

The Oregonian

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Portland, Saturday, Aug. 29, 1908.

WHAT DOES BRYAN STAND FOR?

When the members of the Iroquois Club, of San Francisco, asked Mr. Hearst to resign his membership in that organization they thought they were discrediting him before the people of the country. Instead they discredited themselves by calling attention to the man who had been the standard openly for the political principles in which he says he believes, while they were willing partly to assert and partly to conceal their political beliefs in the hope of getting office. They are apt pupils of their leader. The Oregonian is accused of misrepresentation when it calls attention to that portion of Mr. Bryan's address of acceptance in the Iroquois Club which will be found in this issue. It is sufficient evidence that he has abandoned the effort to promote the cause of free silver and has ceased his antagonism to the Republican party's Philippine policy.

But that is wholly a matter of interpretation. Opinions may reasonably differ as to what Mr. Bryan really meant the people to infer from his language. In 1896 Mr. Bryan declared that the silver question was the paramount issue, that prosperity could not be restored without re-establishment of the double standard, and that no question is settled until it is settled right. His whole soul was wrapped up in the silver issue. Now he says that he is not in the least interested in the silver issue. He has abandoned the effort to promote the cause of free silver and has ceased his antagonism to the Republican party's Philippine policy.

AT GERVAIS

Gervais is a small town on the Southern Pacific, about forty miles south of Portland and in the midst of a fertile district. While there are many big holdings, there is much diversified farming, and though the town is shadowed by the combined state capital and county seat, fourteen miles distant, it is a shipping station of no small rank. Everything grows about Gervais and there are many special money crops. Just now one firm is sending away a ton of evergreen blackberries a day, with an occasional spurt to three tons. Pickers get about 2 cents a pound for the fruit. That is money from the outside, clear gain almost. Growing clover and hulling the seed is another industry that pays, even with a crop on hand, that is in demand now when very few are growing, from which he has just gathered over half a ton at the first picking and will get a ton more from his vines. He gets 5 cents a pound—all from the outside and the community. Everybody has a hop field around Gervais, and that means very much more money; though the price this year is low. When the tree fruits are ripe, and when the potatoes and other crops that grow in the ground are gathered, Gervais will be again the fore with shipments to Portland and the coast. That is the money that makes a good country town, and Gervais is mentioned because the facts were at hand. There are many like it in Oregon and there are many more that can be made like it if a few men at each place make the start.

RUBBER

Possibly the next editions of the big dictionaries will clothe the verb "rubber" with the respectability of a place in their columns, and lift it from slangdom. It deserves all it can get, for it is one of the most expressive words in the American language. We use the patriotic adjective advisedly, for our cousins beyond the pond have not the keenness of perception needed to encompass its powerful meaning. Originating in contempt of one who would twist his neck in turning the head to gaze at something not intended to be gazed at, he was called "rubberneck" because of the elasticity of connection between head and shoulder. Your true Britisher would never have thought of the proper word. "Giraffe" would be more to his hand, and that would have been slander of a deserving beast, you know. The "rubber" is of all classes, but of one sex. The reason is obvious. There is nothing about the male sex worth "rubbering," but on the other hand there is much. Most of the "rubbers" can be found any clear day on a street corner just after the sprinkling water has passed. They go so easily identified they need no description here. They are contemptible, of course, yet they are human, after all. Some of them are found in the early morning. Notably the man of business, who comes down before 8 o'clock and takes away from the boys of the store a walk with the hose. "The hose"—ah, yes. He has his eye on the hose. There you have the connection. The hose is rubber and he "rubbers" the hose. Some humorist whose name should

go down to fame has told of the only case on record of a female "rubber." It was during the memorable journey from Sodom. "Pa," said Mr. Lo's young son, "Ma is turning to rubber." "I'll fool you," snapped ma, and she turned to salt. Pity somebody all great and powerful cannot cure the freshness of some of the twentieth-century "rubbers" with a little salt.

GUARANTEEING A BANK'S HONESTY.

A Federal guarantee of bank deposits puts the Government at once into the banking business. Do we want that? If we do, why go at the business indirectly by guaranteeing the security of deposits, and as a consequence the solvency of the bank and the honesty and efficiency of the banker? It will be a business of the Government, thus to be responsible for the mistakes and losses of the bank, and the honesty and efficiency of its management, without having a voice—the controlling voice—in its conduct. Why, then, not go into the business directly, take over all the banks and run them? How can the Government protect itself unless it does take over the banks. If it shall go into the guarantee scheme? The bank depositor likes to feel that his money is safe. But should he be obliged to exercise no discrimination between banks, and to accept no responsibility for the consequences of his own good or bad judgment in selecting a good or bad bank? He would not be, of course, under the guarantee plan. He could and would put his money in the bank paying him the largest interest on his deposit or otherwise showing him the greatest consideration by allowing him the largest credit, say, in the matter of rights. His money is safe, however unsafe the bank may be. The Government insists that all banks shall be conducted on certain well-defined lines, thus insuring their solvency? may be asked. The Government does that now, so far as National banks are concerned; but it guarantees nothing, except the prosecution of dishonest bankers. That is all that the Government is willing to do into the banking business, except deposits, make loans and investments, and thus displace entirely the private banker. The most effective and practicable guarantee of the safety of deposits is rigid and perfect inspection and supervision, direct accountability to the law, and immediate responsibility to depositors. The guarantee plan penalizes the honest banker for the crimes and misdemeanors of the dishonest banker. The honest banker will not need to strive by prudent, conservative and careful methods to secure the good will and confidence of the public, and the Government will not be able to do that. It is willing to let the honest banker just as completely as another. Is that wise or fair, or sound in morals or policy? That bank will do the most business, then, that does the most for its clients, or offers to do the most, and the bank that safeguards the money of its depositors best will do the least.

BRYAN AND GOLD STANDARD.

The question has been asked of Mr. Bryan whether or not he will protect the Government gold reserve and maintain the gold standard in case of need. It appeared in the Chicago Record-Herald for the first time, and seems to have been inspired by a letter from an anxious inquirer in Ohio. In this period of stress and strain, with a declining gold reserve, a deficit in the Treasury and millions of dollars interest to pay, what if Mr. Bryan should conceive the happy thought of meeting the Government obligations with silver? What would happen? The Ohio patriot thinks there would be a panic of tremendous dimensions. If Mr. Bryan should decide to pay out silver instead of gold, everybody who had gold would chuck it into a hole in the ground the next night, and when the radiant dawn appeared we should find ourselves all of a sudden where Mr. Bryan wanted to put us long ago, that is, on a silver basis. Of course he can avert all this timorousness and establish our confidence in the future beyond peradventure by simply saying that if he were to do the contingency described he will stick to the gold standard though the heavens fall and all the Rocky Mountain States vote against him. He could settle the matter once for all by a frank and unequivocal statement and thus forever lay the ghost of his past sins, or the most troublesome of those nightmares which haunt him, of laying them all to rest most perhaps to ask of him one time.

THE POLICE COURT.

Mr. Sweet's idea that punishment should be corrective instead of vindictive is strictly in accordance with the common sense of a man with common sense. It is true, too, that when a man is before the court for the first time charged with a petty offense it is often better to dismiss him with a reprimand than to impose a penalty. Upon this all students of penology are agreed. When punishment is imposed the prisoner is forced to live in surroundings which do not tend to make him better. Quite the contrary. Everything contributes to make him worse. It is frequently the case that a person who has no criminal disposition acquires a very decided one by his associations when in jail for some trivial offense. Those who know the wide facts about reform schools, the rockpile and other punitive institutions of that grade are well aware that they are as a rule nurseries of crime. As to fining men for drunkenness, it is often necessary, of course. But it should not be forgotten that if the man has a wife and children, as they who pay fines, do, the routine practice of the Police Court amounts to compelling the wife to bear the burden of her husband's misdeeds. When a man is sent to the rockpile it is argued by many philanthropists that he should be credited with reasonable daily wages, and if he has a family the sum should be turned over to them when his term expires. In a recent number of Harper's Monthly Mr. Howells contended that this principle ought to be applied to convicts in the penitentiary. It is an undeniable truth that trials

in the Police Court are seldom conducted with that consideration for human feeling which justice demands. Although it is the most tragic of all our institutions and reeks with woe and misery, the Police Court is the best of many writers and the frightful characters who are gathered there are made food for mirth. It is like laughter at corpses moldering in open graves. If Judge Sweet can do anything whatever toward making the Police Court a means of mercy and reformation, he deserves the gratitude of everybody and should be encouraged most heartily.

HARSH MERCY.

A proposed law to reimburse the owners of diseased cattle which are destroyed by the state is under more or less active debate in Washington. In favor of the measure is the fact that the man whose stock is sacrificed is often poor and feels the loss severely, that the slaughter is made more for the public benefit than for his own, and that frequently the disease is communicated to the herd through no negligence on his part. The answer seems to be that if the state were to reimburse the owners of the diseased cattle it would cause them to grow careless and infection would go on unchecked. This answer is probably sufficient. Nothing ought to be done which will make stockowners less careful than they are about protecting their herds. Even when the law shows them no mercy there are always some who will take precautions if the cost and stand their chance of escaping by accident. The argument that since the state receives the benefit it should pay for the cattle destroyed is not without weight, but after all it is rather specious. Unless a man's entire herd is diseased he benefits more than anybody else by the elimination of the infected members. If he has wanted without taking remedial measures until all his cattle have caught the disorder, it seems well enough to punish him for his carelessness, which in such an instance differs little from crime. But the contention that infection is often communicated to a herd through no fault of the owner deserves serious consideration. The penalty of destruction, though wholesome, is severe, and the state cannot equitably inflict it unless in turn it gives stockowners all possible protection from the indifference and sloth of their neighbors. If a state official neglects his duty and through his neglect one infected animal is permitted to poison an entire county, then the state is to blame and the owner should bear the loss. To make the law fair one only such inspectors should be chosen as will impose the penalty with absolute rigor and impartiality. Some have suggested damage suits against careless inspectors through whose lack of vigilance or ill-timed good nature stockowners have suffered loss, and the idea has its merits.

NEW YORK, ALWAYS THEATER MAD.

is just now enjoying a new thrill—new play, new author, new plot, new name, "The Devil," and new sensation of the same piece at two theaters, each version differing widely from the other and the men playing the name parts as far apart in their conception as the poles. "The Devil" was imported from Hungary; one translation was made for Henry W. Savage, the other for David Belasco. Franz Molnar, a young newspaper man of Budapest, created "The Devil," who in this displaced play is a polished, well-educated, witty villain whose mission is to seduce the hearts of the young, the seeds of jealousy and cultivate them until they bear the fruit of misery and separation. Iago is the virtuous tyro compared with Mr. Molnar's satanic majesty, who is a volar disruptionist. All things warp at his touch. At last he stands victorious amid the havoc he has wrought and when he comes to the nothingness whence he came. Simultaneous production of "The Devil" at two high-class playhouses fits the critics unusual opportunity for brilliant work, which incidentally furnishes the largest publicity.

CHERRY-GROWERS AT LA GRANDE DRIED A LARGE PORTION OF THE FRUIT THIS YEAR.

Cherry-growers at La Grande dried a large portion of the fruit this year, and have no difficulty in marketing it. This is an enterprise that should be systematically promoted. There is now no established market for a considerable quantity of dried cherries, for the reason that it has been the practice to can cherries instead of drying them. But the drying process should be the cheaper, and also because of the smaller freight charges in getting the fruit to market. If there is to be built up a steady market for dried cherries, there must be care in putting up a good quality of fruit and effort must be made to inform the people of the merits of this fruit when cured instead of canned. If the cherry orchards that have been planted in the last two years come to bearing, it will be difficult to harvest and pack the crop unless drying be resorted to.

UNDER THE STATUTE OF LIMITATIONS A MAN OR WOMAN GAINS TITLE TO LAND BY TEN YEARS ADVERSE POSSESSION UNDER CLAIM OF RIGHT.

That is the rule of the law in such an unimportant matter as title to property. How much longer than sixteen years, then, should a woman be required to live with a man who claims her as his wife before she will be safe from the danger of his denying his marriage to her? It is the open and notorious possession under claim of right which gives title to property. Should not open and public declaration of marriage relation be sufficient evidence to establish that relation after sixteen years? Or is the right of a married person of so much less consequence than the right of a person in possession of property? A good place to experiment with the recall is in counties where the Assessor falls to assess corporation property upon the same basis of valuation that he assesses property owned by individuals.

THE BRYAN AND KERN CAMPAIGN FUND HAS A GOOD RECORD.

The Bryan and Kern campaign fund has a good record. It has received \$220,000. Three dollars more is needed to guarantee Bryan's election.

NOW PERHAPS THE MONGOLIAN PHOENIX WISHES THE INITIATIVE WOULD BE INVOKED BY THE ADVOCATES OF PROTECTION OF GAME BIRDS.

The California Republicans want the tariff revised, except on oranges and lemons. Is the tariff a local question? The American Bar Association has adopted a code of ethics. Now litigants will get a square deal. Mrs. Earle has forgiven her husband. "The more you beat 'em, the better they be." Wouldn't this new fishery law make a salmon laugh?

THINKS CRIMINAL LAW FAILED

Lawyer Favors Imposition of Death Penalty Only in Certain Cases. (From an address on "Are our laws responsible for the increase of violent crime," delivered at Seattle, Wash., before the American Bar Association, by Frederick Bannaman, of that city.) I will suggest some changes in the laws. Appeals—An appeal should be granted in criminal cases only when allowed, and the propriety of it certified upon specific questions by the judge allowing it. Second, the state should under various conditions have the right of one appeal upon error of law after acquittal, the defendant meanwhile admitted to bail. Third, every appeal should be taken within ten days. Evidence—I would suggest total abolition of the hypothetical question. Insanity—A person pleading this defense, as it is not a constitutional right, should be compelled not only to plead it formally, but also to file a bill of particulars of the times, places, circumstances and witnesses in this respect, and in the published report of the jury to be made accordingly. Jurors—On the qualification of jurors the right of examination should be greatly reduced. The number of jurors to be called should be reduced, as to the confinement of the prisoner after conviction of insanity, or his acquittal as insane, all proof of ancestral insanity should be excluded, no more than five years, and this trial should occur before a magistrate or examining board and not a jury.

REFORMS IN PUNISHMENT.

Death penalty—I never thought the time would come when I should believe that the law well be abolished, but I see now in the overwhelming frequency of acquittals, that its rigors are of doubtful use. The spectacle of a murderer trial appeals strongly to the sentimental character of our people, and I must remind you that all the race that has to be enforced, the public abound in such acclamations as "He is making a fine fight for his life." I am at last compelled to believe that our people do not, upon the whole, believe in capital punishment for robbery, except as it attends robbery or burglary. In all the other instances, it simply makes a hero of the defendant. Par trial would it be to try for a while—tooth though I am to come to this conclusion—the expedient of allowing juries to be punished in some instances by a confinement as mild as ten years, the jury, however, having the right to fix the penalty up to life confinement, and in all measures to take the jury into the confidence of the prosecutor in behalf of public order and, certainly, would deprive the criminal of any heroic plight. Against my argument may be urged that the jury is already permitted, in that the jury, upon a trial for murder, may find the defendant guilty of lesser offenses, and that the jury is not permitted to hang. The answer to this is that, as the statute authorizes hanging, a sentimental attitude is created from the beginning, the jury is not seeking the truth, and everybody has sympathy for what may have been done merely in the heat of passion.

PENALTIES AND CONVICTIONS.

It is an old fact in criminal jurisprudence that acquittals increase when penalties are made less severe, and that crime can often be made less frequent by reducing its punishment. To state it conversely, whenever there is a steady increase in acquittals, the crime is increasing, and it is a public dislike of the penalty. This is an old phenomenon in jurisprudence. Its cure was long ago discovered. Don't increase the penalty. Yet I have shown you that they often acquit defendants in this on grounds of emotional insanity. There is no other explanation than that of mercy. Now, if it is to be heard, with evidence on every hand of popular mercy towards murder as an emotional act, to increase present its penalties. It would be unscientific to restrict industry. Who My advice is as follows: In murder by robbery or burglary, retain the death penalty. The people are willing to die for it, and the culprit, being criminally habit, retains the terror of death. In other cases relax the penalty. In a word, my general advice is to lessen the crime of murder by diminishing the penalty, and make the procedure, on the other hand, more simple and severe.

Gyropter, a New Flying Machine.

G. L. O. Davidson, a Scotch engineer, has invented a flying machine, called a "gyropter," which is said to be an even Wright's aeroplane. It has no propeller, but two rotary fans, between and below which the engines are mounted. The fans produce a downward thrust on the air, with the result of lifting the gyropter. When inclined a little forward the fans give a horizontal motion to the flight at high speed. The guide, there is a tail operated by a pendulum, which, through an electric current, brings the motor into operation automatically. Undesirable tilting in any direction is prevented. It is said by the gyroscopic effect of the great 27-foot circular wings. In the event of an accident to the engines, the low center of gravity would prevent overturning and the gyropter would sink slowly to the earth, the rotary wings revolving rapidly against the upward air-thrust created by the descent, thus checking the fall. The inventor has ingeniously utilized a familiar toy.

CHORUS GIRLS THREATEN MASS MEETING.

New York Press. May Leslie, a chorus girl appearing in the "Follies of 1908," is indignant over certain portions of Joseph Medill Patterson's "A Little Brother of the Rich." She declared that she would call a mass meeting of the chorus girls in New York with a view to framing a stinging denial of some things Mr. Patterson has said about them.

FOR THRESHING A MAN, \$30.

Baltimore News. Ascertaining in advance that it would cost \$30 to kick a man, Henry Seiffert, of Bethlehem, Pa., attempted to thrash a barkeeper who refused to check his fall. The inventor has ingeniously utilized a familiar toy.

PARISIAN EDITOR INTERVIEWS MR. HARRIMAN

Thinks Railroad Chief is More Than a King—Also Chats With President Roosevelt and Mr. Taft.

STEPHEN LAUZANNE, editor of the Le Matin newspaper, Paris, France, who visited this country a short time ago, has recorded his impressions of us in a new book, "Instincts of America," published in Paris. He says that what he has written can be called "a series of snap-shots by a journalist." M. Lauzanne's best and longest talk was with E. H. Harriman, the railroad king, and he also delved into the affairs of the Standard Oil, under the chaperonage of William Rockefeller and John D. Archbold. Manifestly, M. Lauzanne's calls on President Roosevelt and Mr. Taft was a short duration.

"King of American railroads," is what M. Lauzanne calls Mr. Harriman, but adds that the title is inadequate. Harriman is more than a king, he says. "He is the most prodigious handler of men and capital of his century," declares the Parisian editor. "In his Broadway office I looked long at the map of his kingdom. It is greater than of any other man of all the sovereigns of ancient Europe." "Mr. Harriman is just over 60. He is small and lean, and speaks in a low voice, but rapidly. His physiognomy is all in his eyes, which gaze at you from behind his glasses, stare at you, put you out of countenance, seeking like two gimlets to bore into you. He is a man of a great deal of force, and he is very beautiful, constructed railroad lines, traversed by the most abominable trains in the world, drawn by antediluvian engines, which never in all their career arrive on time. He is a man of a great deal of force, and he is very beautiful, constructed railroad lines, traversed by the most abominable trains in the world, drawn by antediluvian engines, which never in all their career arrive on time. He is a man of a great deal of force, and he is very beautiful, constructed railroad lines, traversed by the most abominable trains in the world, drawn by antediluvian engines, which never in all their career arrive on time.

FRUIT PESTS IN ORCHARD.

Writer Gives His Unpleasant Experiences With Fruit Inspectors. HUBBARD, Or., Aug. 28.—(To the Editor.)—In last Monday's issue, in an editorial entitled, "Persecuting Our Friends," it is stated that "the farmers of Clackamas County should have given Fruit Commissioner Reid a gold loving cup for telling them what he did not do, and he was pretty good." He admitted that he started out to make the Clackamas County farmers mad, and he was pretty good. Nothing hurts like ridicule, and we of the backwoods are as sensitive of that as any one else. I have had some little experience with fruit inspectors, and have in my orchard now an insect that has given me more trouble than all the codlin moth, woolly aphis and dead-spot combined. Two years ago I sent specimens of this insect to the experiment station at Corvallis, and received an answer to my inquiry in which the professor said "it was a hard insect to combat." Upon receiving that response I felt much like an old friend of mine, who, whenever a bit of stale gossip or a dull job was put upon him, invariably answered, "Please let me something I don't know." I then sent specimens to the Fruit Inspectors, Or., and in three short weeks I received an answer, saying that he, the inspector, would visit my orchard and examine and advise me as to how to get rid of this insect. If a fruit inspector has been nearer than three miles of my orchard, I have failed to find it out. The insects are with us, and I wonder my orchard is not rather non-experience, with fruit inspectors. As to the farmers and fruitmen who are signing petitions for Mr. Reid's relief, should he enforce the law, they should be in better business. If we were to sign petitions for the removal of all officials who do not enforce the laws, we would have very little time left for anything else—at least that is my opinion. J. S. YOERGER.

TRIBUTE TO COLUMBIA'S SCENERY

Grandeur Than Hudson, Rhine or Danube, Says Enthusiastic Visitor. PORTLAND, Aug. 28.—(To the Editor.)—Perhaps the most delightful trip ever taken by either the "care oppressed" or the "idle do-nothing" is the one down the glorious Columbia River on the O. R. & N. boat. The scenery is so beautiful, the fortune of the writer to have steamed up the lovely and majestic Hudson and to have admired the magnificent scenery of the Rhine, and viewed with interest the grand old castles on its banks, and have drifted down the blue Danube and watched the ever-changing panorama of beauty and art, but for that type of scenic travel that appeals to the true lover of nature, the trip on the Columbia is far and away ahead of them all.

Talk From "Silent" Grandfather.

Topoka (Kan.) Despatch. M. A. Low, general attorney for the Chicago, Rock Island & Pacific Railway Company, is known as the "silent man." Mr. Low rarely talks. He is a good listener, but few there are who have heard him take the center of the stage and tell an anecdote. He has a granddaughter, the daughter of Mr. and Mrs. Albert T. Reid. Some time ago a friend was visiting at the Low residence. The "silent man" was present. She is of that talkative age. To the visitor she told pretty nearly everything that it is possible to store in a little girl's head. Finally the caller said to her, "You were only a girl once, were you not?" "My grandpa," was the quick response.

Long Drop Does Not Wake Her.

Philadelphia News. While walking in her sleep, Celia Kendle, 8 years old, fell down two flights of stairs, sustaining injuries which made necessary her removal to the Mount Sinai Hospital. Neither the long fall nor the pain of her injuries awakened her, and when received at the hospital she was unconscious. It was only after a half hour's hard work that the physicians succeeded in arousing the child.

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