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METHODS OF ATTORNEYS.

The recent Patterson prosecution in New York brought to the front a practice which we consider condemnable from every rational and moral standpoint. The prosecuting attorney in that case received many fierce criticisms from individuals and from the press, for the unrelenting spirit which he manifested and the methods he adopted to procure the conviction of the accused, in which he failed in both the trials that were had, the jury disagreeing in each instance.

The browbeating style of the attorney, his evident attempt to ignore or suppress everything favorable to the defendant, and the extreme measures he enforced in bringing witnesses by extradition and by accusing them of conspiracy in order to force their attendance, (knowing that he could not convict them of the offense charged) in order to secure their presence, and the whole manner of his determined endeavors to bring the defendant to capital punishment, evoked a feeling of resentment and indignation, not only from the friends of the accused but from a large portion of the general public.

We have long been of the opinion that a change ought to be made in the manner of conducting criminal trials, particularly in the examination of witnesses, and in the endeavors made to inflame and bias the minds of juries, and force a conviction when the evidence is inconclusive. The duty of a public prosecutor does not extend to such extreme methods. It is a cowardly practice to endeavor, wilfully, to confuse a witness, so as to cause him to appear to contradict himself, to try to cover him with opprobrium and to impute to him improper motives and conduct; to attack a defendant and cover him with obloquy, in language that the attorney would not dare to use if he had not the victim at his mercy in a place where he could not retaliate; or to pursue the accused in a vindictive and malicious manner, to convict him whether guilty or not. Such tactics are contemptible and ought to be suppressed.

We think it is within the power of courts to put a stop to that kind of pleading, and that it is their duty to protect both witnesses and defendants from such assaults. It is expected of course that a public prosecutor will do his utmost to present the case of the people against an individual accused of crime. But the State and the people are not so much interested in the conviction of an accused person as to require his punishment unless his guilt is clear and demonstrable. Society is not benefited by imposing penalties upon an innocent person, and a conscientious, fair and just prosecutor should be as much desirous of establishing the truth in a case when it would acquit the defendant, as in offering that which would result in his conviction. It is not the business of a prosecuting attorney to secure the conviction of one accused of crime simply because he is in that unfortunate position.

We find the following excellent remarks on this subject in Law Notes for June, 1905, and commend them to the careful attention, both of lawyers and of courts:

"The true functions of a prosecuting attorney in criminal matters can be put into a nutshell. The criminal prosecutor is the representative of the people at large, or the State. He is an agent working for his principal. As such he must be ever watchful of his principal's interests, rather than his own. He must seek to serve the people, not himself. The personal element must always remain in the background. Hearing this in mind, what are the interests of the State in a criminal prosecution? Certainly not revenge, nor a conviction for crime at all hazards, nor the building up of a professional reputation for the prosecuting attorney. The State desires merely to ascertain, beyond all shadow of doubt, who is the guilty party, and in order to ascertain this, it becomes the duty of the State's attorney to gather all the facts connected with the commission of a crime and present them first to a grand jury, and then to a petit jury, for their consideration and deduction. If these jurors shall agree in declaring a certain person to be the criminal, the State will punish and not otherwise. It is entirely immaterial what the prosecutor may believe personally, or what his theory may be as to the commission of the crime. His theory is of value only to the extent that the jury agree with him, freely and without compulsion. How many prosecutions, it may be asked, bear these truths in mind when they enter upon the conduct of a criminal trial?"

DIVORCE STATISTICS.

A student of divorce figures has found that the United States leads in the number of dissolutions of the marriage contract. In fact, we are far ahead of the rest of the world in this respect. The annual number of divorces per 10,000 marriages are given as follows:

United States	612	Netherlands	134
Switzerland	432	Cape Colony	93
Roumania	204	Sweden	87
France	180	Belgium	81
Germany	165	Greece	50

The number of divorces for Austria is given as 43; for Norway 18; and Great Britain 11. These are low figures, but Canada holds the honorable record of only four divorces a year, for 10,000 marriages.

In the British colonies in Australia it is said that there exists considerable alarm on account of the rapidly increasing number of divorces; and yet they are far behind the United States, the record for Victoria being 125.4, and for New South Wales, 268.4.

The most discouraging feature of the situation is this, that no adequate remedy for the growing evil is in sight. Legislation might help some, but a sentiment is rapidly being developed in favor of still wider avenues of escape from the duties of married life. Only a few months ago a lady prominent in literary circles, startled Berlin and other German cities with lectures in which she advocated the loosest marriage ties, under the euphemism, "Newer Ethics."

The lady, a Mrs. Ellen Key, held that it should be made legal for married couples to divorce themselves, by mutual agreement, or by the desire of one of the parties. And this demand seems to be but an expression of the sentiment held by many who regard themselves as leaders of advanced thought. What chance is there for legislation, if the "newer ethics" should become popular?

Some of the moralists of our age are, in their warfare, close imitators of the unfortunate Rojastevsky, who exercised so much vigilance where there was no danger, that he sank inoffending fishing boats, and finally was taken unawares, evidently ignorant of where real danger lurked. Some of these champions of ethics, new and old, have started themselves blind upon an unending religious denunciation, and are unable to see the real enemy. And so, the dissolution of homes continues with all the evil effects of that practice.

BERING TUNNEL AGAIN.

Serious attention is now evidently being given to the project of constructing a tunnel under the Bering strait, to connect this continent with Asia. We understand a party is now actually on the road to the coast for the purpose of making surveys and studying the conditions.

The author of the project, M. Lotze de Lobel, is said to be about to return to France. Seven years ago he visited Alaska and conceived the idea of joining the two continents by means of a tunnel. Now, he claims, he has the support of prominent American capitalists, and it is claimed that French and Russian enterprising citizens are willing to co-operate with them. The estimated cost is about \$300,000,000, and the tunnel, it is thought, can be completed in four years.

The plan contemplates the building of a railroad from a point about a hundred miles south of Dawson, making connections with the Grand Trunk Pacific, to the Trans-Siberian road on the Asiatic side, and when this connection is made, it will be possible to go by rail from New York to Paris.

It is not claimed that the money for this enterprise has been subscribed, but if it can be shown that it is a paying proposition, the money will soon be forthcoming.

THE MOROCCAN INCIDENT.

It is hoped that the difficulty between France and Germany concerning Morocco will disappear entirely. France, it appears, has yielded to pressure. M. Delcasse, the staunch champion of the French colonial policy, was first forced to retire, and now the probability is that Germany's request for an international conference on Morocco will be granted, by the consent of France. And thus Germany's diplomatic victory will be complete.

It will be remembered that M. Delcasse secured Great Britain's consent for the expansion of French influence in Morocco, in exchange for French recognition of British management of the affairs of Egypt. This was to France a valuable concession, because of the constant trouble caused by the Moors. The plan, of course, was the final subjugation of Morocco. But the two powers counted without Germany. The German emperor, taking advantage of the reverses of Russia, which practically nullified the Franco-Russian alliance, so far as Russia's influence upon European politics was concerned, the Kaiser suddenly appeared as the protector of Morocco. He encouraged the Sultan to resist French aggression, and to demand an international conference. It is this German policy that now is about to be carried out.

Germany has, undoubtedly, interests in Morocco, but not to compare with those of France. To the Kaiser, his diplomatic triumph must be a source of gratification, and to the rest of the world the prospect of a peaceful settlement of a critical question, is pleasant.

FAMILIAR TERMS.

The followers of Swedenborg have just held a convention in Boston. Subjects of a practical nature were considered, and Boston papers testify to the earnestness of the members of the denomination.

Twice during the conference a certain picture in the Boston Public Library, representing the Trinity, was referred to in terms of condemnation. One of the speakers, in a public sermon, charged that the picture teaches "absolute polytheism, and another speaker characterized it as a "religious monstrosity." This speaker is quoted thus: "See on the walls of the Public Library of the city of Boston—the center

of intellectual and religious culture in New England—an instance of violence to religion and of desecration of ideals held sacred by every monotheistic people. This is an offense to the youth of the land never equaled in flagrancy, and which in no nation, ancient or modern, has been tolerated by public authority, much less displayed to form the ideal of the divine in the children of generations to come. Has the New Church no word of protest to utter?"

We refer to this incident for the benefit of our friends who dismiss "Mormon" theology with exactly similar terms, and a contemptuous grimace. They are so accustomed to refer to the belief of the Latter-day Saints as a "religious monstrosity," and as "absolute polytheism," that they are, no doubt, surprised to hear their own orthodox notions denounced in the very identical language they, themselves, employ against an unpopular sect. The fact should make them pause and consider that a doctrine which to them appears to be "polytheism," because they do not understand it, may be even more reasonable and scriptural than their own, which to the members of the New Church is but a "monstrosity." Everything depends on the point of view of the spectator, and in the interest of truth it is sometimes desirable to "see ourselves as others see us."

Morocco seems to be down on its uppers.

Peace hath her negotiations as well as her victories.

This is the true good old summer time. It could not be beaten.

If the Moroccan situation reaches a crisis some one is liable to get a tanning.

It isn't much of a railroad these days that does not have its Twentieth Century Limited.

Those who call it "Cuban" and "Tortor Rieur" naturally call him "Emy Jeems."

There is a big bicycle boom on in England. After all it is nothing but a case of wheels.

Do Russia and Japan propose to give each other a piece of their mind or peace of mind?

Leagues that break the Sabbath must not complain if they themselves in turn are broken.

Mayor Weaver evidently does not believe that there is wisdom in a multitude of counselors.

Russell Sage warns women to keep out of Wall Street. And what is good for the goose is good for the gander.

It is not impossible that President Roosevelt may yet have a chance to tender his good offices to France and Germany.

What's in a name? When Russia and Japan have appointed their peace plenipotentiaries it will be easier, though still hard, to tell.

Governor Douglas having announced that he will not again be a candidate for governor of Massachusetts, who will step into his shoes?

The white-winged dove of peace that has alighted upon the White House continues to raise and lower its wings as though a little uncertain whether or not to abide.

It has been figured out by the bureau of statistics that the average American spends \$1.20 a week for liquor. How much the above-the-average American must spend!

According to Prof. Charles A. Gardner of the University of New York the President can do no wrong. A very bad doctrine, one that if accepted would abolish all checks and balances in government.

A first baseman at Rhyolite stooped down to stop a fast grounder when the ball struck a rock and bounded away. The player picked up the rock and it proved to be quartz filled with gold. So Nevada herself comes round to the gold base.

President Wilson of Princeton takes issue with Henry James, at least on the point of our American newspaper English. He pronounces it to be "remarkably good," generally terse and clear, right to the point, delightfully free from stiffness, and telling exactly what the writer wants to say. Woodrow Wilson forever!

AGAINST WAR.

Kansas City Star.
King Oscar of Sweden has shown most exemplary policy in dealing with the Norwegian crisis. He has not permitted the accession of Norway to disturb his equilibrium, but has met it with a strong, dignified but not a warlike protest. At his last conference with the Norwegian ministers he was informed that if he should veto the consular bill the act would be followed by revolution. His answer was: "You will never see me again, but so long as I live there shall never be war between the two countries. I hope there will remain no bitterness between us." This was a kindly recognition of inevitable tendencies and a true humanitarian determination not to permit the development of such tendencies to bring war. He will continue to do all he can to prevent the final separation of the two countries, but to him separation is better than slaughter.

NOT DEMOCRATS.

Los Angeles Times.
The Norwegians claim they are democratic. But there must have been an error in the translation of the cable dispatch which brought the announcement. In Minnesota the Norwegians are Republican to a man, and the returns prove it.

COMMERCIALIZED ATHLETICS.

Chicago News.
President Eliot of Harvard university, recently called attention to the demoralizing influence of football on the student body in American colleges. Another evil effect of the over development of college athletics is brought to notice in an article contributed by Henry Boach Needham to the current issue of McClure's Magazine. Mr. Needham, after making an investigation of conditions in some of the leading American universities, finds that sport

even in the best of these institutions has become debased and commercialized. In many colleges athletes have been hired to enroll themselves as college students in return for offers of scholarships or free board or such similes as advertising privileges of the management of eating clubs. If a man who has shown exceptional physical qualities is found in some other college or preparatory school he is "induced" to join the institution needing his athletic services. While the colleges have strict rules against professionalism, these rules are deliberately violated.

DRIVING THE HEART TO DEATH.

New York World.
In New York last week there were 125 deaths from heart disease. For the corresponding week last year the number was 55. The increase in deaths from heart trouble is constant, the cause is persistent. "Our business men," says Health Commissioner Darlington, "are under a terrific nervous strain, which has a direct effect on the heart. High finance is a destroyer. High living is a destroyer. The nervous strain is upon social queens as well as among business kings. 'The stress of life' is a joke, but there are penalties for laughing at it."

TO THE JUNE BRIDE.

Exchange.
Perhaps it is well for her peace of mind that the June bride does not realize that one must be educated to matrimony. The sweet girl whose eyes are as bright as the dew on the rose in the garden, has an idea that she has reached the summit of happiness, when she follows her lover to the marriage altar. But alas! One cannot remain on the summit very long. There must be a descent; and if the wife reaches the end of the matrimonial path without experiencing any serious drawbacks, she should count herself among the blessed. The June bride should understand that her friends will stop shy of her, and that she should not immediately after the honeymoon, that is the way with folk. All the world loves a lover, but all the world has little thought for the love of married folk. Hence the bride must drop down from the golden clouds, and proceed to eke out knowledge from the cook book. If she starts married life with the determination to make a valuable housewife, her husband will insist upon crowning her as the queen of the household.

RECENT PUBLICATIONS.

Henry Wallace Phillips' first novel, "Plain Mary Smith," a romance of Red Saunders, the second installment of which appears in Leslie's Monthly for July, has proved a success from the start. The charm of its rare humor, and intense Americanism has already made a host of friends. It is a story to be read aloud. Among the special articles of this number Miss Agnes C. Laut tells the story of Gray, the discoverer of the Columbia River. Dr. A. C. Seely and Leroy Scott have a capital article on "Miracles." Their Goodrich discusses "Law and its Opportunities." Charles F. Brownell writes of the "Wild Animal Market." Dr. A. C. Seely and Leroy Scott have a capital article on "Miracles." The month's short stories are by Harvey J. O. Higgins, Cy Warman, James Weber Linn, Dorothy Canfield Lawrence, Perry and others—145 Fifth Ave., New York.

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