

CONSTRUCTION COMPANY FILES DAMAGE SUIT

Jas. A. Green Company, Builders of the Willow River Irrigation Project File Complaint in Circuit Court Against the Willwo River Land & Irrig'n. Co.

The Jas. A. Green Company during the past week filed a damage suit against the Willow River & Irrigation Company for the recovery of construction material, consisting of a derrick engine and hoist, dump cars, locomotive, steel rails, tools, etc., which is valued at \$15,084.45.

According to the complaint filed by Judge C. M. Crandall of this city, attorney for the Jas. A. Green Co., it is learned that prior to the commencement of this action the plaintiff demanded of the defendant the return of the said goods and chattels and that the defendant refused and still refuses and that the plaintiff is damaged in the sum of \$5,000.

The complaint further states that the value of the construction material during the time detained by the Willow River Land & Irrigation Co., is \$50 for each day; and therefore seeks judgment for the recovery of \$15,084.45 the value of the material, damages in the amount of \$5,000 and also \$50 for each day the defendant had detained the material from the plaintiff company.

The Jas. A. Green Company constructed the irrigation project of the defendant, now known as the Willow River irrigation project, located a few miles north of this city.

CARL GRAY PRESIDENT OF GREAT NORTH'

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evening, for I am due in St. Paul any time to equip a special train for a trip to Portland in time for the Rose Festival. I will bring a party of about 125 with me and en route we will attend the meeting of the Northwest Development League at Seattle. We hope to reach Portland about June 1, so you see there is little time to lose.

Mr. Hill arrived here late last night, accompanied by his successor as president of the Great Northern, Carl R. Gray, and Mr. Gray's successor as president of the Hill lines in Oregon, John H. Young of Seattle. Mr. Young left for Seattle at midnight, and this morning Mr. Hill and Mr. Gray were in conference to line up affairs here and at St. Paul.

"I can't say a word about myself," said Mr. Hill when asked if he would succeed his father, James J. Hill, as chairman of the executive board of the Hill system.

"If any such step is made the announcement will come from my father. Mr. Gray will be president of the Great Northern, and he was selected because we regard him a very strong man. As has been announced, Mr. Young will succeed Mr. Gray in Oregon, and L. C. Gilman of Seattle will have executive authority of the Great Northern on the Pacific coast. His headquarters will probably remain at Seattle. Mr. Young as president of the Hill lines in Oregon will have the same authority as his predecessors."

President Gray of the Great Northern will leave for St. Paul with Mr. Hill this evening at 7 o'clock. He expects to return next week, or with Mr. Hill's special train for the Rose Festival. President Young of the Hill line in Oregon will arrive in Portland next Monday to make this city his home.

"It is with deep regret that I leave Oregon," said Mr. Gray, "for really I never did live anywhere that appealed so much to me as this city and state."

COMMENCEMENT EXERCISES FOR VALE HIGH SCHOOL

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The accrediting of the Vale high school and the graduating of students who are prepared to enter the colleges and universities is, in the opinion of Dr. Boone, of great significance to Vale. It will not only tend to keep boys and girls in school to finish the high school course, but to continue with the college and university as well. A good system of school is one of the best assets of a community.

OREGON-EASTERN THROUGH BIG CUT

A. W. Glenn came in from the ranch Friday for the commencement exercises of the Vale High School. He reports 18 miles of the roadbed of the Oregon-Eastern completed. The big cut 15 miles from Vale is finished. This cut is 1600 feet long and 65 feet deep and is the heaviest piece of the grading completed.

J. M. Johnson and Wm. Ellery are in the county seat from Boston looking over the wool market.

NATRON CUT-OFF MAY BE RUSHED

Reports at Klamath Falls Indicate Early Resumption of Construction

Klamath Falls, Or., May 13.—Early completion of the Klamath Falls cut off between Natron and Klamath Falls, which is to be the main line of the Oregon Eastern railroad, was indicated today by a report that work is to begin on construction at this end of the line. The report was unofficial. A work train carrying 40 men is to be put on May 15, completing the 16 miles of track beyond this city which was not thoroughly ballasted when it was laid last year. As soon as this work is well underway, according to the report, a second work train will be sent out and the crew of workmen increased to 100 or more men. When the work begins a steam shovel, now at the end of the tract, will be transferred to a new sand pit near Chiloquin. The sand is to be used for ballast.

The favorable impression received by E. O. McCormick, vice-president of the Southern Pacific railroad, on his recent visit to Klamath Falls, is believed to have been partly responsible for the railroad's move in ordering work done from this end of the line. He promised to do everything in his power to aid the progress of the city.

Steam shovels and a large crew of men have been at work for sometime on the Natron end of the cut-off. With crews working from both ends the completion of the new line is expected within a year.

MUZZLE THAT CORRESPONDENT

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anxious to see it continue, grow and improve, and willing to lend his aid in making it a permanent success."

After this admission that every citizen of the county except the Capital News correspondent has contributed to its success, and is entitled to participate in the pride of its splendid showing, and anxious to see it grow and improve, and to aid in making it a permanent success, the writer concludes with a statement so contradictory to what precedes as to bear its own refutation. After proving that it is a county fair participated in universally, supported by every citizen of the county, with one single exception, he concludes with this masterly consistency. "Every section of the county except Vale has been represented at the fair."

We would recommend to the beautiful and growing city down the line that she puts her ink bottle on the top shelf, out of the reach of a transient puerility. We cannot suspect the editor of the Democrat of any malice in the premises. It is more natural to believe him ignorant of the facts. The man who can say in one sentence that the fair has been supported by every citizen in the county, and in the next sentence except Vale from participation in it, should not be accused of libel but simply pitied for idiocy. Vale, as every citizen in the county knows, has been loyal in her support of the Malheur County fair—and will remain so to the end.

The rapid utterances of an itinerant editor cannot in the least effect her loyalty to that institution. As everyone knows except the editor of the Democrat the business men of Ontario and Vale have been together in this from the start. Vale has never been found wanting in contributions, either in money or moral support. Her citizens have taken prizes at both sessions. In the magnificent success of 1911, VALE DAY WAS THE BIGGEST DAY OF THE FAIR, AND VALE DAY WILL BE THE SAME IN 1912. To show that we bear no malice against the editor of the Democrat for his unwarranted attack on Vale and her people we will conclude with acquainting him with some of the substantial, historical facts (for his future use) concerning Malheur county:—"The oldest house in Malheur county was built in Ontario in 1805, A. D.; the oldest horse in Malheur county took the prize at the last county fair and was present at the siege of Troy 2,000 years, B. C.; and the biggest ass in Malheur county is writing editorials for the Ontario Democrat."

In another column we record the marriage of Mr. Johnnie McNulty to Miss Auda Griffith, both of Watson. We should like to state that from a visit paid there last fall, that the two young people in question are undoubtedly the most popular in all the community out there on the Owyhees. Everybody brags on the bridegroom and the younger boys aim to grow up in his footsteps, whereas from the very tiniest girl to the biggest, the bride was their ideal and their friend. Both are to be congratulated. We wish them every success in their new life and we know that they will have the good wishes of every man, woman and child on the Owyhees from Greely's to Adam's, yes and all around.

Ferry Mundy the big stalwart from Creston, Oregon is in town this week.

NEW MARSHAL FOR WESTFALL

New Church Nears Completion—Business Changes—Other News

Wednesday afternoon, Mr. Earl R. Smith from Westfall passed through Vale on his way to Boise, where he has accepted a position with Dr. Froom, one of the leading physicians of that city. Mr. Smith studied 4 or 5 years in a medical school in California and expects to graduate in a year or two. He was located nearly three years in the Westfall country and will be greatly missed by the people of that section, where he has many friends. He was a member of the band and was an accomplished musician, and with his sister, Miss Flora E. Smith furnished the greater part of the musical programs submitted during the past two winters in Westfall. During their short stay there, Mr. Smith and his sister were unfortunate enough to lose both their mother and their father, and their uncle, Mr. Bruges, but nevertheless have the warmest feelings toward this part of Oregon and feel greatly indebted to the people of Westfall for the many kindnesses they met with, from them, amidst their losses.

Mr. Smith will be joined in Boise by his wife, who is at present on a visit to her people, who live in Southern California. He was an eyewitness to the shooting of the marshal at Westfall a few days ago and will doubtless be called as a witness for the state. Mr. Smith says that in all his experience he has never seen a person pass away so easily and so gently as did Mr. Westfall, the man who was shot while discharging his duty. He lay on his side and just went to sleep, like a little child. That was the end.

Within the last few days, we have heard that a most important business transaction has taken place in Westfall, through the transfer of the interests of Billy Jones, the big stock man of Malheur County, in the Jones Mercantile Company of Westfall to Mr. J. D. Fairman, the present manager and part shareholder. This store is one of the strongest in Eastern Oregon and the amount involved must have been very large. The new owner, Mr. Fairman, is well-known throughout the county as one of its able business men, and has done more for the upbuilding of the Westfall country than any other man that we know of and under his management, as in the past, the business will go on along the old lines, with satisfaction and profit to all its patrons. Mr. Fairman has been in charge of the store since he acquired an interest in it, some 10 years ago, and has watched it grow from \$10,000 a year to \$100,000 a year worth of business, all due to his hard work and untiring energy. Like Robert Louis Stevenson, he could say, if he would "I know what pleasure is, for I have done good work."

The church at Westfall is fast approaching completion, and is at present in the hands of the painters, with Mr. Hiram Snyder in charge. The organ has been installed and the church has filled a long-felt want in the community, as those who were present at the funeral service held in it for the late marshal of Westfall can testify.

Mr. Ben J. Corbett, the man who took such a prominent part in the late shooting scrape in Westfall has been appointed marshal there, and is expected to fill the office with credit to himself and the town. He was formerly marshal but resigned for business reasons, otherwise the recent trouble would not have occurred.

Young Mr. Martie Prather returned this week from Willamette valley, where he has been all winter going to school. He made the ninth grade this term and expects to go back next fall, but meantime he is going to put a hard summer's work on his father's ranch, above Westfall. Martie says the valley is all right, but it is hard to beat the Bully Creek country.

The Juniper Springs Shearing Plant above Westfall is running full blast, and expects to handle over 50,000 sheep before closing down; usually they shear in the neighborhood of 80,000 to 90,000 but this year there are not so many sheep in that section of the country as usual.

Mr. Morris S. Shuch late of Westfall, and recently located at Jamieson has secured a contract for hauling lumber from Vale to the tunnel and has moved his family down here, preparatory to commencing hauling.

NEW WOOL RATES EFFECTIVE JUNE 1

Washington, May 17.—The Interstate commerce commission has issued an order requiring the railroads by June 1 to put into effect the reduced rates on wool that conform to its decision of April 12.

The railroads under that decision were given until May 1 to check in their rates to conform to that decision, but neglected to do so, and the commission therefore has wired the railroads to make these reductions by the first of next month. This order is acquiesced in by the railroad companies, which have informed the commission of their readiness to comply with yesterday's order.

The genial George McKnight has been around town the past few days getting acquainted.

QUICK SANDS CAUSE TROUBLE AT WILLOW SPRINGS

Workmen Have Narrow Escape When Land Slide Fills Deep Trench for Concrete Dam

Workmen digging the big trench for the bedrock dam at the Willow Springs narrowly escaped injuries on Friday afternoon of last week when a big cave-in occurred. The ditch which is being dug for the bedrock concrete dam which is to collect all of the waters of the Willow Springs and divert the same into the pipe line of the city, had reached a depth of 17 feet where the men were working.

Civil Engineer Ivan Oakes, of this city, had just climbed on top of the bank when he noticed signs of a cave-in and he shouted the warning just in time for the men to run for their lives. A few seconds later a layer of dirt 15 feet in length, 17 feet high and 4 or 5 feet thick filled the trench where the men had been working. Quick sand had been giving lots of trouble and it is supposed that the big land slide was caused by it.

Walter Glenn brought in the news on Saturday.

PREACHING GOSPEL OF SMALLER FARMS

Weiser, May 18.—After taking the gospel to smaller farms and more settlers as the northwest's greatest need, R. C. McKinney, who has extensive farm holdings in Washington county, intends to put this preaching into practice, and has just announced that he will cut up his 160-acre farm on Dead Ox Flat, near Weiser, and prepare it for the city man who wants to get "back to the soil." Later he intends to pursue the same policy with other tracts which he owns, dividing the property into five, ten and 15 acre sections on rural free delivery routes, with light, power and every convenience. "By cultivating my own land I can make a fortune," Mr. McKinney declared, in explaining his determination, "but while I am doing it, I am retarding the growth and development of the country by holding large areas which should be opened to the small owner with a family, who will do more good for the country by the use of more intensive methods. The northwest needs more population and when the ranchers who own huge tracts realize that they are responsible for holding back the natural growth they will all undertake some real colonization work."

COAST MAN LIKES VALE MAY LOCATE HERE

A. P. Davis, brother of Judge E. Davis of this city arrived in Vale from Marshfield, Coos Bay last Wednesday. This is his first trip to Vale, and he was astonished to find such an up-to-date city. Mr. Davis is greatly impressed with what he has seen and believes there is a great future for Vale. He may decide to locate here.

AGREEMENT REACHED ON HOMESTEAD BILL

To be Reported to the Senate and House at an Early Date

The last requirement as to the area to be cultivated before patent is granted is a compliance in principle with Gifford Pinchot's suggestion.

Shortly stated the main provisions of the new bill are—reduction to three years of the homesteading period—leave of absence not exceeding five months in each year when establishing residence—the three years to run from the time of actual residence, and a settler to be allowed a delay not exceeding 12 months from date of filing if climatic conditions, sickness or other unavoidable causes demand it—cultivation of one-sixteenth of the area of entry is required during the second year, and one-eighth of the area the third year.

The cultivation requirement is to apply to 160 acre homesteads, to enlarged homesteads, and to homesteads on reclamation projects.

The subject has been so thoroughly thrashed out in committee, both in Senate and House, that a speedy passage of the bill may be expected. The views of Secretary Fisher have been laid by him before the committee and every effort made to meet them. There is no probability of a presidential veto of the bill in its amended form.

In many changes made the new bill is an adoption of western views of which Senator Borah has been a persistent advocate.

Wool-buyers are as thick these days around Vale as candidates were before the primaries. Few sales have been made yet, as the buyers and the sellers have not yet been able to establish a standard price. Mr. Ellery from Boston and companion were out to Red Butte this week and left for Burns Wednesday afternoon, and will visit Shull Springs on their way.

VALE PUPILS MAKE GOOD IN EIGHTH GRADE EXAMS.

Two-Thirds of Those Writing are Successful—Others Fail in Only Few Subjects—In County 26 out of 87 Succeeded in Passing the May Examinations

The papers written by the 8th grade pupils May 9 and 10 have all been marked and the results tabulated. While the results are much better than last January, many failed in one or more subjects. These pupils will be allowed to write on these subjects at the next examination which will be held in June.

Vale students made a creditable showing, of the 9 students writing from Vale 6 passed in all subjects, the others failing in only one or two. In the entire county 30 per cent of those writing will receive diplomas of admission to the high school. As a whole the questions were a

fair test of the work covered by the 8th grade. The subject of geography which is generally easy, was unusually difficult. Many failed in this subject.

In preparing these examinations it is the aim of State Superintendent Alderman to make them fairly representative of the 8th grade work. There is danger of making them so difficult as to discourage pupils in passing them, while on the other hand there is danger of making them so easy that pupils will reach the high school before they are able to do high school work. The aim is to avoid both of these.

NEW BILL WILL ABOLISH CAPITAL PUNISHMENT

Substitute Life Imprisonment at Hard Labor in State Penitentiary at Salem

Governor West has given out the text of the bill providing for abolition of capital punishment. It substitutes for capital punishment life imprisonment at hard labor in the state penitentiary and prohibits the governor from granting reprieve, commutation or pardon after conviction for murder in the first degree, except on the recommendation of the judge of the court which originally tried the case. A feature of the proposed bill is the provisions that it shall not apply to the crimes committed or convictions had prior to the enactment of the measure. Initiative petitions will be placed in circulation within a few days.

IDAHO WOOL CLIP BRINGS BIG PRICE

At a private sale here yesterday, E. W. Johnson, a wool grower sold his entire clip of 250,000 pounds of wool to J. M. Johnson, the pioneer wool buyer of the northwest, who represents Hallowell, Jones & Donald of Boston, for 18 cents per pound. The sale is the first made this season and indicates that the price of good wool will be high. The buyer, Mr. Johnson, states that the wool was sold entirely on its merits and was one of the finest clips he has ever purchased here.

The wool buying season opens tomorrow at Mountain Home and growers there will be somewhat governed by the sale here on the bids made for their wool. Several small sales have been made at Payette and vicinity, 15 cents being the average price paid. Wool buyers who are on the ground state that the unsettled conditions in the east will not warrant them paying a high figure this season and that they will buy clips entirely on their merit. Woolgrowers are sanguine and feel that prices will be better this year than last.—Capital News

PERSONALS

Mr. Baker Ball of Ontario stopped off a few minutes Wednesday in Vale to inquire as to the best road into the Cow Valley country, where he and a friend are expecting to buy a bunch or two of sheep. They left Vale early in the evening in Mr. Ball's auto for Brogan, and purposed staying over night at the shearing plant there, and meeting some of the sheepsman.

Sunday School and young People's Society will meet as usual at the Methodist church Sunday. Regular preaching in the morning. In the evening Rev. Helman will preach a special memorial sermon, to which all soldiers, both north and south are specially invited. There will be special music appropriate to the occasion. Everyone invited to attend.

Memorial Day exercises will be held at the Methodist church next Thursday at 2 o'clock. There will be the usual exercises and an address by Judge Crandall. People should make this a day for decorating graves of relatives and friends as those of the old soldiers.

Judge Geo. W. Hayes, who has been in Portland and Baker for several weeks on legal business returned the early part of the week.

E. H. Rogers, formerly principal of the schools here, was a county seat visitor from Ontario Thursday. He went on to Ironside on a business trip.

R. Musgrave, a former business man of Vale, but now of Ontario, was here between trains Thursday.

A. N. Andrus was a business visitor to the county seat from Ontario Thursday.

J. M. Kenney, of the Drexel Hotel, left yesterday for a business trip to Pendleton.

Mr. Frank Shumway of Riverside and Creston is transacting business in Vale this week.

OLD LAKE BED USED FOR FARM

Harney County man to Show Value of Waste Lands

Drewsey, Ore., May 20.—Dr. Denman is seeding 200 or 300 acres of old lake bed land near Saddle Butte to grain crops. It is an experiment that will be watched with interest, as it is on rather a large scale and on a class of land that has not been farmed to any extent in this section. Dr. Denman will devote most of it to barley, but will also try oats and wheat. It was necessary to dike to prevent the lake water from submerging the land, which was formerly lake bed. Should a good crop be produced on this soil it will open up a large area that has been considered almost worthless. Another beneficial feature will be the hastening of a reservoir system to keep such land from overflowing and thus do a two fold duty—conserve the flood water for use on dry land at a season when needed and reclaim the swamp now being submerged by the floods.

TOWN NEVER AMOUNTS TO SHUCKS WITHOUT A COMMERCIAL CLUB

A great many of our citizens are inclined to overlook the good that is accomplished by the Commercial club. The people of Vale are not alone in this, as it is the same, practically, all over the county. The Commercial club shoulders all the trouble and expense of advertising our community, and trusts to the people to repay them. They spend many nights in figuring on something to do to help the town, and the people, who are to reap the benefit, slumber peacefully. They give a good part of their time and often spend some expensive money, and the people do not compensate them in any way. The officers never stand back from the work, simply because there is no pay roll in connection with their office. The small, growing town is the one which needs a good commercial club, and a town never amounts to shucks unless it has one.

Mr. Robert F. Nichol and his friend Mr. Jess Snyder who have been employed for some months with the Utah Construction Co. here and Richfield, Idaho, left last Sunday morning for the tunnel, where they will be employed in the timbering of the tunnel, both being experienced carpenters and bridgebuilders. They expect to be gone for many months, and to come back to Vale on the Fast Mail from Portland to the East.

Mr. A. B. MacPherson, Democratic nominee for County School Supt. was in town Monday on his way to the Interior, visiting friends and incidentally selling buggies. Mac recently came in from a two weeks trip in the interior and stated that he had sold over \$1630 worth of buggies while he was out, and had to come back for more. He left Monday for Westfall and expects to go clear to Burns before returning. His opponent N. T. Conklin, republican nominee for County School Supt. is also selling buggies for the same outfit that Mr. M. is, so that there will be a double contest 'twixt them until after the election this fall.

On Wednesday Judge Davis moved his family and household goods into his own house located on Main Street. The house has been entirely redecorated and fitted up with electric lights and city water, and with the beautiful grass lawn, which surrounds it, makes a home which any one would be proud of, and proves that Vale can have as attractive-looking residences as any city in the country.

Mr. Frank Palmer of Watson came in from his ranch Tuesday and reports having finished shearing at his plant on Mud Flats and having sheared over 50,000 lbs of wool. The wool is due to arrive in Vale this week and is said to be an extra fine clip, and one which should bring a good figure. Mr. Palmer states that he had a fine lambing both in Feb. and April and that he is intending to ship a few carloads in July and a few other carloads of lambs in August or September.

MOOSE TEAM WINS SIX INNING GAME

Rain Stops Good Contest With Boise in Lead—Moose Team Outbit by Vale but Save Themselves With Sensational Fielding.

The Vale baseball boys journeyed to Boise last Sunday and played a six innings game at Cody park with the Boise Moose team. It was a good game, but had to be cut short on account of the rain. The home boys speak well of the fine treatment received at the hands of the Boiseites, and also speak in highest terms of the umpire, Mr. Oppenheim. The game resulted in favor of the Moose by a score of 2-0.

Vining for the Moose allowed eight hits while his backers could pick but four off the delivery of Pugsley for Vale. The two clubs broke even on boots but regardless of this fact and that the transcontinental railroad builders racked twice as many hits, Boise slipped over the two credits and shut our boys out.

The score:—

	Boise	Moose
Case, cf	3	1
Myman, 3b	2	1
McLeod, 2b	3	0
Horrie, ss	3	0
Foster, rf	3	0
Brasted, 1b	3	1
Dees, c	2	0
Wells, lf	2	0
Vining, p	0	0
Totals	21	24

Vale

	AB	R	H	PO	A	E
Kelem., rf	2	0	0	0	1	0
Thayne, rf	3	0	1	0	1	0
Wheeler, 3b	3	0	1	1	0	0
Etchandy, ss	3	0	1	2	0	0
Jackson, c	3	0	2	4	1	0
Higgins, cf	3	0	1	2	0	1
Elwell, lb	3	0	0	7	0	1
Hurley, lf	3	0	2	0	0	0
Nealy, 2b	3	0	2	2	0	0
Pugsley, p	2	0	0	1	3	0
Totals	28	0	8	18	10	3

Score by Innings
Boise - - - - 10 1 0 0 0 - 2
Vale - - - - 0 0 0 0 0 - 0

CALDWELL WINS FROM ONTARIO

Caldwell was outbit by the Ontario team of the Snake River league here today, but the locals won, 2 to 1. Ontario delayed starting the mysterious Morse until the third inning. By that time Caldwell had scored two runs, and though Morse allowed no hits after he entered the game, the two already scored by the locals proved to win the contest.

The one run scored by Ontario was batted in by Morse. It was the tightest game of ball seen here this season. Ontario's defeat may be attributed partially to injudicious base running. The visitors persisted in trying to pilfer second against the sure right arm of Jimmie Kelleher. Everyone who tried it committed suicide. The Score: R. H. E.
Caldwell 1 0 1 0 0 0 0 x-2 5 7
Ontario 0 0 0 0 1 0 0 -1 9 5

Batteries—Tethro, Morse and McBride; Kinobly and Kelleher.

CALDWELL VS. VALE BALL PARK SUNDAY

Local fans will have an opportunity of seeing the new team of the Idaho-Oregon Baseball Association play here tomorrow May 26. Caldwell put up a good game last Sunday against Ontario. Turn out and boost for Vale. Vale is tied with Ontario for first place in the league.

Mr. Ben Jones, of Creston, Oregon, of the Jones Land & Livestock Company and The Jones & Co. Bank at Westfall is in town and is going to load back with supplies for the home ranch. He has been busy plowing and reports everything favorable for large crops in his part. Stock are doing first rate and are almost market fat. The grass is better than it has been for many years.

A letter from a sheep-man near Brogan states that he has been offered \$3.25 for lambs and yearlings, and 18 cents for wool. This looks good, and especially in a Presidential year.

Amputated.
It is said that two eminent surgeons had a quiet interchange of views the other day, and among other things, traded secrets.
Said one to the other: "What did you operate on Mr. Smith for?"
Said the other: "For \$500."
Said the first: "No, I mean what ailed him?"
Said the other: "Oh, he strained himself holding us to the \$500 and I cut him loose."