

THE DAILY IOWAN

A Daily Newspaper Published by the Students of the State University of Iowa.

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No. 60

GREGORY QUOTED ABROAD

LEGAL COUNSEL FOR THE POOR

Dean Gregory Calls Attention to Practice Prevalent in Regard to Furnishing Counsel for Destitute Criminals.

Below we present in full an article from the pen of Dean Charles Noble Gregory which finds a place in the editorial columns of the last issue of the leading law journal of London, The Law Times. Dean Gregory has written quite extensively for the best law journals of both this country and England and is universally recognized as a man of very superior ability.

An article by Dr. Gregory of particular interest at the present day and one which the late Senator Davis pronounced as the best ever written on the subject of Our Alaskan Boundry appeared some time since in the Law Magazine, a noted English publication. Sir Samuel Romilly and Criminal Law Reform is the subject of an article from the same pen to appear in the next issue of the Harvard Law Review. Other standard law journals to which Dr. Gregory is or has been a contributor to are the American Law Review, the Law Register and Review, and Sir Frederick Pollock's English magazine. The Law Quarterly. The manner in which Dean Gregory's manuscripts are prized by these, the leading law publications, is ample evidence that the opinions of the head of Iowa's law school are recognized not only within the confines of Iowa but also in all parts of both England and America.

"Dr. Charles Noble Gregory, Dean of the College of Law in the State University of Iowa, writes under date the 27th Nov. as follows:

"I observe in the Law Times of the 2nd Nov. 1901, pp. 2 and 10, your approving reference to the 'Poor Man's Lawyer Movement' and to the remarks of Dr. Goudy, Regius Professor of Civil Law, made of an Oxford meeting, where he said that 'it was nothing less than scandalous that the State should leave any prisoner on his trial unprovided with professional assistance.

"I call attention to the system in many of the states of this Union. When one accused of crime shows that he is 'destitute of the means to employ counsel,' the court by order assigns a number of the Bar to the duty of defending him, and such counsel is paid a reasonable fee per diem by the county, not only for the time spent in court, but also for that occupied in proper preparation for the trial. His charges are examined by the court, and the time spent and rate of charge, within certain limits fixed by statute, are settled and certified by the court, and, on such written certificate, are paid by the county treasurer. You may have noticed that counsel of standing was thus recently assigned to defend the assassin of President McKin-

ley on his trial in New York State.

"I notice a yet more radical measure, in the interest of those wrongly accused, proposed by Sir S. Romilly and mentioned in the Diary of his Parliamentary Life (see Life of Romilly, edited by his sons, London, 1842, vol. 2, p. 74): 'What I have in contemplation to do, however, compared with what should be done,' he writes, 'is very little. It is only, in the first place, to invest criminal courts with a power of making to persons who shall have been accused of felonies and shall have been acquitted a compensation to be paid out of the county rates for the expense they will have been put to, the loss of time they will have incurred, the imprisonment and other evils they will have suffered; not to provide that there should be a compensation awarded in all cases of acquittal, but merely that the court, judging of all the circumstances of the case, should have the power, if it thinks proper to order such a compensation to be paid and to fix the amount of it—a power similar to that which it now has under two Acts passed in the reign of George II. (25 Geo. 2, c. 36, s. 11 and 28 Geo. 2, c. 19) to allow the expenses of the prosecution and a compensation for loss of time and trouble to the prosecuted."

"Life, as sup. p. 84, the 18th of May, 1808: 'Sir Samuel moved for leave to bring in a bill for granting compensation in certain cases to persons tried for felonies and acquitted.' The motion was resisted by Plumer, Solicitor-General, on the ground that it would impose on the judges a very difficult and odious task, and establish a distinction between acquittals with the approbation of the judge, which he represented as very dangerous and unconstitutional. Croker and Shaw-Lefevre also opposed it because it would impose a burden on the county rates, but Perceval, with great doubts as to the measure, thought leave ought to be given; it was given accordingly, but the Bill was afterward withdrawn."

Longer Hours for General Library

For years past there has been a general demand for longer library hours at the general library and the library board has at last been able to meet this demand. With the opening of this term a new set of rules are put into use whereby the general library will keep open its doors consecutively from eight o'clock in the morning until ten at night. As a consequence of this change the library will probably ultimately be put upon the reference rather than the circulating plan as it is now. With the time during which the books are available thus extended the former system will be much more satisfactory and will enable a greater number to use all the books. Lack of room in the rooms now occupied by the library will make it necessary to place the public documents on shelves in the corridor, and they are now being listed and arranged there.

MAKE THE MEN COME OUT

SERMON ON SPRING ATHLETICS

The Men Should Have no Choice but to Compete for the Teams—Every Man where he Can do Best

The sentiment at Iowa in regard to competition for the spring athletic teams is something which could have a few additions to its avoirdupois without increasing its size to an undue degree. Men here seem to have an idea that there is open to them a choice as to whether they shall get out and try for the teams. The idea is even carried so far that old campaigners might imagine that their contesting another spring, unless barred by the rules, is a voluntary matter. As a matter of fact none of these things are so and should not be so. Every student who can do anything, or who is in the slightest degree apt to do anything in the line of baseball, tennis or track, simply must get out and do his best. The sentiment of his mates must be such that no other course is open. A slightly stronger enforcement of this feeling at Iowa this spring will not only make stronger athletic teams, but will mightily help in fulfilling the purpose of athletics in the university—to do physical good to the greatest number of students.

As a means to the enforcement of this idea, each class in the six colleges should appoint at an early date athletic managers or rustlers who will look up their class mates and especially exert themselves to see that all turn out for training when the call comes. The rivalry for the silver cup in the home meet should be intense—there will be no furlowes, such as handicaps; it will be a straight meet it is promised, and the glory of the class to win.

Pell, of Drake University, was developed by just such a system. Trainer Monilaw said the other day regarding the way Pell happened to turn out for practice: "Pell, when he entered the university, was about as unlikely an athlete in his own estimation as anyone could be. He couldn't do a thing he thought. We got after him to come out and train but he said he wasn't good for anything. The class manager kept after him until he finally had Pell out, more to oblige the manager and class and college sentiment than anything else."

"If I try good and hard and honestly can't do anything, when can I quit and the fellows and the girls not feel sore at me?" asked Pell.

"Yes, you try real hard for a year and then we'll see," was the answer.

"After Pell was out for a while he began to take hold of the work and his development was a matter of course largely. It isn't the difficulty in developing good performers that worries us, as it is the getting plenty of raw material into our hands. We simply go after them until they have to

MONEY SHOULD BE RAISED

UP TO OFFICERS OF UNION

They should Start the Work of Raising Money to Support Spring Track Work—Athletes Should Start Work Soon.

The second week of the Winter term is well on its way and there cometh not through the land the sound of money being raised for the athletic union to pay for spring athletics. The need for this money has been fully set out before the officers of the union and before the students of the university. The football profits, in short, are not enough to pay for the improvements on the athletic park and leave a balance to pay the deficit that always arises on spring athletics. Consequently, the board of athletic control has to have the assurance that the money will be raised to make up this deficit or a smaller and wholly unsatisfactory schedule or no schedule at all must be made in each branch of spring athletics.

It has been a long time since the students have been called upon to pay directly to the support of athletics. A generation has passed in the university since that state of affairs has existed. The present generation pays its money directly for the football and other games when it feels so inclined, and always gets its money's worth in the game. No education of moral and philanthropic sentiment is particularly thought of. The officers of the athletic union in times past when deficits have threatened or sums were needed to guarantee athletic schedules always found the students responsive to the amount needed. Under present conditions, a membership of 400 or 500 in the athletic union should be very easy for the officers of the union to secure. No such amount of work would be necessary as was required to raise \$400 in the days when Egan did things in this line at Iowa. The good resultant from such an increase in athletic union membership would be far-reaching. Not only would the spring track teams be assured of good schedules and facilities, but the athletic union would be raised from the state of lethargy which it is in today to as live and energetic condition as in the days of old. The students would take a greater interest in athletic matters and everything in athletics would go with greater zest and interest.

Freshman Banquet January 23

At a meeting of the 1905 class held yesterday afternoon the committee on the Freshman banquet, announced Thursday evening, January 23, as the most available date for the annual social function. The report of the committee was accepted and this date fixed upon. It was the sense of those present at the meeting that the banquet should be the most elaborate ever given here. Tickets are to be had for three and one-quarter dollars until the twentieth of the month.

Continued on page 4

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THE DAILY IOWAN
IOWA CITY, IOWA

Entered at the post-office at Iowa City, Iowa, as second class mail matter, Oct. 11, 1901.

Let those who do not realize the university's need for a library building take a look at the long rows of books which lack of room make it necessary to store in the corridors of the new Hall of Liberal Arts.

The committee on the freshman banquet report they expect to have the most elaborate spread ever given on a similar occasion and if they go at it with the same determination and resource they displayed when pitted against the sophomores it is safe to predict the affair will be a great success.

The lengthening of the library hours is an improvement which will be heartily welcomed by the students of all colleges. With the doors open from eight o'clock in the morning until ten at night the demands for longer hours will doubtless be silenced and it is needless to state that what books the library contains will come nearer to meeting the needs of the student body.

The exhibition of the spirit and enthusiasm which has been pent up since the close of the football season will be in order at the debate tomorrow night and if Iowa is to maintain the high level she now enjoys in the forensic field the student body must see to it that the speakers of tomorrow

evening are given an audience and reception second to none ever accorded our athletic teams. The season of activity in forensic lines is now upon us and no effort should be spared which will tend toward placing Iowa's standard even a notch higher.

In another column we print an article by Dean Charles Noble Gregory which commands a place in the editorial columns of the leading law journal of England. It is a significant honor to Dean Gregory and materially to the university which he represents to be so generally and favorably recognized by the leading law publishers of England and America and this merited recognition together with the admirable success of the past term assure us in the conviction that possibly the board of regents acted even wiser than they knew in the choice of a head for the college of law.

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Amusements

Shakespeare may be passed, but there was no evidence of it at the New Crawford theatre last night. Charles B. Handford as Petruchio in "The Taming of the Shrew" was a sufficient magnet to draw a bumper house. The large clientele which may be called upon under auspicious circumstances to support the Shakespearean drama made up one of the largest houses of the season. The circumstances last night were auspicious. Mr. Handford had been well heralded and the public interest in his appearance was his merited reward. Two of the prize houses of the year, those of Stuart Robinson and Mr. Handford, have been due largely to the judicious publicity given their productions. Charles B. Handford is, essentially, an exponent of the classics. His reading of blank verse is masterly. There is not a player on the American stage today whose reading of this style of text shows the art and the intelligence of Mr. Handford. With this equipment he could not fail in any of the characters created by the Bard of Avon. His Petruchio was dashing, adroit, keen. Helen Grantley, next in importance to the star, made the sort of a Katherine who shines in the lithographs as well as in the play. With the rather gorgeous gowns afforded she was altogether prepossessing. The criticism might be made that she lacked force and power in her earlier scenes, but her grasp of the character in the ones following more than atoned. William J. Shea as Grumio afforded some very acceptable buffoonery. There was a large supporting company, including Marie Drofna, whose real name is the one given here spelled backward. Previous to the main bill a curtain raiser, "The Guard," done several years ago by Henry Irving, was given and was mainly enjoyed for the chances for emotional acting given Mr. Handford.

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Continued from Page 1.
 come out, won't take no for an answer. That is how we have done what we have done at Drake.

The same story is true at every college and university. Not the largeness of a college will save it in the day when its sends its trained athletes into inter-collegiate competition, but whether its students have done their best with the talents they have.

Iowa did not use her talents well last year. That is one of the reasons why she came out fourth best at Des Moines, May 24. Don't let that horrible example remain on our new athletic pages.

E. H. Carpenter '04 will spend the winter in the South and not return until next term.

President MacLean and Dean Gregory will attend the meeting of the Grant Club, at Des Moines, this evening.

The first year laws have organized for moot court which will convene for the initial session, next Tuesday, at 2 o'clock, with Judge Hayes on the bench.

Sam Harrison, who has been in attendance at the Columbia Law School, has registered with the junior class here.

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Notice.

There will be a meeting of the Hawkeye Board at the Hawkeye office, Thursday, Jan. 9, at 4:30. H. E. HADLEY, Editor-in-Chief.

Juniors of all classes must have their pictures taken for the Annual before Jan. 18.

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