

RELATION OF WAR TO SOCIAL VALUES

Roosevelt Says Might Which is Servant of Right Must Oppose Might Which is in Wrong.

PAPER IS READ BY PROF. ROSS

WASHINGTON, Dec. 29.—A paper by Theodore Roosevelt on "Social Values and National Existence" furnished a theme for an animated discussion today before the American Sociological society in annual session here. It was read by Prof. Edward Ross of the University of Wisconsin, president of the society.

"Infinitely the most important fact to remember in connection with the war and militarism in relation to moral and social values," wrote Mr. Roosevelt, "is that if a nation is not held in check by the warlike ability of a neighboring nonmilitaristic and well-behaved nation, then the latter will be spared the necessity of dealing with 'moral and social values,' because it won't be allowed to deal with anything. It seems to me, positively, come to fall to appreciate, with the example of Belgium before our eyes, that the real question upon which modern peace loving nations have to face is not how the militaristic or warlike spirit within their own borders will affect these values, but how failure on their part to resist the militaristic and unscrupulous neighbor will affect them."

Prevents Index of Morality.

Discussing the mental confusion of the average citizen who thinks war in itself is wrong, Mr. Roosevelt wrote that war could be defined as the use of force between nations, and that the question of whether it was right or wrong depended purely upon the purpose for which and the spirit in which it was waged. "There are, of course, persons who believe all force is immoral; that it is immoral to resist wrongdoing by force," he added. "I have never taken much interest in individuals who profess this kind of morality; and I do not know any content to which they practically apply it. But, of course, if they are right in the theory, then it is wrong for a man to endeavor by force to save his wife or sister or daughter from abuse, or to save his children from abduction and torture. It was a waste of time to discuss with any man a position of such folly, wickedness and potherness."

Force Sometimes Logical.

"If the man who objects to war objects to the use of force in civil life his position is logical, although absurd and wicked. If the college presidents, politicians, automobile manufacturers and the like, who during the last year or two have preached pacifism in its most ignominious form, are willing to think out the subject and are both sincere and fairly intelligent, they must necessarily condemn a police force or a posse comitatus just as much as they condemn armies, and they must regard the activities of the sheriff and the constable as being essentially militaristic and, therefore, to be abolished."

When we have discovered a method by which right living may be spread so universally in Chicago and New York that their police forces, then and not until then it will be worth while to talk about the abolition of war."

"The Sociological society meets at Washington this year," continued the paper, "only because the man after whom the city was named was willing to go to war. If he and his associates had not gone to war there would have been no possibility of discussing 'social values' in the United States for the excellent reason that there would have been no United States. If Lincoln had not been willing to go to war, to appeal to the sword, to introduce militarism on a tremendous scale throughout the United States, the sociologists, who will listen to this paper, if they existed at all, would not be considering the social values enumerated above, but the social values of slavery and such governmental and industrial problems as can now be studied in the Central American republics."

Washington and Lincoln.

"At present in this world and for the immediate future," wrote Mr. Roosevelt in conclusion, "it is certain that the only way successfully to oppose the might which is the servant of wrong is by means of the might which is the servant of right."

Speakers on the program to discuss Colonel Roosevelt's paper included Dr. John M. Meigs, of the American Peace society; Miss Mabel Boardman, of the American Red Cross society; Prof. E. C. Hayes, of the University of Illinois and Prof. J. Q. Dealey of Brown university.

HAMER DEFENDS JUDGE'S DISSENT BEFORE THE BAR

(Continued from Page One.)

At the same time, if you go and see the writer you get the benefit of personal advice and that may help you. If the writer declines to be convinced then the judge, who seeks to get the opinion corrected, will see the other judge or a part of them, and will present his view to them. He will try to get them on his side. Perhaps the proposed opinion means entirely new law. In that event the judge is likely to say so to the other judges, and he will perhaps present for adoption a proposed new opinion of his own. If he can get four votes, including his own, then the proposed new opinion will be adopted. Ordinarily these battles are very strenuous. When an opinion is adopted, it is published. The counsel for both sides are informed concerning it. A motion for a re-hearing is likely to be filed by the dissident party. The judge, who seeks to read this printed brief. There is then a hearing on the motion, and the whole court sitting together determines what shall be done concerning the granting of the motion. Generally one of the members of the court makes a specialty of the motion for a re-hearing, and examines it and the authorities cited, and also the evidence in the case. It will be the duty of this member of the court to carefully study the motion and the brief which supports it, and he will then need to carefully examine the authorities, and after he has done this he will make a written report. The case is not always disposed of on the written report. Some other judge may take a hand in the case. Numerous briefs which are written by the judge and are called memoranda or briefs will be filed to convince each other. They are never published and the public knows nothing whatever about them, neither do the members of the bar. Every one of these memoranda or briefs requires the attendance of labor and frequently much time. Ordinarily these briefs are not read by the judge, and are not read by the members of the court, but are written as a guide, and probably more. We all like

these memoranda briefs. Experience seems to demonstrate that they are more effective than discussion by word of mouth. When we debate we are just like any other body of men and possibly get excited. The memorandum brief is supposed to do away with a loud voice and an excited manner. It may not be commonly known that the supreme court of our state is a sort of little congress where men of mature years and actual experience meet late in life for the purpose of determining the final disposition of property, liberty and life, but such is the fact. Nothing can be more important.

In one of the papers prepared today it was said that dissenting opinions should not be prepared, filed or published. I think if the learned gentleman who prepared the paper had ever been a member of the Nebraska supreme court, or any other supreme court, he would not have said in his paper what he did. The only way that the law grows is by criticism of its imperfections. If an opinion is adopted, and it is not complete, it is just as imperfect after it is adopted as it was before. Adoption only gives it the force of numbers. If it is not founded on justice and right it must ultimately fail. The way to make it fall is to write the sharpest and kindest dissenting opinion possible. In addition, the dissenting opinion should be sustained by decisions if possible, and they can often be found by an industrious judge. If they are not found, the industrious judge who fears that the opinion is wrong should not hesitate to give his own reasons. I have many times seen a dissenting opinion prevent the opinion offered as a majority opinion from being adopted. It will be seen that the internal workings of the court are not set forth in the opinion that is printed. Only the effect of the struggle is there, but the struggle itself has occurred behind the closed doors of the consultation room. In conclusion I desire to say that every judge recognizes the right of every other judge to dissent. We never have been more harmonious than we are now, although dissents are quite frequent. The right to dissent is the right to struggle for our own views as to what the law should be. Notwithstanding the dissent, the dispatch of business seems improved. We feel we are gaining ground. It is probably due to our freedom of action.

Dryden Is President.

John N. Dryden of Kearney was elected president of the State Bar association for next year, the committee recommendation being adopted unanimously. Vice presidents were: Fred Wright, Scott's Bluff; C. E. Abbott, Fremont, and E. E. Sandall, York.

Floyd R. Mechem, professor of law of the University of Chicago, delivered a scholarly address on the subject, "An Inquiry Concerning Justice."

At yesterday's morning session John C. Hartigan of Fairbury gave an address entitled, "The Policeman on the Beat," and Merton L. Corey of Clay Center discussed "The Lawyer's Duty to His State."

Avoid Settling Dispute.

The discussion on the question whether a high school education should be required of applicants for admission of the bar in the opinion of the association was resumed in the afternoon, but decision was postponed until the next meeting, after the resolution which advocated "the equivalent of a high school course," had been referred back to the committee as unsatisfactory.

Throat and Lung Troubles quickly helped by Dr. King's New Discovery. In use over 40 years. Every home should keep a bottle for emergencies. All druggists.—Advertisement.

Labor Leaders of England Consider Concription Plan

LONDON, Dec. 29.—A conference of representatives of the labor party is being arranged to consider the decision of the cabinet in regard to compulsory military service. The question is being canvassed eagerly at trade union centers. Advocates and opponents of conscription are equally emphatic. Many members of the labor party are ready to support compulsory service, once they are satisfied it is necessary and are assured it will be applied impartially.

Some are still insisting on a further opportunity for unmarried men to volunteer, but it is believed the cabinet has decided against further delay.

In view of the expected early activities in the field, recruits are needed to take the places of the men now waiting in the home camps in readiness to fill vacancies at the front.

A meeting of the Amalgamated Society of Engineers will be held tomorrow to consider the plan of David Lloyd George for relaxation of trade union rules so as to increase the number of men performing certain classes of work. The engineers will discuss Mr. Lloyd George's bill amending the munitions act which will come before parliament when it reassembles.

Yuan Shi Kai Tells Governors to Send Troops Into Yunnan

PEKING, China, Dec. 29.—President Yuan Shi Kai issued a mandate today ordering the military governors of the provinces adjacent to Yunnan to dispatch troops to suppress the revolutionists.

The French consul at Meng-Tze and Conly, French minister at Peking, today said that foreigners and foreign owned property in Yunnan province had not been molested up to yesterday.

The French government has declined to prevent movement of Chinese troops over the French owned railway from

LIEN-CHAU TO THE CITY OF YUNNAN. The revolutionists have protested against such use of the railroad and it is feared that if permission were granted the rebels would destroy the railway and attack foreigners.

CZAR'S TROOPS TRYING TO BREAK AUSTRIAN LINE

(Continued from Page One.)

frontier of Eurus in some places, according to reports from voyagers arriving from Saint Quarentin," says the Athens correspondent of the Havas agency. "Italian troops also have been seen near Tepelen," (southern Albania).

Fighting on Dardanelles Front.

CONSTANTINOPLE, Dec. 29.—(Via London, Dec. 29.)—The Turkish war office tonight gave out the following statement:

"Dardanelles front: One of the three enemy aeroplanes flying over Ari Buru was hit by our artillery fire and fell into the sea. Later it was towed by two vessels to the island of Imbroe. "A vessel of the Agamemnon class (a British battleship, with a displacement of 18,500 tons) protected by two cruisers, two monitors and eight torpedo boats, bombarded at intervals, our artillery replying, hit the battleship and one of the cruisers with two shells.

Russians Capture Kashan. LONDON, Dec. 29.—Russian troops have occupied the important Persian town of Kashan and are marching toward Isfahan, according to the Tehran correspondent of Reuter's Telegram company.

Serbian Army at Scutaris. PARIS, Dec. 29.—"According to reliable information, there are 75,000 Serbian troops at Scutaris and El Bassan, Albania," says the Athens correspondent of the Havas agency.

"They are in excellent trim, notwithstanding the difficulties encountered in their retreat. They hold strongly fortified positions against the advance of the Austro-Germans and Bulgarians, and it is unlikely that they will be transferred to Saloniki."

Read The Bee Want Ads. It pays!

JAPAN SHUNS GERS OF MEDITERRANEAN SEA

LONDON, Dec. 29.—With the sailing today of the steamer Kitano Maru from London for Japan, the Japan Mail Steamship company inaugurated its new route by way of Cape of Good Hope, instead of through the Suez canal. The decision to change the routing was reached because of the submarine danger in the Mediterranean at present, emphasized recently by the loss of the Japanese liner Yasaka Maru.

GENERAL FREIGHT AGENT DAVIS RETIRES JANUARY 1

ST. LOUIS, Mo., Dec. 29.—George W. Davis, general freight agent of the Vandalla railroad, a part of the Pennsylvania system, will retire January 1, on a pension. Mr. Davis has been with the Pennsylvania system more than fifty years. Charles B. Sudborough, now assistant general freight agent, will succeed him.

Best for Constipation. The best medicine for constipation is Dr. King's New Life Pills, mild and effective and keep you well. 25c. All druggists.—Advertisement.

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When an opinion is adopted, it is published. The counsel for both sides are informed concerning it. A motion for a re-hearing is likely to be filed by the dissident party. The judge, who seeks to read this printed brief. There is then a hearing on the motion, and the whole court sitting together determines what shall be done concerning the granting of the motion. Generally one of the members of the court makes a specialty of the motion for a re-hearing, and examines it and the authorities cited, and also the evidence in the case. It will be the duty of this member of the court to carefully study the motion and the brief which supports it, and he will then need to carefully examine the authorities, and after he has done this he will make a written report. The case is not always disposed of on the written report. Some other judge may take a hand in the case. Numerous briefs which are written by the judge and are called memoranda or briefs will be filed to convince each other. They are never published and the public knows nothing whatever about them, neither do the members of the bar. Every one of these memoranda or briefs requires the attendance of labor and frequently much time. Ordinarily these briefs are not read by the judge, and are not read by the members of the court, but are written as a guide, and probably more. We all like