

It took one year and five months to secure the decision of the supreme court in the case of Bull White, and twenty-three months—one month short of the duration of Griffith's sentence—in the case of Victor Laramie. These are individual instances of the regular thing in supreme court deliberations.

THE HERALD COMPANY

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LOS ANGELES DAILY HERALD

OLDEST MORNING PAPER IN LOS ANGELES
 Founded Oct. 2, 1878. Thirty-first Year.

1393 South Broadway. Phone 11.
 TELEPHONE: Press 11.

NEWS SERVICE: Member of the Associated Press. Receives
 its full report, averaging 8,000 words a day.
 From the Associated Press, New York, Boston, Chicago,
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 Daily, by mail, three months..... \$3.00
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 Sunday Herald, by mail, one year..... \$2.00
 Weekly Herald, by mail, one year..... \$2.00

All communications should be addressed to The Herald Company.
 No Enemies to Punish—No Special Friends to Serve

Printed at Postoffice, Los Angeles, at Second-class Matter.

FRIDAY, MARCH 11.

THE UNKNOWN QUANTITY

"Were it not for the single unknown quantity the European situation at present would be as perfect as possible. The present situation is like an algebraic problem—every quantity of the equation is known except one, and that one is Mr. Hay." The quotation is from a semi-official decision made in an Associated Press representative at St. Petersburg. The name of Mr. Hay is used, of course, as a synonym for United States government. The statement as a whole is a bitter Russian complaint concerning the attitude of the United States in the far east. It assumes that this country is disturbing the political equilibrium of Europe and the consequences appear to be grave, as most of the Russian standpoint, that it is alluded to as "a veritable nightmare to Europe."

All this apprehension arises from two irrelevant causes. One is specifically alluded to in the complaint, while the other is merely touched inferentially. It is asserted that "the situation following the outbreak of hostilities was exceedingly delicate and surcharged with dangerous possibilities to the peace of the world." . . . when almost at the inception Secretary Hay's circular note for the neutralization of China almost ditched them. The unexpressed cause of complaint is the predominance of American sympathy for the Japanese in the present war.

From the American viewpoint no cause whatever is apparent for the "veritable nightmare" that disturbs the repose of St. Petersburg. It is a fact which certainly should be known at the Russian capital that the idea of the circular note relative to the neutralization of China was a German conception. The importance of preserving European interests in China was contended by the powers at the inception of the Russo-Japanese trouble. Unlike those powers, the United States had neither interests nor aspirations of territorial nature, hence the German idea that our government could handle the delicate Chinese matter without imputation of sinister motives. The task was accomplished, and every one of the European powers, including Russia, also have accepted and commended Secretary Hay's proposition.

Allusion to the circular note as the cause of Russia's nightmare is evidently a subterfuge. The real cause of alarm is the general sympathy manifested for the Japanese by the American people. But there is no cause for Russian anxiety, much less for nightmare on that ground. American sympathy, as The Herald has said heretofore, is almost invariably with "the under dog in the fight," in case of national quarrels. Our people admire pluck and it always appeals powerfully to their sympathies. A striking example in point was seen in the heroic stand of American sympathy during the side of the Boers during their late struggle with Great Britain.

OHIO'S DEEP DISGRACE

The state of Ohio now has an opportunity to show that it is worthy of its later distinction as the "mother of presidents." For its own sake and for the sake of the nation it should make an example of its present savages that will stand as a warning in every state of the Union. The disgrace brought upon Ohio by that act of savagery should be wiped out, as nearly as possible, by punishment to the legal limit of every participant. No half-way measures of justice should be attempted for a moment. If the state of Ohio is to be a model of justice, it should not be content with Springfield and of Clark county are not competent to cope with the emergency it should be handled by the executive power of the state, backed by its military force if necessary.

The lynching outrage is a reproach to American civilization. It is a manifestation of barbarism peculiar to this country and therefore especially disgraceful to an enlightened people. It can be and must be suppressed. It is tolerated only because of the non-enforcement of laws against persons who participate in lynching atrocities. An application of the Mosaic law in exemplary punishment would soon put an end to this class of savagery—not "eye for an eye and a tooth for a tooth," but legal punishment commensurate with the crime, meted out to every individual who participated in it.

A reader of The Herald, obviously a son of Ohio and proud of it, objects to the editorial, "American Savagery," commenting on the lynching at Springfield, on the ground that it does not present both sides of the case. In support of his contention he incloses the following extract, presumably from an Ohio paper:

"There have been eleven murders in Clark county in the last two years and in no instance has there been conviction of that crime. It is a fact that this fact more than any other is responsible for the evil of tonight, the first lynching in the history of the county. There has been no justice. There has been no capital punishment from Clark county."

Springfield is in Clark county. The Herald willingly concedes that this plea is one that should be taken into consideration, and the correspondent scarcely presents the situation too strongly when he says: "The way in which the courts buckle and trifle with justice is fast bringing this country to anarchy." For mob law is anarchy.

But our correspondent errs when he further maintains that "No one knows that better than the newspapers, but they are afraid to mention it." The newspapers have been the chief critics of maladministration of justice. And while we are on this particular phase it may be noted that our correspondent himself has not the courage of his convictions apparently, for he requests that his name be not used.

It is hoped that Senator Tillman's throat ailment will not injure his voice permanently. He is a picturesque figure in his favorite role of bull in the senatorial chaise shop, but he would cease to be interesting if his belting apparatus were destroyed.

CONVICT GRIFFITH

Judge Smith has demonstrated that it is possible in California to mete out equal justice to the rich man and the poor, and the startling reproach implied in ex-Governor Gage's statement during the Griffith trial, that among the 2000 convicts in the state prisons there is not one wealthy man, may now be wiped out. Judge Smith has treated Griffith Jensen Griffith with the same severe justice as he would have treated an impetuous vagrant. Griffith Jenkins Griffith, "prominent citizen," who had almost induced the community to accept his own valuation of himself as a philanthropist, will no longer conduct tailcoat parties to the canyons of Griffith park, but, unless the supreme court orders a new trial, will wear the convict's garb for the next two years.

And it is to be noted that but for the peculiar reasoning of jurymen's minds, who, according to the statement of one of them, were anxious to divorce "bitterness from justice," Griffith's term in the penitentiary would have been fourteen years instead of two. In pronouncing sentence yesterday Judge Smith took occasion to say that he had fully made up his mind when the jury went out, whatever the verdict, he would give the extreme penalty of the law. Accordingly Griffith has only to thank what we believe to have been a plain miscarriage of justice for his comparatively light punishment.

The more wealthy the man, the more influential and dignified his position, the greater should be his disgrace and his punishment when he violates the laws of the community which has given him advantages beyond his fellows. In simple and impressive terms Judge Smith yesterday voiced the best sense of the people when he expounded the "very aggravated circumstances of the assault." "I think," said the court, "a more aggravated assault I have never heard of in the experience of fourteen years on this bench."

There are several features of the Griffith trial that are now proper subject for comment, and in this connection The Herald repeats its conviction that the tendency of certain local newspapers to try cases, civil as well as criminal, in their columns, is a menace to justice and an affront to good citizenship. Happily, attempts to influence Judge or jury are usually futile, but they are almost invariably inspired by prejudice or immature opinion. It is a grossly unfair and pernicious habit, but it has become so frequent of late that readers may well wonder if "contempt of court" is still on the statute book.

In the first place, the compromise verdict, by which the jury, as we think, dallied with the scales of justice—for it was not within their province to consider the punishment—once more demonstrates that trial by jury is not a very successful procedure. The old saying is recalled that if one were innocent one would prefer to be tried by a judge and, if guilty, by a jury. Again, the frequent rumors of tampering with juries, which in the present instance we do not believe had any foundation, are against both the dignity of the law and the safety of the community. It is notorious that corrupt juries have frequently figured in California cases, and it is unfortunately a byword that some criminal lawyers have attaches on their staff who are adepts at the crime of cultivating intimacy with jurors. The Griffith trial, it must be admitted, affords one more signal instance of the comparative failure of the jury system.

Another feature of this trial was the elaborate and expensive fare of much of the so-called expert testimony as to Griffith's sanity. Physicians who accept a fee and are capable of giving an opinion either way, according to the motives of their retainers, are a disgrace to their profession. The diametrically different verdicts given by the jury, the testimony of the experts, and the fact that Griffith's sanity was never in doubt, must have caused many to remember the saw that declares "An ounce of mother's wit is worth a pound of doctor's learning." What man or woman, who was personally acquainted with Griffith, but could declare that, whatever his mild delusions concerning his own greatness, importance, he knew the difference between right and wrong, and that Griffith was a witness present? Such expert testimony as was exploited in the Griffith case is a modern invention, expensive and of no true value, contributing rather to the defeat than the fulfillment of justice.

But most prominent features of the state's prosecution of Griffith were the long delays by which the course of justice was impeded and the comparative leniency with which the officers of the law at first treated the wife-shooter. It is over six months since Griffith committed the dastardly crime. For several days he was not arrested and for six months he has been at liberty. The question of his sanity would have been a waste of the law's process if the criminal had not been a wealthy and influential citizen but a moneyless nobody? Happily, the climax of this case has not been as many believed it would be. The opinion was freely expressed by "the man on the street," first, that Griffith would never be brought to trial, and, secondly, that his wealth and influence would prevent his ever being convicted. Nevertheless, he is Convict Griffith today, in the district attorney's office, Judge Smith and the people of California are to be congratulated that Griffith Jenkins Griffith has been brought to justice and the penalty of his crime.

WHERE THE BLAME BELONGS

Sixty-two so-called restaurant licenses, permitting the sale of liquor under supposed restrictions, are now being operated in the city of Los Angeles. Of these sixty-two "restaurants," thirty-eight have saloons attached, with regular bars, at which liquors are sold at so much a glass.

Of these sixty-two "restaurants," enjoying this special privilege, less than one-half are genuine establishments for eating as well as drinking. The police commissioners hold up their hands in holy horror when their eyes are opened to the extent of the abuse to which this so-called "restaurant" license has grown, and moan concerning the infirmities of the ordinance. There is nothing to moan about except their own neglect of duty and general paralysis of endeavor.

If the police commission had ever been sincere in enforcing the limitations of the ordinance, the thirty or forty grog shops, now selling liquors under the guise of restaurants, could never have existed.

Mayor Snyder and his fellow commissioners know the difference between a stale sandwich and a bona fide meal as well as the next man, and if they have not chosen to submit their morals and their stomachs to personal exploration of the difference, why, between San Sullivan's joint and Mr. Potter's grill—they could have at least insisted on Chief Eron's rendering true reports thereof.

It is obvious that there is no insurmountable difficulty in deciding if an establishment is a bona fide restaurant or not. Clean out the illicit joints and allow the genuine restaurants properly regulated privileges. Then there will be no occasion to grieve about the infirmities of the ordinance. At present, as we have said, it is the police commissioners themselves who are "bait, lame and blind."

The United States senate manages to struggle along without adding

HAY, THERE?



Social Diary and Gossip

BY GRACE GRUNDY

There were several little heart to heart talks Wednesday evening after the Elery concert at the Chutes which was attended by many well known people. It transpired that every young woman of good looks or other charm in the circle of Count von Schmidt's acquaintance had been told the same sweet story. It all came from the distinguished gentleman composing a new melody for the old Spanish love song, which was sung by Miss Stephens, the sweet voiced soloist of the Elery band. Count von Schmidt had told several of the ladies that he was going to be dedicated to her. Just who it will be dedicated to is not known, but the story leaked out that several maidens had claimed the distinction all at the same time.

As a reward for the enthusiasm with which the audience applauded the overture from "Parafal," Channing Elery played the other composition of Count von Schmidt, a pretty, tripping waltz entitled "The Summer Girl." The contrast was a trifle strong, but nobody minded. Everybody was pleased with the music of the old composers as well as the modern. In the audience were two parties, one given by Count and Mrs. von Schmidt. The guests of the latter were: Mr. and Mrs. John E. Plater, Mr. and Mrs. W. E. Dunn, Capt. and Mrs. McKinstry, Mrs. Elizabeth Prewitt, Miss Mullins, Mr. Charles, Mr. Hulse and Everett Burbank.

The other party was the guests of Mr. and Mrs. Edwin T. Earl, who entertained in honor of the Misses Mary and Margaret Lee. This included Miss Laura Solano, Miss Alice Gwynn, Miss Lucille Chandler, the Misses Brown of Louisville, Ky., Inez Clark, Messrs. Fritz Overton, Fowler Shankland, Mr. Hastings and the Messrs. Hastings and Dexter.

Miss Eva Elizabeth Keating of 21 St. James park, who is noted for the originality of her entertainments, planned a novel surprise for her guests. The guests of the evening were: Mr. and Mrs. William May Garland and Mr. and Mrs. M. J. Connell.

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Another musical affair to which society is paying attention is an oratorio to be given at Cunnock hall next Thursday evening. The Rev. Dr. George Dowling on this occasion will speak on ecclesiastical music, and several other prominent clergymen will be present. The patronesses will include: Mrs. Stephen Power, Mrs. J. J. Byrne, Mrs. Margaret Hobbs, Mrs. O. T. Power, Mrs. Charles Wellington, Mrs. Mrs. Hiram Higgins, Mrs. Frederick Brinkman, Mrs. John and decked with huge piles of sandwiches, substantial doughnuts,

railway eating-house plen, with sundry signs bearing "Two for Ten" and "Five Cents Apple." A corps of colored maids served coffee in heavy cups and realizable stools on which one perched when being served. The prospective bride and groom were assured that they were to endure on their long wedding journey.

Miss Keating was assisted by Miss Belle Coulter, Miss Helen Millar and Miss Laura Bolaho.

Notwithstanding yesterday's downpour, the California Badger club responded to the harvest at the benefit musicale given yesterday at the home of Mrs. W. W. Meyer, 448 Bonnie Brae street. Student money was realized to swell the girls home fund, for which the club is working assiduously. The ladies of the club formed the receiving party and the house was prettily decorated in cut flowers and potted plants. An excellent program was given by Mrs. Mary Schiller, Mrs. Charles Wellington, Band of New York, who sang a hula-hula composed for her by Miss Emma Seward of New York, Miss Emma Page, the violinist, played several pieces, and other numbers were contributed by Miss Grace Adelle, Fred G. Allen Hancock and J. B. Poulin.

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Mrs. F. M. Coulter, Mrs. Samuel Hastings, George Fink, Mrs. Caswell, Mrs. Eliza Smith, Mrs. Gravitia Macdonald, Mrs. David Cunningham, Mrs. Roger Rogers, Mrs. John G. Homan, Mrs. W. E. Newell, Mrs. W. E. Newell, Mrs. Carpenter and Miss Horatia Childs.

The affair will be under the direction of Forrest Dabney Carr and the oratorio will be "The Prodigal Son."

Miss Bertha Pollard is visiting friends in San Diego for a couple of days.

"The House That Jack Built," a musical comedy being prepared for the benefit of the Children's hospital, will be held at the Mason opera house on April 8 and 9. Mrs. Stephen Dorsey, with a corps of assistants among the prominent society women, is busy completing arrangements. The cast for this pretty affair will include a number of the prominent young men and women of the social set.

Entertained Texas Friends
 Mrs. F. L. Grover of 428 Burlington street entertained a few friends recently in honor of the members of the local Texas Society. A musical and literary program was contributed by Mrs. W. W. MacLeod, Miss Ada Belle Woodruff, Mrs. Van Lee Drouillard and Russell Jeanette. Ex-Governor Gibbs of Texas was the guest of honor.

Social Notes
 The marriage of Miss Mabel Smith and Wallace Gragg occurred last evening at 1619 South Grand avenue. A Brigadier General J. M. Thompson, U. S. A., and wife are at the Hollenbeck.

J. E. Mayo, manager of the Plaza hotel, Colorado Springs, is a guest at the Hollenbeck.

Miss Dent and Miss Esther Dent of Wichita boulevard entertained the Wednesday Drive Whist club on Wednesday afternoon.

Members of the Concordia club entertained their friends at a card party last evening at the club rooms, Sixteenth and Figueroa streets.

His Break
 They were uttering the tender nonsense that succeeds the great question. "And," said the girl bravely, "if poverty comes we will face it together. 'Alas, dearest,' he replied, 'the mere sight of your face would scare the wolf away.'"

A Greater Napoleon
 Uncle George—Been fighting the tiger again, eh? I suppose you consider yourself a Napoleon of finance.

Tom—I consider myself greater than Napoleon, Uncle George. He had only a single Waterloo; I have one every day.—Boston Transcript.

TO ADVERTISE IN CITY PARKS

H. P. Moore Asks for a Special Permit

At the meeting of the park commission yesterday morning H. P. Moore on behalf of the Pacific Concert band presented a proposition with reference to proposed hand concerts to be held in the city parks. Moore proposed to furnish a hand to play on week nights, without cost to the city, providing he were given permission to erect a platform and screen and display thereon certain advertising matter.

In order to hold the interest of the people he would also display other pictures. A lantern would be employed to throw the pictures on the screen. A committee consisting of Jones, Lankershim and Rice was appointed to consider the proposition and report to the commission.

Superintendent Le Grand reported the installation of the pumping plant at Elsteyn park. He also suggested the advisability of grading Fifty-first street opposite South Park. The commission will ask the council to authorize the improvement. A curb will also be ordered constructed.

HAY MANTON'S HINTS



Blouse Etou 4666

Short coats are the favorites of the season for handsome suits and promise to still further increase their vogue. This one is peculiarly smart and includes both a novel yoke collar and wide sleeves finished with flare cuffs and falls of lace. The mode is made of white cloth and blue velvet to give an exceedingly handsome as well as novel effect, but all cutting materials are appropriate and trimming can be varied again and again. Braid of all sorts is in style and numberless bandings are shown. The flat neck is especially desirable and the box plait effect at the back, produced by the elongated yoke, is as becoming as it is new inasmuch as it does away with the over-broad back apt to result from a plain yoke.

The Eton is made with fronts and back and is fitted by means of shoulder and underarm seams. Over it is arranged the yoke collar, which droops over the shoulders, and both neck and front edges are finished with a shaped band overlaid with pointed tabs. The belt is full and arranged over the lower edge, closing with the coat at the front. The sleeves are made in one piece each, are tucked along the wrists and are held by the cuffs, the pointed bands enclosing the seams.

The quantity of material required for the blouse is 1 1/2 yards of 36 inch material, 2 yards 21 inches wide or 3 1/2 yards 44 inches wide and 40 inch waist measure.

The pattern 4666 is cut in sizes for a 32, 34, 36 and 40 inch waist measure.

PATTERN NO. 4666
 Size
 Name
 Address

A paper pattern of this garment can be obtained by filling in above order and directing it to The Herald's pattern department. It will be sent post paid, within ten days on receipt of ten cents.

During the German army maneuvers there were moved over one railroad in six days, without suspending regular traffic, 26,000 men, 200,000 horses, 50 wagons and 30 tons of baggage.

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