principle of American law that no person is guilty until proven so by a fair jury trial of his peers. There is no question but that the accused in this notorious case was found guilty by public sentiment long before the case came to trial, by what is termed a newspaper verdict. Before the trial started all of the testimony that the public received seemed to be hostile to Mr. Arbuckle.

A close watch of the proceedings of the trial, however, failed to disclose a number of points that had been made much of in the days following the tragedy, and regardless of the fact that they seemed of great importance in the conviction of the defendant before the trial started, the testimony failed to reach the jury during the progress of the case in court.

We do not consider that there is anything radically wrong with our present jury system, nor do we consider that the jury sitting in the above-mentioned case was so completely lacking in its duty to the community that it rendered a decision that was not in accordance with the testimony presented.

The statement made by the foreman of the jury given out after the close of the trial is very apt at the time and we quote from it: "The ten members of the jury who voted on the last ballot for acquittal felt that they voted on the evidence fully considering it all. One of the two minority refused to consider the evidence from the beginning and said at the opening of the proceedings that she would not change it until Hell froze over."

He further says: "Considering all the evidence, it seemed to us that the prosecution's case was an insult to the intelligence of the jury. It asked us to substitute conjecture for facts without showing what had been done, and asked us to guess what might have been done and to guess only one way. Human liberty and American rights should depend, not upon guesses by anybody, but upon evidence."

Is not such a statement of a man sitting in the jury box, listening to all that was said during the progress of the trial, weighing the evidence as it was presented by both sides carefully in his realization that upon his decision the fate of another man might depend, of more weight and of more consideration, supported as

it was by a like decision on the part of nine others in the same position, than the casual summing up of the case by disinterested persons, whose ability to learn all of the facts was limited?

Judging from the testimony as presented in the trial there is very little to say in criticism of the verdict unless it be that disagreement should have been supplemented by acquittal, to save the state the added expense of another trial. There was no evidence presented by the prosecution to convict an innocent man. Yellow sheets, which have old grey haired moralist writers, can see nothing good in a movie star and their habits and virtues are always bad.

STOP, LOOK AND LISTEN

The Board of Inquiry in the investigation of the crossing accident near Gerber, Calif., November 20, which caused the instant death of two Red Bluff high school students and fatal injury to four others, in its report just announced, finds that the driver of the bus, a 17-year old student, in attempting to cross in front of a Southern Pacific train had failed to take any precautions to see if any train was approaching. No blame was attached by the Board to the train crew or the company.

The Board of Inquiry was composed of residents of Red Bluff not connected with the railroad company and Southern Pacific officials.

The Board included in its findings a recommendation that a law be enacted requiring drivers of automobiles, both family cars and passenger-carrying busses, to stop before attempting to cross railroad tracks at grade crossings. It was also recommended that the drivers of the Red Bluff high school busses be instructed to stop before crossing railroad tracks and to have one of the passengers get out and look up and down the track, and not to proceed until the signal is given that the track is clear.

Witnesses testified that the bus had been delayed by engine trouble and that apparently the driver was so intent on keeping close to a red bus which had been sent out and which he was following that he failed to look for any train. The usual crossing signal had been blown by the engineer who again sounded warning blasts when he saw the first bus start to cross the tracks.

The One Hundred Per Cent Club of San Francisco has sent a resolution of sympathy to Victor Geery, engineer of the train which struck the bus, indicating the appreciation of the club members of the shock and strain which he underwent at the time of the deplorable tragedy.

CONGRESSIONAL ACCOMPLISHMENTS

Among the major pieces of legislation passed by Congress during the special session may be mentioned those dealing primarily with:

Federal Administration: The Budget Act, providing for a more businesslike manner of handling the taxpayers' money. The Sweet Act establishing the Veterans Bureau by which affairs of ex-soldiers have been centralized and delays minimized. The bill appropriating \$48,000,000 to continue the work of the Shipping Board, bankrupted by the previous Administration. Readjustment of compensation of postal employees. The Immigration Restriction Bill for curtailing European immigration. The Maternity Bill. The Volstead anti-medical beer bill. The army and navy appropriation bills carried over from previous sessions. And the first deficiency appropriation bill.

Industry: The bill amending the War Finance Corporation Act to provide relief for producers of agricultural products and authorizing the War Finance Corporation to utilize one million dollars of its assets to aid in export of those products and in brood, raise, fatten and market livestock. The Packers' Bill to regulate interstate and foreign commerce in processed, dairy products. The bill penalizing purely speculative operations in grain futures. The bill providing for an additional deposit of \$20,000,000 into the Federal Reserve Bank of St. Louis to increase the working capital of the Farm Loan Board to \$50,000,000.

The amendment to the Edge bill encouraging export trade. The bill providing for a consolidation of independent telephone companies, thereby eliminating losses incident to its wise duplication. The bill authorizing the President to provide for the orderly and controlled handling of submarine cables. Amendment of the Federal Road Act by the Federal Highway Act, centralizing authority in the States and insuring road in being. The Emergency Tariff Bill, extended to such time as the general tariff bill, now pending, passes.

Rehabilitation: The Peace Resolutions creating official peace with Germany and Austria. The Tax Revision reducing the tax burdens \$70,000,000 this year and an estimated \$250,000,000 for 1922. Relief of those who had responded to the call of the Government for the production of war materials, and who were subjected to losses by the sudden termination of the war.

Miscellaneous: Bill providing for an agreement among the Western States for the deposition and appropriation of the waters of the Colorado river. Bill limiting indebtedness of the Philippine Islands. Bill providing punishment for handling personal property on contract of sale with intent to defraud. Bill amending revised statutes relating to criminal cases. Bill extended relief to cotton states through efforts to eradicate pink boll worm. Pension and bridge bills, etc., etc.

Among the bills pending are: The bill for the amendment of the transportation act of 1920 to enable the War Finance Corporation to handle the securities placed in the hands of the Government by the railroads, in connection with the funding of a portion of the money due the Government on account of betterments and equipments during the period of Federal control—passed House. The bill for a commission to treat with our foreign debtors and interest of our foreign debt—passed House and to be considered by Senate early next year. Revision of the laws, first since 1878—passed House. Regulations for welfare of Great Lakes seamen. Authorizing incorporation of companies to promote trade in China. Preventing manufacture of adulterated foods. To authorize associations of producers of agricultural products. Panama Canal tolls, House to Act. Fordney tariff bill to be taken up early next year.

THE EASY CURE.

YOU had a little hurt today,
I know it by your face,
A hurt you hoped to hide away,
And yet it left a trace,
You tried to wear the usual smile,
Yet futilely you tried—
That little trouble all the while
Was hurting you inside.

My, my, I wish that money, too,
Would earn the interest
That ordinary troubles do
We carry in our breast!
Inside ourselves deposited
They grow and grow and grow,
But not in gold—a load of lead
Is all we ever know.

Now, I've a simple little plan
I've used with little ill,
I'm glad to tell to any man
Who's blue around the gills:
Just ask yourself: "This little ache,
This trouble, anyhow,
Just how much difference will it make
A year or so from now?"

What was it that you used to want?
What was it made you sore?
Your woes a year ago you can't
Remember any more!
The thought of troubles you forgot
Will cut the new in half;
And then, I bet, as like as not
You will not smile—but laugh!

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Something to Think About

By F. A. WALKER

WHAT A MAN READS.

SOMEONE has said that Charles E. Hughes, the secretary of state, did not read novels or verse while he was at the university, and that he was so absorbed in science as to miss all the poetry and romance of college life.

To disprove this statement the librarian of the John Hay library at the recent commencement of Brown university showed in a glass case the very books that Mr. Hughes had taken out. They included the regular novels, such as everybody is supposed to read, and such poets as Tennyson and Longfellow.

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Variety in reading is just as necessary as variety in food.

Some good people did not understand this when they objected to novels on principle as frivolous and a waste of time.

A celebrated man of science of the latter part of the Nineteenth century used to find himself losing interest in his work every now and then. When this took place he would shut himself up with a great supply of dime novels and read nothing else for a week. Then he would go back to his laboratory as fresh as ever.

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On the other hand, a certain French novelist, whenever he found himself in need of a mental rest used to read the Criminal Code.

Charles Darwin, as he grew older lost all interest in poetry, but found recreation in novels with good lively plots that held his attention.

One reason why detective stories are so popular with all sorts of readers is because they appeal to the love of mystery which is almost universal.

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It has been said of Poe that he would have made a good detective because of his gift for fitting together a criminal mystery. The idea was that he would have been able to take criminal puzzles to pieces as well as put them together. One side of his work kept him interested in the other.

When a boy is at school or college his reading is divided into two sorts—"voluntary" and "involuntary." He reads for pleasure and he reads for business.

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As nobody's situation is ever finished the same situation should mark later life.

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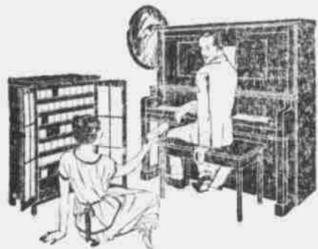
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