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(By Carriet.)

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PORTLAND, SATURDAY, NOV. 6, 1999

THE REED INSTITUTE.

Outline of the scope and purpos of the Reed Institute is presented in the news column, of The Oregonian today. By Mrs. Amanda W. Reed, on of the pioneers of Portland, long a resident of the city, doing what she could for others while she lived, and desiring to extend and perpetuate her benefac tions, an estate worth two millions of dollars has been left in the hands of her menhew, Mr. Martin Winch, for foundation of a permanent se Arts and Sciences at Portland. To clear the estate of obstructions and impediments, resulting from conflict of laws between Oregon and California, is a work that has taken time and called for devotion and patience; but Mr Winch is through with this labor; and the great estate, created by Simeon G. Reed and wife, the finest benefaction that Oregon ever has received, is not to be devoted to the purposes indicated by Mrs. Reed in her will,

Upon Mr. Winch, trustee of the en tate, has devolved the duty of interpre-tation and execution of the purposes will; and after long reflection. following conferences with others whose experience in the history and application of educational effort is of recognized value, z general plan has been adopted by him, of which the i in outline is presented today.

Consultation with Dr. Buttrick, di recor of the Rockefeller General Edusation Board, has supplied one of the bases of this effort and conclusion It is resolved that the Reed Institute shall be an educational establishment of general scope. It is to be the foun-dation and nucleus of a great university, intended as a school of Arts and Sciences, to cover the entire general range of human learning. It is in ended to be the beginning of a foundarange tion of a modern independen university. No great school hither to has had such support at the be ginning as this one starts with. The creation will be a work of many years but here is the foundation. A school of Arts and Sciences, it will be a literary, historical, classical and universal school, a school of the humanities; a school of applied science, too, but not a school merely of mechanical arts, work will lie at the historical basis of the Arts and Sciences, and will develop their latest and fullest experi-ments, demonstrations and results. Not only so, but it will join with others in carrying the torch of learning and

in passing it on from hand to hand. It is a magnificent conception, but not greater than the situation, the opportunity and the promise fully justify Here is to be a great city. It is best situated of all the cities of the Northwest for a university of largest scope and aim. Each state has its own special university and other schools, but an institution like this is of another kind. It should be placed in a large and growing city, where, in first place, it will draw upon resident and local population for its student corps, and in the next place will receive material support from those most interested in building up their city and giving it distinction. Grounds and buildings will be necessary, and the people of Portland must assist in providing The Reed bequest, large and substantial as it is, is but a nucleus. But such a bequest is like the lakes at the sources of the Nile or the St. Lawrence. It will furnish the steady stream, to be supported by affluents from other sources innumerable. The grounds of the Reed Institute should so selected as to be readily access Ible within the city, and improved. from year to year, by the generosity of citizens supporting the original benefaction, so they may be the city's pride and become one of its attractions and glories. Necessity of co-operation and bequests for erection buildings and for the general provision required for a great and independent university cannot but appeal to men and women who wish to leave further means of good works behind Announcement of the plan and purpose of the Reed Institute is an event in the history of Oregon. It concen-trates thought upon a necessary object, and provides a magnificent beginning for an establishment that it may be believed will become a fountain of perpetual inspiration to the life and culture of Portland, of Oregon, and the Pacific Northwest. But the effort imposes a new duty on Portland and its citizenship. That must not be forgotten.

rship for frivolous pupils and night study for serious ones. A school day of six hours is not too long for boys and girls of high school age to employ in learning and reciting their lessons. It is much better for them to do their tasks by daylight under the supervision of teachers than to study at night Upon the whole, it really seems as if the Cleveland high school pupils would

have exhibited better sense if they had not struck. THE LAND AND THE WATER POWER.

Is the Government of the United States, as urged by Forester Pinchot, to develop and administer the remain-ing water powers of the United States opens an immense variety of ques-

The first effect will be to arrest the evelopment of the Western country where the mountain streams and water powers are. The Pinchot policy would be to sit tight, stop everything, by reg-ulations that could not be complied There can be no development vith. ly of, property by private effort, without private ownership. Here also the au-thority of the state and of the Federal Government would come into collision The universal rule has been that the Federal Government had no power of authority over the streams within a state above the reaches of navigation the Federal Government has Since parted with all the public lands about the sources of the streams in the older states, why should it now discontinu the policy? The property lies within the state; the state will have or should have jurisdiction over it, including power of taxation. The water that is flowing in the streams of Oregon should pay taxes to the Federal Government no more than the water that is running in the streams of Pennsylania or the Carolinas.

In this business the people of the West do not desire to deal with Wash-ington. They prefer to deal with their ington. own state governments. Moreover, 1 is not the right of New England, of New York, of Georgia, or of Tennessee to claim payment to the Federal Govrnment for use of water powers in the West. The land carries the water and the water power, and when the buyer gets the land from the Federal Government he is subject to the regu lation of the state for the tax on its value and use.

Mr. Pinchot's contention is a reversal of the usage of the Federal Government on the one hand and an inva sion of the rights of the state on the other. The Federal Government should sell the land, including the water and water power, for what it is worth, and get out. No danger but the state will tax the property heavily enough.

FRENCH AND AMERICAN JUSTICE.

The melodramatic trial of Madame Steinheil; in Paris, invites a comparison between the French method of dealing with a person accused of crime and the American. It is not quite a full statement of the difference to say, as the dispatches do, that the French judge acts as prosecuting attorney. He assumes that function only in so far as he may question the accused and the witnesses at any length and in any way he pleases. He admits hearsay testimony, asks artfully contrived testimony, questions and invents fanciful admissions of guilt, but all this is done with relentless intent to convict. The sole purpose is to elicit the truth. judge is as well satisfied with an acquittal as with a conviction. His reputation does not depend upon the number of prisoners he sentences, but upon his skill in causing the exact facts to transpirer He is, therefore, attorney for the accused as well as for the state

but in the actual trial of a prisoner it must be confessed that the latter function is much the more prominent. Theoretically, efforts to elicit selfaccusing testimony from a prisoner are repugnant to our ideas of justice. We profess to excuse him from saying anything that would help convict him and The North Dakota has also made a better record than that of the British Dreadnoughts. If we have look with real pretended abhorrence upon the French methods. In fact, wever, we do precisely the same thing only with us it is done surrep titiously, in darkness and secrecy, and engage in a war with some country often with extreme cruelty, while in France it is all open and public and in real soon, we may be able to use to advantage this costly pile of steel, but the vigilant presence of the prisoner's lawyer. The French treat all accused no time should be lost, for she will persons exactly alike. With us a friendless individual who falls into the soon be out of date. This power and speed have a formidable appearance at first glance, but when it is remembered hands of the police is subjected to the "third degree." Constitutional guarthat this month Great Britain will put antees are valid only for those who can down the keel for a ship that will depay for protection. The "third de-gree" is an inquisition fully as ruthless velop 70,000 horsepower and is ex-pected to steam thirty knots per hour, as a Frenci. prisoner undergoes in open flagship's glory promises to be court. It is conducted in secret by shortlived. persons whose every interest lies on the side of conviction. Nobody is TRADE WITH THE ARGENTINE. present who can check the police ac No other feature of the ship subsidy ount of the prisoner's admissions. question is more sadly overworked They may even ascribe admissions to than that which insists that we shall him which he never made and there is present numerous millions to shipown. no way of confuting them ers in order that we may secure a proper share of the South American Besides the obvious barbarity of our 'third degree" in comparison with the public inquisition humanely conducted Business men who are actually trade; engaged in trade with South America by the French judge, we must rememhave for years been aware that it was ber that our method, with all its cruelnot lack of ships that prevented the ty, is commonly useless. Even when United States from doing business with a prisoner confesses a crime under pothe rich country to the south of us. lice torture, unless he is among the s also a well-known fact that our most wretched and forlorn of men, too trade with that country is phenomen indigent to employ a capable lawyer ally large, when we consider that we offer so small a market for the prodhis confession is invariably discredited before the jury, as it ought to be, or ucts which South America has to exthrown out of court entirely. On the change with the rest of the world. Ofother hand, evidence elicited in a French court goes to the jury untaintficial trade returns for Argentina for the first six months of 1909 show the d with cruelty and is usually weighed United States in third place as an exfor what it is worth. porter to Argentina But our absurdity does not stop here. After abandoning a prisoner to igno-Great Britain leads in supplying the mports for the Argentine, with onerant and often brutal police inquisitors to work their will on him, we change third of the total, Germany coming next with 15 per cent, while the United States is a very good third with 12 per our method completely when he is brought into open court. With exquisite cent. It is not in these percentage fighypocrisy we then forbid every question which might entrap him into a ures, however, that the United States makes the most favorable showing, but confession. Although the witnesses swear to tell the whole truth, they are in the relative difference between imports and exports. During the six months of 1909, while the Argentine often silenced at the very moment when they begin to tell truth that is of bought goods to the extent of \$47,082,-028 from England, that country purany consequence. The judge, fre-quently the only person present who hased from the Argentine more than has the ability and fairness to question \$51,000,000 worth of the staples which the prisoner to any purpose, is not perhave made the Argentine such a strong mitted to meddle with the examinacompetitor of the American farmer All he can do is to sit and look tionl Germany, like Great Britain, "traded on while the wrangling lawyers strive out? her little bill of \$21,528,713 worth suppress truth and magnify false commodities sold to Argentina by hood on their respective sides. taking in return agricultural products Thus the outcome of our criminal procedure is often the complete failure to the value of \$21,492,618. In the case of the United States, however, the Argentine had but little to offer in of justice. The evidence which the po-lice obtain by their "third degree" is exchange that we could use to advan-tage here. Of the \$250,000,000 in ex-ports during the period mentioned, all so tainted with cruelty that juries always discredit it, while our court prac-tice is so vain and futile that it elicits out \$4,000,000 was for agricultural no evidence at all. Prisoners of im-portance, therefore, are seldom conproducts and pastoral products.

the many foolish efforts to spe the trial. Perhaps the worst mistake we colleges. If leads to superficial schol- make in our criminal procedure is the make in our criminal procedure is the practical exclusion of the judge from folly of the rule of evidence which exuses a prisoner from telling any truth from the United States of \$18,524,536 which weighs against himself.

OPENING THE CLEARWATER.

The news that the Hill and Harriman forces had patched up their differences in the Clearwater country will 1

which finds an outlet through the the Clearwater and Snake Rivers. The natural outlet for the traffic of that great region of richness has always been along the line of least resistance, which of course was the rivers lead-ing to tidewater at Portland. For

nearly fifteen years, however, the laws of nature have been set aside by the railroad companies, and this traffic, in-stead of following the gravity route to the world's markets, has been at greatincreased cost lifted over ountain grades and carried to the more distant markets on Puget Sound. This diversion of business from the channels in which it would flow naturally not only deprived Portland of trade to which by geographical location we were entitled, but the in creased cost of the service placed an unnecessary burden on the producers.

Clearwater and Upper Snake River country, from its earliest settle ment until the invasion of the Northern Pacific, was exclusively in Portland erritory. Had the railroads entered the country by the river route instead of by the heavy grades of Potlatch Canyon, Portland would never have een displaced in that field. The fact that it has required more than a year to perfect an arrangement by which such fierce contestants as the Hill and the Harriman forces can do business over the same tracks in the same ter-

ritory may excuse some forebodings. The management of the new Cam Prairie Railroad Company, which is to work out the delicate problem of handling both Hill and Harriman business out of the Clearwater country. cludes some first-class talent from each of the rival forces. The problem confronting them is not an ordinary one

however, and it would not be at all surprising if it were found necessary ome time in the future to dissolve partnership and build an additional ine down the south bank of Snake River. Fortunately for Portland, before any such contingency may arise the advantages of the water-level route will have been so effectually demonstrated that there will be no more money wasted in lifting freight up Kendrick Hill to be dropped down to

water-level grade again, and thence over the Cascade Mountains. There are two water-level rail lines, the North Bank and the O. R. & N., at Riparia, to receive the Clearwater and Lewiston traffic, and neither will permit the traffic to follow its old route over the mountains.

Physical construction of the line connecting Portland with the Idaho panhandle was completed more than a year ago, but deferred plans for operation have carried the advantageous operation of the line well over to the new year. This will serve to swell the immense new traffic that 1910 will bring to Portland, for next year Portland will be in the Clearwater, in Tiland in the Central Oregon trade fields, three districts which alone turn out business sufficient to build a greater city than the Portland

READY TO FIGHT, BUT-The North Dakota, working up to maximum of 35,150 horsepower, succeeded in showing a speed of 22.25 knots per hour, which places her at the head of the list of big fighting ma-These figures are slightly better than those of her sister ship, the Delaware, the difference in speed un-doubtedly being traceable to the tur-

ports, and the countries which could use them had a decided advantage in practical exclusion of the judge from this respect. That this country sc-any part in trials. Next to that is the cured all and perhaps more than we were entitled to is shown in imports

THE MORNING OREGONIAN, SATURDAY, NOVEMBER 6, 1909.

and exports to the United States of but \$12,057,303. In other words, Great if The Portland Oregonian continu Britain bought \$4,000,000 worth more from the Argentine in the six months than she sold to that country. Ger-Supreme Court matter.

many made a standoff with exports and imports, while the United States be gratefully received in this city. In sold \$4,500,000 more goods to Argen-all the great Inland Empire there is no richer trade territory than that Europe, being such a heavy consumer of Argentine products, must, in order draws and valleys leading down into to feed her teeming millions, maintain a frequent steamship service with the Southern country, and by all the writ-ten and unwritten laws of trade she is entitled to the lion's share of the busi-

Some years hence, when home consumption of wheat has outrun productheir votes decided should not be greated tion, we also may enter the South American field as buyers instead of sellers. It is not entirely clear, howpeople the last Legislature added two Supreme Judges to the bench, which is ever, that the change will bring with it greater proportionate profits than Now, what could The Oregonian do we now enjoy in the trade. One thing is made very clear by this late trade One thing about the matter if it saw fit to carry on the fight started? Many politician report, and that is that it is not lack of will say, nothing, absolutely nothing. But they are wrong. The Supreme Court shipping facilities that is keeping the of Oregon or of any other state is not United States in third place in the trade of Argentina. cearly so large and powerful as the

After several years of Idleness, the Government dredge Chinook is at last to be overhauled and placed in con dition for working at the entrance o the Columbia River. All of the various mazes of red tape through which it is necessary for an improvement of this nature to pass have been threaded and it is expected that the contract for repairs will be awarded in a short The permanent work of the jetty is accomplishing much good on the channel to the sea, but the dredge is a most necessary aid to the work of the jetty, and the increasing prominence of the port as a great shipping enter is such that the dredge can be used to advantage even after the jetty is completed. Portland is a modern port, and must maintain the necessary

equipment for retaining the prestige she now enjoys.

R. M. Wilbur, who died in Portland Tuesday, was one of those cheer-ful optimists who, through good times and bad times allke, never missed at opportunity to "boost" for Portland. Like many another enterprising Portlander, Mr. Wilbur was twice swept off his feet by the temporary reverses, which Portland, in common with other cities, suffered during the past thirty years, but he always came up smiling, and with unshaken faith in the future of his home city, began all over again If Mr. Wilbur's capital dwindled to a dollar, no difficulty was ever experlenced in getting from half to three fourths of it on any kind of a propo sition that promised to better the in terests of Portland.

Right on the heels of an apple fair that showed what Linn, Benton, Mar-ion and Lane Counties could do in the way of raising apples, comes the plaint from Albany' (where the fair was held) of an apple famine. Apples sell for as high as \$3,50 a box, we are told, and apples of good quality can not be had for less than \$2. This This means that farmers could make money by supplying a demand for apples at \$1 a box, since everybody could then afford to eat apple sauce with their Thanksgiving pork, whereas, at present prices for fancy fruit and dearth of ommon, clean, good apples, this is impossible

The record for criminal ferocity has been beaten by a Canadian ad of Thurso, Ontario, 10 years old, who was lately sentenced to six years in the penitentiary for horse stealing. When but 8 years old, he attempted to wreck a Canadian Pacific Rallway train, but because of his tender age, he escaped The exhaustive study penalty_ criminology has failed to throw any light upon juvenile degeneracy of this

PEOPLE ARE NOT HELPLESS. Even a Supreme Court Must Yield to

Their Will. Baker City Herald.

Than Was Estimated

SALEM, Or., Nov. 5.-(Special.)-The new shops at the State Penifentiary are practically completed and in a few days store-making by the Loewenberg-Going Co. will again be in full blast. With practically all the bills in, it is apparent that the construction work has cost about \$6000 loss than estimated by the building commission, composed of Senator Frank J. Miller, of Albany; F. R. South-wick and Ira Erb, of Salem. The total cost will be about \$25,000, while it was thought \$25,000 would be required to do unlimited when the newspaper is fighting for right, and this will be shown fight for a "square deal" in the State Anyone who has followed Oregon's history knows that the present Suprem Court is far from what the constitution intended it to be; and it is very plain that the court has reached its present numbers and salaries through the mas-

terly jugging of politicians who per-Tractically four of the big buildings were gutted by the fire of May 4 last, every particle of woodwork being de-ground only the Bars and smoking sonify all that the word politician implies Will R. King, for instance, now a Su-preme Judge, prates flout the will of the people, and "let the people rule." Yet Will R. King knows that he is holdavery part and only the Bars and smoking walls remaining. These have all been re-roofed with the latest 'patented' rubber roofing and the interior refitted with massive beams and pillars and substantial girders and braces. The new buildings are a distinct improvement over the old, especially in the matter of light. ing an office today that the people by In the face of a decision from the

are a manner improvement over the various especially in the matter of light. A big force of convicts is at work in the various departments, installing the ma-chines and preparing everything for the beginning of actual stove-making. Superintendent of the Penitentiary C. W. James and the other prison officers are greatly relieved to see the shops com-pleted and about to resume operations. Mr. James states that this has been the most trying Summer he has ever ex-perbenced in the prison, as it is much harder to handle 60 convicts while idle or engaged in outside work than while people of the state, and therein lies The Dregonian's opportunity to right an exor engaged in outside work than while employed in the shops within the walls.

Unique Plea.

and that both sections were annu

crime occurred there

ings Are Rat-Ridden.

SEATTLE, Wash., Nov. 5 .- (Special.)-

Scattle's public health department today condemned a total of 165 shacks on the water-front because the investigation proved that they were rat-ridden.

CRIMINAL STATUTE LAPSES THE WIFE'S TEN COMMANDMENTS.

Modern Decalogue Drawn Up by th

direct violation of the constitution.

sting wrong.

The nower of a great newspaper

Queen of Roumania. Stray Stories. 1." Thou shalt not cause the first quar-

el, but, if unavoidable, fight it through bravely. To be victor in the first dome quarrel may have a tendency to elevate thee in thy husband's mind for all future 2. Thou shalt not forget that thou hast

married a man, not a god. Therefore be not surprised by his frailties. 3. Thou shalt not always talk money b

thine husband. Rather try to get along n the allowance he maketh thee. 4. If thou considerest thine husband ceartless, remember that, verily, he hath

a stomach. By persistently appealing to his stomach by persistently appealing to mayest, after all, touch his heart. 5. Once in a great while, but not too often, thou shalt let him have the last word. It tickleth him and wilt not do

hee any harm. Thou shalt read the whole news-

6. Thou shalt read the whole newspaper and magazine, not merely the stories dealing with scandal and society. Thine husband will be pleasantly surprised to find, off and on, that he can talk on general topics and even on politics with his wife.

Thou shalt not be rude even when quarreling with thy husband. Forget not that at one time in thy life thou didst consider him liftle short of a demigod.

8. Thou shalt, from time to time, allow hine husband to know a little more than hyself, admitting that thou are not in-WATER FRONT SHACKS TO GO

raysen, admining this those are now a failable all through. 8. If thine husband is a smart man thou shalt be his friend; if he is not, thou shalt be both courselor and friend to him. 10. Thou shalt esteem thy husband's history because the second second second second second the second seco Seattle Health Board Finds Buildelatives, especially his mother. Remem-er that she loved him long before thou

didst

Choice of \$25,000 or a Cigarette.

New York World. Wilhelm Henry Maximilian Grevel, who led recently at 95 East Tenth street, Manhattan, and who is said to have automatian, and who is said to was started the Fleigehmain bread line, was a lifelong enemy of the paper cigarette. His will, which has been filed for pro-bate, attests his undying hatred of the "coffin nail." His grandson, Grevel Wil-fred Edward Acker, is to be his residuary leaster but is to receive only \$250 if he legatee, but is to receive only \$250 if he legates, but is to receive only \$250 if he smokes paper cigarettes before he is 25. At present the grandson is in blissful ignorance of the ban. He is only 3. Grevel, who had a home at Atlantic Highland. N. J. left about \$25,000. His heir is the son of Grevel's daughter, Mrs. Afa Ida Jeannette Grevel Ackor, of At-lantic Highlands. Not only are the execu-tors to see that the grandson does not smoke cigarettes, but the boy will be re-cuired when 16 er 18, to sign a statement

each animal, had secured over labour rate in a year's time. The city employed six trappers, four poisoners, a laboratory assistant and a laboratory helper and pays the expanses of the Government laboratory which is under the United State Marine Hospital Service, and in charge of Past-Assistant Surgeon C. W. Chapin and Past-Assistant Surgeon M. W. Glover. smoke cigarettes, but the boy will be re-quired, when 16 or 18 to sign a statement each time he draws his quarterly allow-ances that he has not indulged in any ex-cess, and especially in paper digarettes. The words "paper eigarettes" are under-scored in the will, which is 12,000 words long, in the handwriting of the testator.

Council has made regular disk propriations for rat boundles. Monster rat traps, two miles in length, are now in course of construction on the water-front and will be in use within a short time. Up to the present time a short time. e city rat corps, which supplies the nited States Government plague labo-United States downlinear with trappers who work for the bounty of 10 cents a head paid for each animal, had secured over 125,000 rats

Mitchell and Morrison, were discussed Mitchell and Morrison, were discussed informally. The matter of insuring to labor representatives the right of free speech in all sections of the United States was referred, to the legislative committee for its consideration, including the recommendation of appropriate

STUDENTS HOLD BIG RALLY adopted opposing the proposed assembly suggested by prominent Republicans, It is proposed by the labor organizations of

Four Hundred Men Give Songs and

PRISON SHOPS ARE REPLACED MUNLY IS ELECTED AGAIN Cost of Rebuilding After Fire Less | Unanimously Chosen Head of North

East Side Association.

M. G. Muniy was unanimously re-elected president of the North East Side Im Association at the annual provement meeting held last night. He was nominated by Councilman Menefee and the nomination was seconded by Joseph Buchtel, both making abort talks on what Judge Munly has accomplished for the East Side. Judge Munly tranked the as-sociation for the outpliment of the yets. cost will be about \$25,000, while it was A. I. Sauvie was elected secretary, W thought \$32,000 would be required to do N. North vice-president, R. E. L. Sim-

more treasurer, executive committee-W. H. Cadwell, J. P. Sinnott, E. A. Modrath, L. T. Peery and H. A. Heppner. The prea-dent appointed A. H. Manly, S. C. Brach, od Smith, Herman Wittenberg, J. sott and George W. Bates as a Sinnott ridge committee. H. H. Riddell, attorney, reported the

status of the suit started to test the legality of the Broadway bridge bond issue. The association extended a vote Baue. The association extended a vote of thanks to the Mayor and Executive Board for the appointment of Balph Modjeski ms engineer for the Broadway bridge. It was decided to engage specounsel to assist the City Attorney. cial and the matter of raising funds was re-furred to the bridge committee. A meet-ing of this committee will be beld Mon-day afternoon at 3 o'clock at the office of Judge Munly, in the Wells-Fargo

building. building. A communication was received from J. P. O'Brien, general manager of the Harriman lines, saying the reports that these lines were opposed to the Broad-way bridge were untrue, and that these neutral toward that Wara Broadway bridge

Defendant in Murder Case Puts Up ATHLETE IS SECOND BEST

Walter Erben Gets Beating for Re-SEATTLE, Wash., Nov. 5 .- (Special.) SEATTLE, Wash., Nov. 5.—(Special.) —Was there an open season for murder in the State of Washington from March 22 until June 20, of this year? That is what Attorneys J. L. Waller and Thomas R. Horner, representing Arthur W. George, accused of murdering his wife, Elizabeth George, on May 12 at Rainier Boach, will urge in a petition which they will file in the Superior Court of King County tomorrow. A marks Near Girl.

Walter Erben, Pennsylvania University graduate, all-round track man, given honbrable mention because of his record in geology, in which study he majored, un-til recently connected with the United States Geological Survey, stationed in Oregon and scheduled to resume work two weeks from now, is in the City Jall for the second time in a week charged with being drunk and disorderly. Erben is spld to have used language in the presence of Miss Jessie Wood, keeper of a shooting gallery at Fourth geology, in which study he majored, un-Which they will the in the berrow. A Court of King County tomogrow. A copy of the petition with one asking for a change of venue was raceived yes-terday by Deputy Prosecuting Attorney John F. Murphy, who will represent the

John F. Murphy, who will represent the state at the trial. On the petition, the attorneys allege that George was indicted under section 7035 of Ballinger's code of Washington, and the same section of Pierce's code. Recept of a shooting gallery at Fourth and Burnside streets, early last night unsuited to the ears of the young woman in question, and likewise repugnant to the refined sensibilities of her sweet-heart, Henry Duffner, night cook at the D 5 D manual of Suth street North repealed by an act of the State Legisla-ture of Wakhington passed on March 22, 1909. The attorneys assert that at the B. & B. restaurant, 61 Sixth street North, B. & B. Fristattani, a Sixin street worth, who proceeded to make things uncom-fortable for the young graduate, a la James J. Jeffries. When Sergeant of Police Goltz arrived on the weeks the list of casualties included a brogen nose. 1999. The attorneys assert that at the time of the passage of the act annulling and repealing the sections of Ballinger and Plerce's codes, no saving clauses were affixed, and that consequently on May 13, 1909, at the time it is alleged damaged jaw and other facial bruises for Erben. Both were locked up, Duffner being released on \$25 ball for appearance in Municipal Court this morning. was no law against murder in the first degree.

Erben's first arrest occurred over his Erben's first arrest occurred over his attitude toward a shooting gallery girl at Pirst and Madison streets, when the cause of the young woman was espoused by a Japanese. Erbon was discharged for want of a prosecutor. Erbon is said to be of a prominent Philadelphia fam-ily. He has been with the Geological

Survey since last Spring, in and around Eugene. Two weeks ago work was abandoned for one month, and since that time he has been in Portland.

M'CARTHY IS FELICITATED

proved that they were rat-ridgen. It has been the policy of the depart-ment, under Dr. J. E. Crichton and Dr. N. S. Bourns, the Commissioner of Pub-lic Health, and Chief Health Inspector respectively, to rid the city of rats, and during the past three years the City Council has made regular and liberal ap-constitutions for rat boundies. Local Labor Unions Discuss Events in Their World.

Organized labor of this city, through its Central Labor Council, last night forwarded a letter of congratulation to P. H. McCarthy, Mayor-elect of San Fran-cisco, on the Union Labor ticket. The arrest and prosecution of members of Industrial Workers of the World at Spo-kane for holding public meetitugs in the streets and confirmation by the Federal Court of the jail sentences of Gompers.

resolutions bearing on the subject. These will be submitted at the regular meeting of the Central Labor Council next week. "At last night's meeting resolutions were

THE SCHOOL STRIKE IN CLEVELAND. It is difficult to sympathize very ardently with the striking pupils of the Cleveland high schook though doubtless, to them, their wrongs seem bitter They have "walked out" on enough. account of two grievances, had lunches and an afternoon session of the school. In the good old days, when pupils brought their own lunches to school, a hard-boiled egg, two thick slices of bread and butter and a piece of pie satisfied their modest appetite. The egg served a double purpose. At the forenoon recess it made an admirable ball in a game of one old cat. At noon It was eaten. On such humble fare the children of a former generation thrived just as well as do the pampered younglings of our day on more sumptuous repasts. The youth of that period who should have "struck" against his dinner would have had his appetite " oulckened with a hickory In Cleveland the high school principal pleads with his wayward charges to come back and tries to placate them with a promise of better Perhaps there will be more brandy in themince ple after this. The disuse of afternoon sessions in high schools must be included among

Quite naturally, the United States victed. Rich and poor fare allke in the end, the only disadvantage the poor have to suffer being their delivery one of the greatest producers of grain and livestock in the world, could not the police to be tortured before offer a market for these Argentine ex-

The spectacle of grammar school students wallowing in a sea of mud in a football contest at Thirteenth and East Davis streets, Thursday afternoon, was doubtless interesting to al who enjoy that sort of thing. To oth-ers it was a most uncivilized, useless and more or less revolting presentment of "classy" rough-and-tumb

How would it do for the Democratic party managers in Oregon to attend to the affairs of their own party, and cease their worry about the way in which the Republican party is to manage its affairs? Portland Journal and various organs of the Bourne-Chamberiain combine please copy

Dr. Cook still insists that the Dane shall have prior right to pass on his polar notes and record. Evidently the doctor thinks the Danes will understand them better than anybody else. Didn't the doctor make his great announcement via Copenhagen

It is to be expected, of course, that Senator Bourne will name entirely new men for all available Oregon Federal Tried and true Republicans, lobs. doubtless, who have a record of at least thirty minutes' continuous service with the party.

Cook would have got a medal, to he hadn't through an oversight left his instruments at Etah and his other proofs somewhere else-at the top of Mount McKinley, probably

That French judge insists that Mrs. Steinheil is lying. Of course. But has a lady murderess no rights a c urt is bound to respect?

Pollagra is the intest. It comes in corn whisky and other corn products. But pellagra isn't all that corn whisky man will give.

Why is it that to the average person a neighbor's intimate family affair. are vastly more interesting than his own?

The New York Mail complains that it cannot find any good apples. After all that Hood River has done!

Of course no one believed the story that any lion had killed Roosevelt. We know Roosevelt

Peary earned that medal, all right Anybody else may have one on the same terms.

Taft left the mint julep untouched. What was the matter with it?

Presumption! Rank Presumption! Eugene Register.

Shades of Chamberlain, et al! Here a bunch of Portland Republicans declaring in favor of the party conducting ts own affairs without even consulting Oregon Democracy. That's the nervies thing of which a bunch of Oregon Republicans has been guilty for years. ought to be pilloried or burned at the Multnomah. Led by Yellmaster Robert Alton and stake for such political heresy. Even U'Ren was not consulted. That is the Led by refinance Robert Alton and the college band of 26 pieces, the root-ers executed the serpentine along the main avenue. After the parade they marched back to McArthur Field with

last straw. Such treason should not be tolerated. Any further attempt of Renublicans in this state to get together for the good of the party should be throttled n its inciplency. Such presumption is simply preposterous in a state over Republican that is dominated and controlled by the Democratic party.

Ashland's Costly Experience. Grants Pass Observer

Ashland has been struggling for ten ears with the saloon question, and has not found prohibition up to expectation The two papers of the city are telling that the city is losing trade to Medford It is proposed to amend the city charter so as to permit of the Pasadena plan of supplying liquor to hotel guests, and the matter will be voted on at the civic elec tion next month. The "stalwarts" will oppose any concession. Meantime, acding to the Valley Record there is oo much bad whisky lying around loose

in Ashland."

A List of Very Odd Names Baltimore News.

Baltimore News. A New York paper is printing some very odd names that are brought to its attention. Among those contributed are the following, all said to be genuine: Etta Lotta Lamb, ida Sweet Hart, R. U. Phelan Goode, Mabel Eve Story, Edna Broker Legge, Marian Euglish Earle, Nealon Pray Dalloy and L Betty Sawyer. Miss Etta Pyc and Miss Carrie Coffey are two Kentucky lasses, and Constant Agony is a Canadian lumber-man.

An Exclusive House for Children.

As Elementer House for Carloren. Paris Dispatch. Maria Montessori, a lecturer in the University of Rome, is said to be the most intellectual woman in Europe. She is an eloquent and convincing public speaker and has gained a wide reputa-tion for her ideas in the teaching of children, which have made such an ap-peal to the practical mind that she has been invited to build a house exclusively for children in Milan.

Sunflower Stalk Over 15 Feet.

Springfield, Mass., Dispatch. George B. Frolich, of Lynnfield Center, fass., has raised a sunflower stalk which measures 15 feet and 4 inches. The flowers pon the top of the gigantic stalk is as arge in diameter as the top of a flour day night barrel

Yell as They Parade Streets.

is proposed by the isoor organizations of Portland to enligt the ald of all affiliated organizations of laboring men throughout the state, together with the various Granges, in opposing both the assembly and all candidates who may be recom-mended by such a gathering. UNIVERSITY OF OREGON, Eugene, Or., Nov. 5.- (Special.) - In the most en-thusiastic rally of the year, 400 univer-sity students marched through the En-gene streets tonight, singing college songs and giving patriotic yells at every corner. The object of the rally was to arouse interest in tomorrow's big footnall same between Oregon and

M. A. FLEISCHNER RETURNS

football game between Oregon and Prominent Business Man and Fam-

ily Home From European Trip.

After an absence of one year in Europe, Marcus A. Fleischner, of the firm marched back to acceletate to an an several hundred towns people and all then gathered around a huge bonfire prepared by the freshmen. President Campbell, Captain Dudley Clarke, of the football squad; Coach Forbes, Fred Moullen, the old Oregon star, and sevof Fleischner, Mayer & Company, accompanied by Mrs. Fleischner and their

companied by Mrs. Pleisonast and their daughter. Miss Flora, returned to Port-land Thursday night. These Portland-ers spent six of the 12 months abroad in Paris and Vienna, where Miss Fleiach-ner prosecuted her studies in vocal mu-sic. In Paris she wag a pupil of the celebrated teacher, Jean DeRessko, while Guntav Walter was her instructor in The Vienschurg words a com-Monlien, the one opticate talks. Preparations have been made to en-tertain the Multhomah team and rooters at a big reception and dance after the game tomorrow. Three thousand per-Vienna. The Fleischners made a com-plets tour of Europe, among the coun-tries visited being Franks. Italy, Geray, Switzerland, Belgium, Austria and CENTRAL OREGON THE TOPIC

C. H. Carey Speaks Before Portland "Although we had a most delightful

Although we had a most congress time." said Mr. Fielschner hast night, "I must say, aş is typical of every Ore-gonian on returning homo, that I am glad once again to get back to Portland and Oregon. During all of last Summer we did not have to exceed six days of pleasant and seasonable weather. With the exception of these few days it rained and was otherwise disagreeble. I longed to be back in Oregon, where I informed there was an unusually de lightful Summer and Fall.

CONTRACTORS RUN SALOON

Firm of Nash Bros., at University

Park, Raided by Police.

"Nash Bros. Contractors." Is the sign above the door of a shack at the Uni-versity Park station on the St. John car-line. Patroiman Weilbrook and Police Sergeant Smith, who had heard divers and sundry rumors about what kind of contractors the Nash brothers are, made contractors the Nam biomiss are made an investigation last night and found a rully-equipped saloon inside the little shop. Out of the large stock on hand the officers selected one bottle from each brand and brought them to police head-quarters. "Doc" Nach, who was in the brand and brought them to police headquarters. "Doc" Nash, who was in the shack at the time: made his escape, but

shack at the time, made his escape, but will be sought by the officers on a war-rant today. For some time the place has been sus-pected of being a "blind tiger," as it is docated in prohibition territory and last night's raid resulted. The mon will be prosecuted by the city officials for con-ducting a sulcon without a license. The state may also take a hand and prosecute them for violation of the local option law. John Nash, a member of the firm, is a former pollcomum, having been con-nected with the department 10 years ago.

BgO

A thorough outline of conditions in Eastern Oregon and of the railroad build-ing into the vast empire east of the Cas-cades was given the members of the Port-land Realty Board at the monthly dinner held in the Commercial Club rooms last next in the contrast of the carey, counsel for the Oregon Trunk Rallroad, was the chief speaker of the ovening and his talk was of great interest to the members of the

board. At the meeting, presided over by Henry W. Fries, a "question box" was instituted which brought out discussion on the Broadway Bridge, forms of contracts, the placing of real valuations in deeds, ab-stracts of title and guaranteed titles, and other matters of interest to the dealers. A resolution was passed favoring the hard-surfacing of all the streets within the corporate limits.

sons are expected to attend the game.

Realty Board.

the corporate limits.

the corporate limits. A suggestion was made that action be taken by the board to arrange a law for deeds to be presented to the Assessor, before going to the Recorder, to assist the work in the Recorder's of-fice, and this was acted upon favorably. A committee, consisting of J. O. Roun-tree, George Dekum, E. J. Daly and Allen B. Slanson, was appointed to draw up resolutions of condolence in reference to the death of R. M. Wilbur, one of the oldest members of the realty board. The meeting was attended by T mem-

ordes: members of the realty board. The meeting was attended by 7 mem-bers, the largest attendance for the sea-son, and was marked by the reception of 13 applications for admission to the board.

Boller to Referee Prizefight.

CHICAGO, Nov. 5.-Dr. B. F. Roller, of Seattle, Wash., the wrestler, was today selected as referee of the 10-round bout between Packey McFariand and Cyclone Johnny Thompson at Kansas City, Mon-