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FIFTIETH YEAR—No. 6. OREGON CITY, OREGON, FRIDAY, FEBRUARY 11, 1916. ESTABLISHED 1866

ATTACK IS MADE ON BRANDEIS AT SENATE HEARING

IOWA RATE MAN DECLARES BOSTON MAN AIDED ROADS IN IMPORTANT CASE.

ATTEMPT TO BLOCK REDUCTION IN RATES ALLEGED BY THORNE

Chairman Iowa State Railroad Commission Appears Against President Wilson's Nominee for Supreme Justice.

WASHINGTON, Feb. 9.—"I charge Brandeis with being guilty of a breach of faith."

This accusation was hurled against President Wilson's nominee for United States supreme court justice, Louis D. Brandeis of Boston, by Clifford Thorne Iowa railroad commissioner, today. In a hearing as to Brandeis' fitness for the post. Thorne claimed, too, that the Bostonian had betrayed his trust "in one of the gravest and most important cases ever tried in this country"—the 5 per cent railroad rate matter.

Thorne's sensational declarations, and the defeat of Senator Clark's effort to send the hearing to the full judiciary committee, which is unfriendly to Brandeis, instead of having it before a subcommittee, constituted the features in the opening fight on the lawyer.

Reports previous to the hearing were that Thorne would charge the alleged breach of faith to Brandeis' desire to prevent President Wilson's political career from being shattered by an adverse decision of the rate case, that might react on the country's business situation. This charge was not voiced; but Thorne did charge that Brandeis had assumed a position in favor of an increase, when such was not needed.

Thorne declared that Brandeis had represented the seaboard shippers in 1910, while Thorne represented the western shippers. Two questions were then at stake: Were the railways entitled to more revenue, and if so, where from?

In 1913, the interstate commerce commission retained Brandeis as special counsel in the five per cent rate case. Thorne read the letter in which the commission engaged the Boston attorney. This instructed Brandeis not to attempt to prove any particular side.

"Nevertheless," said Thorne, "he committeed himself to the proposition that a return of 7½ per cent on the investments of the railway was inadequate and niggardly."

Thore said that Brandeis had influenced the commission to have the Thorne argument against an increase placed ahead of the railroad attorneys, though Thorne had asked to follow them. The next development was Thorne's discovery that Brandeis believed the railways were not earning enough.

Dr. Herwig, German military surgeon, eighty-one years old, is at the front, regarded as the oldest soldier on duty. He took part in the war of 1870.

OF 1133 VOTERS, 798 REGISTER REPUBLICANS

PROGRESSIVES IN CLACKAMAS COUNTY, APPARENTLY, HAVE GONE BACK TO OLD PARTY

Republicans outnumber the Democrats almost three to one in this county, according to registration totals made Saturday. The fifth week of registration was ended Saturday.

Three of the 1133 persons who registered in this county in the last five weeks refused to give their party. The remaining 1130 are divided as follows: Republicans, 798; Democrats, 274; Progressives, seven; Independents, 19; Socialists, 16; Prohibitionists, 16.

The figures are taken to mean by local students of politics that the Progressives have gone back to the party from which they sprung.

MILWAUKIE SECURES DISMISSAL OF SUIT OF WATER COMPANY

TEMPORARY INJUNCTION HELD BY MINTHORN SPRINGS PEOPLE DISSOLVED BY JUDGE

The town of Milwaukie won an important point in its fight against the water companies Saturday in the circuit court, when Judge Campbell signed an order dismissing the suit of the Minthorn Springs Water company for a permanent injunction, and dissolved the temporary injunction, which for several months has tied up the completion of the municipal system.

No announcement was made here Saturday by W. S. U'Ren, attorney for the water company, but an appeal to the supreme court is expected. The suit of the Milwaukie Water company, which is similar to the action instituted by the Minthorn Springs company, is now pending before the higher triffunal.

The town of Milwaukie a year ago voted to install a muncipal water system, which was to be supplied from the Bull Run mains of Portland.

As soon as construction began, the Milwaukie and the Minthorn Springs Water companies filed suits for injunctions, aiming to force the town to buy their plants. Temporary injunctions were issued, restraining the town from completing its lines or selling water. Later one exception was made so that the Milwaukie school building could be supplied with Bull Run water.

The Milwaukie city council will meet early in the week, when the purchase of the privately owned water plants will be discussed.

At the hearing Saturday before Judge Campbell, Mr. U'Ren represented the water company and D. G. Skulason, the city.

HUSBAND CHARGES DESERTION.

H. A. Foster charges desertion in a divorce suit filed against Ida Foster in the circuit court. They were married March 16, 1907, in Bellingham, Wash., and, he says, she left him in Portland January 5, 1915.

WOOD SAYS SPIRIT OF PREPAREDNESS LEADS TO BATTLE

RULING CLASSES, WHOSE AIM IS SELF-INTEREST, RESPONSIBLE FOR WAR, HE DECLARES.

PORTLAND COLONEL LAUGHS AT IDEA PEOPLE RULE UNITED STATES

Nation Is Governed in Interest of Few, Asserts Colonel Wood—System Making America Land of Feudal Lords Is Denounced.

Colonel C. E. S. Wood, of Portland, created no little stir at the weekly luncheon of the Commercial club Live Wires Tuesday when he prophesied that out of the military and naval program of preparedness that is now under way would come a spirit that would eventually involve the United States in war. His talk dealt with the causes of the European war and he drew some conclusions that were radical in the extreme.

Colonel Wood declared that self-interest is the governing cause of the great struggle now in progress. He ridiculed what has been termed the patriotic basis for the participation of the nations of the continent in the bloodiest war in history, and said the ruling classes are responsible and that they wanted war, with an eye to self-interest. He insisted that the masses of the people had no wish for war, that they did not want to kill their fellow citizens of other countries, and that they had absolutely nothing to gain by going to war, but that they had no voice in the matter.

The speaker dissected the various motives of the countries involved in the European conflict and he flayed the system that he said had made Europe and is making America a land of feudal lords. He said he would not stop the preparedness prosram of the United States if he could, but he warned his hearers that a big military establishment would cause the governing body of this country to go about with chips on their shoulders and the natural result could be expected.

Colonel Wood laughed at the idea that this country is governed by the people. "Once in a while the newspapers make a flurry, and then again something is pulled off in a small way to make you think you run the government," he said, "but you don't. It is run in the interests of the few."

WILLAMETTE PACIFIC NEARING COMPLETION

FINAL LOAD OF TIMBERS FOR NEW ROAD TO COAST LOADED ON CARS AT EUGENE.

EUGENE, Ore., Feb. 3.—The last of the piling to be used on the trestles of the Willamette Pacific railway was loaded this week and the trestle work will be entirely completed within three weeks if the weather is at all favorable, according to W. R. Fontaine, assistant engineer in charge of construction.

The last trestle work will be on Lake Tahkenich, which is the first body of water north of the Umpqua river. When it is completed it will give the tracklayers an opportunity to lay the rails as far south as the Umpqua river. The track crew south of the Umpqua is now less than two miles from the river and this stretch of track will be completed within a short time.

As soon as the track is completed from both ways to the Umpqua it will be ballasted and when that work is completed the track will be ready for through traffic by ferrying across the Umpqua, where the big bridge is in process of erection, but which will not be completed for several months to come.

Passengers from Eugene to Coos Bay points will ride on the steam train as far as the Umpqua, ferry across that stream, and take a gasoline motor car of the type formerly used on the Springfield branch, from the river to Coos Bay.

Owing to the very bad weather the work of getting out piling for the trestles has been badly handicapped, said Engineer Fontaine.

STEPHEN CARVER IS SUED

PORTLAND, Ore., Feb. 7—In a cross complaint in the suit for breach of contract of Stephen Carver against A. Welch and H. C. Hoffman, of the Washinston Electric Railway company, Messrs Welch and Coffman yesterday prayed for judgment of $200,000 and the return of 3002 shares of stock worth $50,000.

A temporary restraining order was granted the plaintiffs by Circuit Judge Kavanaugh yesterday forbidding the defendant to continue with his suit or to dispose of the 3002 shares he holds.

Grants Pass will soon have a spray manufacturing plant.

Dudley C. Boyles

Republican Candidate for County Recorder of Conveyances, Bases His Candidacy on Experience and Qualifications.

Dudley C. Boyles, chief deputy in the office of the recorder of conveyances of Clackamas county, has announced his candidacy on the Republican ticket for the office of recorder. He is an aspirant for the Republican nomination at the primaries next May. Mr.

Dudley C. Boyles.

Boyles was born in Missouri 40 years ago and has been a resident of Clackamas county 32 years. He was raised on a farm at Molalla, received his education in the public schools there and at the age of 17 he secured a teacher's certificate from County School Superintendent Gibson and taught near Wilholt Springs. He was employed for several years in the store of Robbins Bros. at Molalla and was the first city recorder of that town when it was incorporated, resigning that place to become chief deputy under County Recorder Dedman. Mr. Boyles, who has always been a Republican, bases his candidacy upon his experience and qualifications. He is married and is a member of the Odd Fellows and the United Artisans.

27 APPLICANTS FOR FINAL PAPERS MADE CITIZENS IN 1 DAY

FIVE OTHER CASES DISMISSED AND FIVE CONTINUED—HAZARD TO RETURN.

Twenty-seven persons were given their second citizenship papers Monday, the cases of five applicants were continued and the cases of five others dismissed by Judge Campbell.

United States Naturalization Examier Henry B. Hazard spent the day in Oregon City attending to the cases. He will return Thursday morning to examine Adam L. Wilkinson, an applicant, whose case was continued Monday owing to the illness of a witness.

The cases brought up Monday and their disposition follow:

Cases continued to June 5: Philip Buckelin, Carl Schmidt, Peter Malzanini and Frank Stanklewisz. The case of Adam L. Wilkinson was continued to 10 o'clock Thursday morning.

Cases dismissed: Knute Olsen Lee, Elias Iverson, Peter Doletos, Secondo Umberto Germanetti, August Heilman and Alexander Bews.

Citizenship granted: Joseph Resch, Charles Becher, Robert Moehnke, Mike Lewis Alagich, Hans Olsen Lien, William Rees, David Boyer Eshleman, Peter John Erickson, Edward Netter, Joeph John Price, Fritz de Niederhausern, Daniel Williams, August Henrich Bock, Ernest Joulust Schwartz, William Fred Schwartz, William Michael Moehnke, Alexander Smith, Ewald Quade, John Carlson, Kennedy McLarty, Joseph Staven Peters, William James Page, Marie Boss, Paul Boss, John Sigrist, Arthur Wilhelm Nelson and Karl Buse.

$21 VERDICT SECURED IN ACTION FOR $196

PROPRIETOR OF MT. HOOD STAGE LINE IS SUED FOR ALLEGED UNPAID GARAGE BILL.

A jury in the circuit court Tuesday returned a verdict of $21.59 for Portland Mercantile company and against J. T. Friel. The suit was for $196, alleged to be due on an unpaid garage bill.

The Portland Mercantile company originally filed the suit against J. T. and Maggie Friel, but William Stone, attorney for the defendants, was able to get Mrs. Friel out of the case Tuesday by means of a motion to non-suit action as far as she was concerned.

Mr. Friel, who lives at Cherryville, is proprietor of a Mt. Hood stage line

Elks new lodge at Klamath Falls now completed.

SETTLEMENT OF LUSITANIA CASE IS THOUGHT NEAR

WASHINGTON OFFICIALS TAKE OPTOMISTIC VIEW AS RESULT OF NEW DEVELOPMENTS.

BERNSTORFF EXPECTS FORMAL REPLY FROM BERLIN IN 6 DAYS

American Officials Disinclined to Proclaim Result as Achievement, Owing to Political Situation in Germany.

WASHINGTON, Feb. 8.—In substance the tentative communication from Germany designed to settle the Lusitania case is acceptable to the United States. High administration officials tonight consider that this government in prevailing on Germany to make the concessions and agreements as set forth in the document has achieved recognition of all the high principles for which it has contended in connection with submarine warfare.

While the substance of the proposed communication admittedly is satisfactory, minor changes to clarify the wording and in connection with the form which the formal document shall take were suggested to Count von Bernstorff, the German ambassador, by Secretary Lansing today.

The desires of the United States in this connection were made known to the ambassador after President Wilson had discussed the subject with his cabinet. Count von Bernstorff immediately informed the secretary that he saw no reason why the changes could not be made, but explained in effect that, as a precaution, he thought he was justified in submitting the entire matter to his government for final approval. He did so in a dispatch sent to Berlin tonight, and within about six days the resulting formal communication is expected.

Secretary Lansing insists, it is said by high authority, that it shall be stated specifically in the communication that it is in answer to the American note of July 31.

The ambassador, however, decided not to change even the punctuation of the document without the approval of his government. He had not deemed it necessary, it is said, to include the statement that the communication was in answer to the American note, considering that the same end would be accomplished by submitting it in the form of a memorandum.

FARMERS WILL MEET IN PORTLAND FEB. 14

HOG RAISING WILL BE DISCUSSED AT GRANGERS' CONFERENCE —ALL ARE INVITED.

How greater prosperity may be realized by Willamette valley farmers through improving the hog production on small farms, as well as large ones, is the topic of a grangers' conference called at North Portland for Monday, February 14. A general excursion of livestock raisers of the valley counties will be run to Portland for the occasion.

An urgent invitation is extended members of granges and farmers generally to attend this meeting. The visitors will be the guests of the Portland Union Stockyards at a luncheon to be served at 1 o'clock that day.

Actual demonstrations of how stock is handled and graded, weighed and accounted for when received at the yards, discussions of the problems of co-operative community shipping and marketing questions, followed by addresses by experts on livestock matters will make up a day of instructive entertainment. There will be a trip of inspection through the meat packing plant.

It is planned to have all visitors at the yards before 11 o'clock as Monday is the big market day. An opportunity will be provided those unfamiliar with the processes of community shipping to study comparisons of the stock offered for market and from this to more clearly understand the way and the how of what governs prices. With the average price of live pork in the entire United States higher than it has been and the tendency upward the future looks favorable for the swine producer.

HOGS GET DRUNK.

Some sections may be maintaining "blind-pigs" during these days of prohibition, but it remains for Alspaugh to announce "intoxicated hogs."

John Githens believes he has solved the problem of making alcohol from frozen squashes, at least he knows that frozen squashes contain the necessary bug juice, as his herd of hogs last week became disgracefully drunk and disorderly, after partaking of a desset course consisting of the frigid dainties.—Estacada Progress.

FRED G. JOHNSON IS IN RACE FOR ASSESSOR

DEPUTY UNDER J. E. JACK FOR TWO TERMS CANDIDATE ON DEMOCRATIC TICKET.

Fred G. Johnson, chief deputy under County Assessor Jack and for years connected with tax and assessment work in Clackamas, Baker and other counties, will be a candidate for the Democratic nomination for county assessor at the primaries.

Mr. Johnson has made no announcement, but reliable reports have it that he has made up his mind. Among those who have encouraged Mr. Johnson is Assessor Jack, who declares that his deputy is well qualified to handle the complicated problem of the office by long experience.

Before coming to Clackamas county, Mr. Johnson spent several years in Baker where he followed the same line of work.

HIGHLAND FARM SEEN BY OWNER THE FIRST TIME FOR 33 YEARS

BUILDINGS GONE AND PLOWED LAND NOW COVERED WITH TREES—VALUE INCREASED

Thirty-three years ago Thomas J. Lynch, then a youth of 19 years, came to Clackamas county, liked the country and bought a 160-acre farm, the old John Scott donation land claims, at Highland.

Then he went away. Mining in Idaho and Montana held his attention for more than a score and ten years. The other day he returned and this week he saw his property for the first time since its purchase.

The house, barn and other outbuildings were gone. The Springwater fire eight or nine years ago removed the last trace of them. The 70 odd acres of cleared land is now overgrown with trees of a considerable size, and across the property the traffic of the neighborhood has worn a road. For 13 years the people of the Highland district have used the road as a cut-off, but he proposes to build a fence at once and close the road.

Mr. Lynch made the trip to his farm with E. T. Mass, of Mass' hotel. He kept his taxes paid promptly, and recalled that several years ago he sent a check for $93 to Mr. Mass, then sheriff and tax collector, through a mistake when the sum due the county was $73. Mr. Mass returned the extra $20.

Mr. Lynch has not made up his mind what he will do with the property, but is not anxious to sell. He will probably return to his home in Montana soon, but may make another visit to his Clackamas county farm, so long neglected, next fall.

TWO SUITS ARE FILED.

Mary L. Farnum Tuesday filed a suit in the circuit court against A. R. Hadley, L. Lee Hadley, C. R. Mead, L. O. Ralston, the Washington Securities company and J. H. Hadley to collect on a series of notes totaling several thousand dollars.

Mrs. Elizabeth Hanlein declares that her husband, Fritz Hanelin, would fly into a rage at the slightest thing in a divorce complaint filed against him in the circuit court. They were married in Portland, May 3, 1908, and have two children. She asks for $30 monthly alimony and $40 monthly for the support of the children.

CREST OF FLOOD WILL PASS TOWN SOMETIME TODAY

UPPER RIVER IS FALLING, BUT BACK-WATER FROM COLUMBIA IS FEARED.

OVER THOUSAND MEN ARE LAID OFF BECAUSE OF RIVER CONDITIONS

Supply of Sulphite at Crown Willamette Plant Runs Low and Paper Machines Shut Down—Road at Parkplace Flooded.

Every machine in the Crown Willamette Paper company, the Hawley Pulp & Paper company and the Oregon City Woolen Mills is shut down and more than a thousand men are laid off as a result of the flood stage of the Willamette.

A new element has entered the situation that may result in higher water than expected, according to the mill men. The rising of the Columbia, coming as a result of the thaw in the basin of that stream, may back the water in the lower river up several more feet, still further reducing the head of water at the falls.

Upper Willamette Falling.

The Crown Willamette company received reports from up-river points Wednesday showing that the river at Eugene was 10.5 feet, making a drop of 4.5 feet during a 24-hour period. At Albany the river went down six feet, and at Salem it went up two feet, according to mill figures, during the day.

The river above the falls here Wednesday stood 64.6 feet above zero, and the lower river 63.4 Tuesday night. The lower river went up 2.5 feet over Tuesday night and Wednesday afternoon the Willamette stood above the falls at 65.2.

A study of the river readings and of weather conditions lead mill officials to believe that the river above the falls will rise about a foot more before the crest of the high water goes past today, and that the lower river probably will go up several feet more.

Mills Shut Down.

At the mills of the Crown Willamette company it is not safe to bring logs into the plant. The grinders and wet machines have been shut down.

The supply of sulphite pulp has run low, and these conditions prevent grinding more. The water is almost up to the main drive belt at the woolen mills. The carding, picking and spinning rooms were closed at 8 o'clock Wednesday morning to allow the other departments to catch up with their work. At noon the spooling and dressing rooms were closed and at 2 o'clock the entire plant was shut down.

At the Hawley Pulp & Paper company the sulphite mill is shut down for repairs, but No. 2 and No. 3 paper machines were down early Wednesday on accout of high water. All the plant was shut down Wednesday night.

Parkplace Road Flooded.

The whole country around Parkplace is under water. There is four feet of water on the county road between Oregon City and Parkplace and back-water is almost up to the track of the Southern Pacific at one place.

No damage has been done by the high water, and the local mills expect to resume operations either late this week or early next.

Gymnastic girls may no longer wear silk stockings in the classical high school gym at Lynn, Mass., by order of Miss Agnes McDonald, physical director. Hosiery in basket ball games must be conservative.

DR. MOUNT, BACK FROM FLOODED SOUTHERN CALIFORNIA, TELLS OF CONDITION THERE; COURAGE LAUDED

The story of the floods of Southern California was told Monday by Dr. Hugh S. Mount, of this city, who has just returned from a two-week visit in the stricken district. Dr. Mount, accompanied by his wife, their son and Miss Lorna Ganong, of Portland, left early last month on an automobile tour of the southern part of the state. They arrived just as the floods began, and for over a week were forced to stay in San Diego.

All roads out of San Diego have been made impassible by the storm, and the party left for San Diego by steamer, going first to San P edro, where they took a train. Dr. Mount's automobile is expected to arrive here next week by freight. It will be at least a month, said the physician, before ca car can be taken out of San Diego over the roads.

Dr. Mount has praise for the spirit of the Californians, who are undaunted by the floods. "We found the same boosting, optimistic spirit when the flood was at its height which existed before the storm," he said. "When we left officials of the city and county governments were arranging for a $9,000,000 bond issue to rebuild roads and dams and to put the country in the same condition it was before the flood. They raised $175,000 by subscriptions in the devastated district for the relief of the poor. They would not accept one cent from outside communities. Through their energy and their resourcefulness, there was little suffering following the flood, although wealthy persons were made poor almost over night, and property damage totaling millions was done.

"They will never know exactly how many persons lost their lives in the flood. I saw once fertile valleys that were cut into gullies, made waste land, by the water. Many bodies, it is thought, were buried beneath the sand. A day or two before my arrival you could look upon these valleys and see prosperous homes, cattle, well filled barns, beautiful hard surface roads, and then after the flood these was nothing but broad stretches of waste land, crossed and recrossed by scores of streams and sullies."

Dr. Mount arrived in southern California just as the storm began. He was forced to race across bridges which the current below had undermined, and to travel over roads half destroyed by the water. Once his car was stuck in the mud, and he was forced to desert it over night.

The government and the warships stationed at San Diego aided in the fight against the floods, said Dr. Mount. The battleship, Oregon, stationed at San Diego, carried 4000 pounds of food to towns in which the supplies had run short, and other government-owned ships were pressed into servies when the floods cut off all communication by land.

One of the features of the flood, in the mind of Dr. Mount, was the use of aeroplanes in locating places where aid was needed, and in examining dams far in the mountains, which would have been beyond reach under other circumstances.

STANLEY M'KAY'S ATTORNEYS GO TO CIRCUIT COURT TO COMPEL JUSTICE SIEVERS TO GIVE HIM TRIAL AT ONCE

A writ of mandamus was signed by Circuit Judge Campbell Saturday to compel Justice of the Peace Sievers to show cause why Stanley McKay, charged with failing to give half a road to a passing vehicle, has not been tried. Justice Sievers is asked to appear before the Circuit Court before February 10.

Justice Sievers has demanded that McKay appear in person at the trial, and McKay has been successfully dodging Constable Frost and Sheriff Wilson since last October, when the warrant was issued. The defendant is a former resident of Marion county, and is a member of a well-to-do and prominent family.

Walter A. Dimick, of Oregon City, and Clyde Garmire, of Portland, are McKay's attorneys. Mr. Dimick said Saturday that he hid not know where his client was, but that he intended to force Justice of the Peace Sievers to try him, even though McKay could not be located. Mr. Dimick added that there was a caluse in the Oregon laws which provided it was not necessary for the defendant to appear in person in a misdemeanor case.

McKay is said to be in central California at present and is said to have been married since leaving the state early in the winter.

Justice Sievers said that he probably would be forced to give McKay a trial, although he still contends that the defendant should be forced to appear and answer the charge in person.

McKay is alleged to have hit a buggy wit his automobile on a road near Oregon City early last October, and to have knocked Miss Marie Harvey and B. L. Harvey, who were in the buggy, to the ground and seriously injured both of the occupants.

Under the law the most serious charge which could be placed against McKay was failure to give half the road to a passing vehicle, although the two were seriously hurt, and the heaviest fine is $50. No jail sentence is provided. The costs of the case, resulting from the attemps of Sheriff Wilson and Constable Frost to put him under arrest. The two officials spent several days on the case, before they learned that McKay had left the state. McKay is alleged to have been drunk when he hit the Harvey buggy.