

The Courts Reform Themselves

REFORM of court procedure rests first and foremost with the courts themselves, and with the lawyers, who are theoretically officers of the courts. Public clamor has run high against the long delays in civil and criminal cases, and in the admission of technicalities to cloud real issues and to defeat honest justice. Lawyers will talk by the hour about the history of jurisprudence and the worthy foundation of the rules which courts lay down for themselves. But the fact remains that justice is more often defeated than served by delay; and that delay is with the favorite defence of the guilty criminal or the party in fault in a civil case, with technicalities having no bearing on the merits of the case running a close second as a means of defeating the only true end of public justice, which is the well being of the community.

It should not be necessary for legislatures, state or national, to take a hand in initiating revision of court procedure. The legislatures are perforce influenced in these matters anyhow by lawyer advisers, and it is a roundabout way to achieve the end desired. The short cut and the sure way is through voluntary action by the courts themselves, and by bar associations, in the direction of greater expedition and more faithful service to the whole people in both civil and criminal cases.

A few days ago the supreme court of the United States promulgated new rules of procedure in civil cases in federal courts. Already the example has been followed by higher courts in some of the states, even in states where the code of procedure is established in its essentials by legislative act. The precedent set is destined to be of incalculable value, demonstrating as nothing else could do, the elemental fact that within the courts themselves lies the power to institute many of the wise reforms for which the people have long been clamoring. The less tampering with the courts by the legislatures, the better in the long run for the personal safety of the goddess of justice. But it goes without saying that if the courts do not act for themselves, the people through their legislatures will have to act in self defence.

The supreme court rules, controlling actions in federal courts, came down from England, and have been revised only twice before in the history of the republic. The last revision, before the present one, was 50 years ago. When chief justice White assumed office, his first task was to revise the rules of the supreme court itself. Revision of the rules in equity courts of the federal system took more time, and it has taken a year and a half to put them in shape. Three supreme court justices have been working steadily as a committee on revision. Every federal judge in the country has been consulted. Members of the supreme court went to England to study the modern procedure there. American judges, lawyers, and bar associations have been asked for constructive criticism. The supreme court has gone further, it now appears, than congress dared to go, in revision of the rules.

Perhaps the most notable change, so far as general public interest is concerned, is in the rules governing the issue of injunctions. The court has met all reasonable criticisms with constructive change, and the new rules will accomplish the end long sought, of limiting the use of the injunction. Hereafter no preliminary injunction will be granted without notice to the opposite party, and the courts will not issue even a temporary restraining order without notice, except where it "shall clearly appear from specific facts" that immediate and irreparable loss or damage will result to the applicant before the matter can be heard on notice. No temporary restraining order may hold longer than ten days without due hearing, and these matters take precedence of all others. At the hearing the applicant must perfect his application for a preliminary injunction, failing which the court shall dissolve the temporary order. And the opposite party to a temporary order may force a hearing at any time within the ten days by giving two days' notice to the applicant. The general fairness of the rules is not open to question; threatened immediate and irreparable damage is saved, and improper use of the injunction power is prevented, while prompt determination of the main points works to serve the ends of real justice to all parties.

Other reforms instituted by the supreme court for federal court procedure simplify the modes of pleading, reduce the expense of taking testimony in patent cases, eliminate the special master or referee in most cases and charge the court directly with hearing testimony, provide for condensation of printed testimony, prohibit dilatory pleadings, and look to the protection of the public and of litigants against reversals based on mere technical errors that do not affect the merits of the case.

There is much room for similar reforms in the criminal courts, and it is greatly to be hoped that the courts and the bar of all states will take prompt action to this end, now that the supreme court has defied hoary tradition and set about cleaning house.

El Paso's City Election

IN JANUARY, not in April, the real fight is to be made in local politics. Nobody understands this fact better than the faction which has been so long entrenched in power. Work is already going on among the "ins" to organize the forces and round up the poll taxes. The system of keeping the receipts until election day is as well established as if it were fulfilling the letter of the law. Violations of the Terrill act, in letter and in spirit, are so common that they have the sanction of public tolerance. Convictions under the act are almost an impossibility when directed against a faction in power, as events have proved over and over, here and elsewhere in the state.

The "ins" are working all the time. There is no off season with them. When the rank and file retire temporarily and quit active effort, the leaders go right on meeting and working and scheming. It is the head work that counts. Even a minority, if well organized and competently directed, can often outvote and outwit a real majority. That is exactly what often happens in what is known as "ring politics" in cities: an actual minority wins elections by force of organization and head work, knowing no off season, no lull.

That the local governing class, so long in power, is desperately determined to win the spring election is not to be doubted. Every sign goes to show that the "fing" will make a good deal harder fight for the city government than it made for the county. One reason is that there is three to five times as much money to spend through the channels of city government (including the proceeds of repeated bond issues) as there is through the county government. Including bond issues, the city government of El Paso from this time on will be spending \$1,000,000 a year. No wonder there is a fight for control.

Could any weather be finer than these snappy frosty mornings?

One-Sentence Philosophy

QUAKER MEDITATIONS. (Philadelphia Record.)
Only a fool will take his holiday before he earns it.
Even the egotist may have the wool pulled over his eyes.
It is seldom that a man is a beau and bowlegged, too.
Contentment is a jewel that doesn't depend on its setting.
Never borrow trouble today that you can put off till tomorrow.
A woman is more apt to worry about her complexion than about her conscience.
The man who hides his light under a bushel is apt to think the whole world is in darkness.
Well—Young Mr. Sappedie prides himself upon being well balanced.
Belle—Yes, he even parts his hair in the middle.

JOURNAL ENTRIES. (Topska Journal.)
A whole lot of hard work is done under the guise of seeking amusement.
Money may talk but any number of people never get close enough to it to catch its full meaning.
A man need never tell the big things about himself. His dear friends will always say him that trouble.
If a person is seeking a restful vacation he should stay away from a dead-in-the-wool summer resort.
Decidedly unusual are the folks who can give a party without having to borrow a lot of things from their neighbors.

POINTED PARAGRAPHS. (Chicago News.)
Many good thinkers are poor talkers.
Preferred creditors are those who never trouble us.
A good foot rule—don't wear shoes that are too small.
It is a luxury to spend money on things you don't care for.
And the lighter a man's head is the higher he will get in the air.
A hero is a man who does disagreeable things from a sense of duty.
It is a luxury to spend money on things you don't care for.
A girl with a plain face has lots of time to cultivate the beauties of her mind.
Revenge may be sweet at first, but it is sure to acquire a flavor that is anything but agreeable.

REFLECTIONS OF A BACHELOR. (New York Press.)
Love has a big enough appetite when it's normal.
Self control is easiest when you are under somebody else's strong rule.
A very loud voice in an argument will always convince its owner when it is anybody else's.
When a man does a good deed he thinks it's much more than it is: when a bad one, much less.
It's a luxury to spend money on a girl you're engaged to, and a necessity on one you're married to.
It is a luxury to spend money in a manner of blushing, but she never gives up because she doesn't get any of it.

UNCLE WALTS DENATURED POEM Lopsided Laws By Walt Mason

OH, WE have laws as thick as straws upon a stable floor; the harmless sport is hauled to court and fined till he is sore. You cannot walk around a block but what some laws are cracked, and you must sneak before the law and by him up he jacked. For trifling things we're pulled, by jugs, and cased off to jail, and must spend time no end awaiting round for bail. But if a crank like Mr. Schrank decides some one to slay, he takes his moon and buys him a gun and no one says him nay. Thou shalt not place a bet on race, or play a slot machine; thou shalt not speed the foaming steed or your chug-chug machine; but you may go at will and blow yourself for deadly tools; which makes us pause and think that laws are oft laid down by fools. You cannot get a cigar in divers moral states, but you can still buy guns to kill in wagonloads or crates. You cannot win a slug of gin to clear your throat of fur; but any jay who's fixed to pay may buy a howitzer. You'll go to jail if you hunt quail, the game law's in your way; but vicious cranks, Guiteaus and Schrancks, a license have to slay.

UNCLE JIM The Herald's Daily Short Story By Louise Helgers.

HE clothes did certainly not come from Bond street. His boots were tied up with string, and he had, presumably, changed hats with a farmer's scarecrow. But for all that, his face shown red and jolly round as an autumn berry, out of a setting of frosty hair and venerable beard. Nobody knew from whom he came or where he lived. His gold papers lay outside a suburban station, and melted away somewhere into the night with the shadows and the prospect of his next morning's ride. He was known affectionately among the loafers and sportsmen and hangers on generally of a good local station as "Uncle Jim," and he was known to all as "Uncle Jim" was an unknown quantity.

Everybody, I think, would be surprised to hear that Uncle Jim lived in red-brick respectability in a row of nice villas in Balham, and that by his relation named in the papers, that that most mysterious thing, "something in the city."

"You see, 'Uncle Jim' had a delicate daughter to support. And then the office he had served so faithfully for 19 years discharged him because they thought he was getting too old to do his work as well as of yore.

He knew it would be useless at his age to apply for another job. He had no friends and no influence. Through a sympathetic station he got the idea for his new 'post,' the post his daughter kept for joy to think he had at last obtained.

It was with this friendly tradesman's grocery, that he had the frock coat and shiny hat of respectability in the early morning of every day, returning at night to claim them again, and walk proudly home "something in the city."

It was on the strength of his being "something in the city" that his daughter became engaged to the son of the people who lived next door, a smartly dressed youth, who was never seen without a new pair of gloves on his hands or a cigar in his mouth. He was in an auctioneer's office, and his language of Balham, "fancied himself."

Uncle Jim was in the seventh heaven of delight. To think that his cherished daughter should be provided for after his death.

But alas! alas! for the dream we dream in the day-time. The day after "Uncle Jim" selling papers one evening in the shade of the station was met by a well known voice, "Hi, there, you old fellow, how are you?" It was his prospective son-in-law who came out of station with another "young blood." His jaw dropped, the

VISITING NURSES ACCOMPLISH GREAT WORK Organizations Throughout the World Are Quietly Relieving and Improving Social Conditions. By FREDERIC J. HASKIN.

WASHINGTON, D. C., Nov. 22.—Few charitable or philanthropic agencies of any class accomplish more practical good in relieving suffering, than do the organizations of visiting nurses, although their work is done so quietly and unostentatiously that few have heard of their scope or extent.

While the visiting nurse first comes into a family for the purpose of aiding in an emergency of illness, her help is not confined to the sick, but she is always toward better social conditions, more comfortable home life and greater happiness for all. Her work is usually closely in touch with her local philanthropic institution in her locality, she can give indirect aid through a great variety of channels. The establishment of the children's bureau was first conceived in the mind of a visiting nurse who felt the necessity of securing a greater knowledge of the needs of little folks of every class. The great crusade against infant mortality, which is now sweeping over the country, really began with the reports made by visiting nurses and the same thing might be said regarding the antitubercular work which is now so well under way.

The history of visiting nurses may be said to begin with the work of Florence Nightingale. Her work demonstrated the importance of women being trained and qualified for nursing, and since then the profession has grown to such an extent that it is now a practical effect in every civilized country. One of the events connected with the history of the profession was the erection of an institute for the training of nurses, which is now the Victoria Jubilee Institute. The 50th anniversary of the establishment of visiting nurses in England was celebrated in New York City in 1912, many delegates and visitors from America being in attendance.

The movement for visiting nurses did not become firmly established in the United States until 1877, when the first association of nurses was organized in New York City. The first nurse sent the first trained nurse into the homes of the sick poor. Two years later the first hospital nursing school was placed in New York City. In 1890 there were only 15 visiting nurse associations in the United States. Most of them employed only one nurse for each district. The organizations with more than 1500 regular salaried nurses, in addition to a large number of pupil nurses from different hospitals, include visiting work as a part of their course of instruction.

The economy of caring for many classes of patients in their own homes instead of in hospitals, appeals in the need of a nurse who is not engaged in the distribution of charity aid. The space in hospitals is always inadequate to the demand made upon them by the sick poor. The expense of caring for them there is much greater than in their own homes. The family of the patient or by the public charities. In addition to this, there are many patients for whom skilled care is absolutely needed, who from prejudice or other causes are unwilling to go to hospitals, although they perfectly willing to receive treatment from a nurse in their own homes.

In addition to her hospital training, which must be as complete as possible, the visiting nurse must possess tact and discretion, as well as a talent for convincing those who are so essential to one whose patients are composed of the class who are able to command the attendance of the nurse only in the case of emergency. The visiting nurse must work to keep up the health standard of her district and to be continually on the alert to discover cases of sickness requiring her care, which at the beginning may not come to her as promptly as when she is called to attend to a patient. At the beginning it was customary in many organizations for the nurse not to respond to any call without a written request or order from a doctor, but as the work has broadened this restriction has been almost obliterated. Now it is up to the doctor or the nurse who influences the patient to call the doctor as it is the doctor who sends the nurse.

While it is intended that the services of the visiting nurse shall be free at all times to those who are not able to pay, it is not unusual for the paupering tendency that tends to lower the self respect of the recipient, to pay for the services of a visiting nurse in proportion to the time she spends with her patient and his condition, the usual fees being from \$2 to \$5 per week, and in some cases being considered a fair percentage of the average laboring man's income to be used for his support.

Next to the actual care of the patient, the duty of the visiting nurse is to instruct the mother in the best way to care for the sick herself. In this way a patient in a prolonged illness may be taken care of if the visiting nurse comes once or twice a day and arranges the bed and gives the special treatment required, the regular nurse being given by some member of the family under her direction. The instruction given may include preparation of food as well as hygiene and nursing, so that it has a most important value to the entire family. It makes no difference to the nurse, however, whether the family pays any fee for her services or not. Her obligation to her is just the same. Each visiting nurse is paid a regular salary and the fees she receives are either turned into the treasury of the organization or used for an emergency fund.

There is great difference of opinion regarding the value of a uniform for the visiting nurse, as this matter is left in the hands of the different organizations. Usually the nurse prefers to wear the uniform of the school from which she was graduated, but a long dress to cover it when upon the street. Others prefer a simple dress of some material, usually blue. Usually a visiting nurse lives at a home provided by the organizations employing them and the salaries for a graduate nurse range from about \$4 to \$10 a month, usually with a month's vacation each year and a half holiday each week. A generally arranged plan is to attend to emergency cases on Sunday, although a nurse's own personal interest in a case largely governs this. The prevention of blindness among babies is one of the matters in which the visiting nurse has a large influence. Many new born babies are afflicted with ophthalmia and the care given by the visiting nurse during the first few weeks of their lives will, it is believed, greatly lessen the number of blind children to be cared for in the coming generation. The instruction given to mothers in the preparation

Abe Martin



If you want 't be watted back t' child hood's happy hours, jst bite int' a green pear. Sarah Bernhardt in Camille is th' new film at th' Alhambry. Tell Binkley says he's often paid three dollars t' see her on th' hoof.

BACK TO THE LAND.
I'm bound to be a farmer
And with the farmers stand,
A pitchfork in my hand.
I'm bound to huck the pumpkin,
The fearful onion, the
Prize potatoes, sugar beets
And parsnips I will grow.
When autumn is upon us,
I'll go to town a-
And sell a load of turkeys,
To buy a motor car.
—Helen Foltz, in Judge.

Groans of A Grouch

Talk about diversity of opinion. Did you ever start a safety razor argument on the rear end of a Boulevard street car?

No, we weren't going to spring that old one about a close shave.

Rebels and federals clashed again and fought through the entire day. The federal infantry expended 50,000 rounds of ammunition, and the rebels almost an equal amount, making direct charges against the federal reinforcements, but each time being back by a hail of lead. No one was injured.

An El Paso young man likes Chihuahua hairless dogs. She purchased one of a Mexican street vendor for \$25 and she has a fine specimen. They were made hairless with a safety razor. But nobody knew this—until even the woman's husband—until one day when the couple went up to Cloudcroft, leaving the animal with a friend to keep, on returning a yellowish, curly fuff had grown on what was heretofore a perfectly naked skin. Failing to make up her mind whether to faint or throw a fit, the mistress burst into the room and, leaving her foot to crush the snake's head with the front heel, when his companion halted his murderous effort. "Don't kill that mope," he said, "it might bite a Mexican."

ONE OFFICER LEAVES AND ONE COMES TO FORT BLISS
Washington, D. C., Nov. 22.—The following promotions and assignments of cavalry officers are announced:
Oliver M. Hazard, first lieutenant, Second cavalry, to captain, Ninth cavalry; Frank M. Andrews, second lieutenant, Eighth cavalry, to first lieutenant, Second cavalry. The second cavalry is stationed at Fort Bliss, the Ninth at Douglas, Ariz.

MODERN WOODMEN RESTRAINED FROM INCREASING RATES.
Springfield, Ill., Nov. 22.—Holding the new rates of the Modern Woodmen to be burdensome to the members and excessive and unnecessary, Judge Shirley, of the Sangamon circuit court today granted a perpetual injunction restraining the lodge from putting the rates into effect. As the organization is an Illinois corporation, the injunction applies to all over the United States and Canada.

Wm. Johnson, immigration inspector of the union station, has returned from Washington, D. C., where he spent five weeks vacation with his family.

HEAVEN BY GEORGE FITCH, Author of "At Good Old Swish"

HEAVEN is a state of future bliss and present hope.
No one knows just where heaven is and few of us are very confident of reaching the real place, owing to the fact that in order to inhabit heaven a man must have practiced up until he can exist without causing anyone else any bother or unhappiness. This requirement has cut down the emigration to heaven to a very small figure annually. If only those people who think of themselves last can enter heaven it is growing more slowly than Albany, N. Y.

Heaven is spoken of by all competent authorities as a place of great delight and an ideal place for perpetual residence. We can well believe it, owing to the vast number of people who can't get into heaven.
There are no proud and haughty society folk in heaven to make the ordinary citizen with large feet feel like a superfluous incumbrance on the planet. There are no peevish and ill-natured people in heaven. A person could rank in a store in heaven for 11,000,000 years and not be bullied by a customer. There are no gossipers, lay people or chronic borrowers in heaven. There are no law-breakers or quarrelsome people and of millions of politicians and lawyers the population shows only a trace. All of these lacks make heaven by far the earth's most desirable suburban place of residence. If a resident of heaven is in trouble he deals out numbers to those waiting to help him, as a barber deals out checks on Saturday night. If a resi-



"The earth's most desirable suburban place of residence."
Because of all these facts a great many people are spending their lives on this earth trying to fit themselves for residence in heaven and by their efforts they are making this earth itself a much more desirable place of residence.
(Copyrighted by George Mathew Adams.)