## LOOPHOLE IS OPEN FOR NEW MERGER

Cummins Wants Railroads Forbidden to Absorb Water Lines.

RAILROAD BILL IS ORPHAN

While Senators Wrangle About Its Provisions, None Is Willing to Acknowledge Parentage and Wickersham Is Blamed.

WASHINGTON, March 18 .- After holding the floor in the Senate for four

holding the floor in the Senate for four days. Cummins of Iowa today completed his speech opposing the Administration railroad bill.

The Senator's discussion today dealt principally with the provision regulating the consolidation of railroads. With this he found much fault.

Pointing out that the regulation extends to railroads alone, he declared that, in the omission of water lines, there was possibility of great abuse, and said it would be impossible to prevent the transcontinental railroads from acquiring the water lines through from acquiring the water lines through the Panama Canal, thus cutting out all competition.

He also pointed out that electric lines were specifically excluded from the provision and declared it would be possible for an electric line to gain control of all the railroads in the country.

Loophole Left Open.

Cummins criticised the words "directly competitive" as defining the lines that may not consolidate. He said such language would afford a wide margin, and it was doubtful whether many lines would be found within the elastic prohibition. Cummins engaged in a colloquy with Elkins, during which he declared: "I want to prevent competing lines

"That is what we all want." responded Elkins. "I am glad to see that the Senator from Iowa is bringing himself into substantial accord with his committee."

"You mean that the committee is being driven gradually to accept my position," retorted Cummins.
Addrich interpreted this statement as
an ultimatum and remarked it seemed to be one of several ultimatums which Cummins had undertaken to lay down Cummins disavowed any such purpose. Nelson suggested the striking out of the entire provision on railroad mer-gers, leaving the anti-trust law in con-

gers, leaving the anti-trust law in control of such cases.

"If we adopt this section, it will be folly to carry on the prosecution of the Union Pacific merger," he said.

Cummins took up the provision placing the approval or disapproval of consolidation agreements at the discretion of the proposed Court of Commerce, and declared it to be unconstitutional because it delegated legislative power to the court.

Bill Seems to Be Orphan.

Borah inquired who was the author

of the provision.

"Search us," ejaculated Clapp.

Cummins suggested the AttorneyGeneral as the real author, and intimated that he believed the President responsible for the original suggestion.
"It is plain," interjected Nelson, "that the bill is an orphan. Elkins thought its paternity quite

"It is here," he said, "and the ques-tion is whether it is right and whether we ought to vote for it, regardless of its origin." Borah said he did not believe the

President, as a lawyer, would uphold the constitutionality of the consolida-Cummins pleaded for an impartial

consideration of the question, saying it was one of the most important meas-ures with which legislation could deal.

## JAPS LET IN AMERICANS

Land Ownership Bill Is Passed by Lower House in Tokio.

TOKIO, March 18 .- The government's land ownership bill was passed by the lower house today. This measure permits the ownership of land in Japan by such foreigners only as come from a country which extends similar privileges to Japanese residents

cans would be given the right of ownership in Japan, notwithstanding the restric-tions placed upon Japanese immigrants by certain states of the Union.

Ex-Vice President Fairbanks Tells of Visit to Emperor.

NEW YORK, March 18.—Japan is a firm friend of the United States, according to a statement made here today by Charles OREGON CITY BOOMS PLANT W. Fairbanks, ex-Vice-President, wh rived last night from his trip around the

"While in Tokio," he said, "I had a chat "While in Tokio," he said, "I had a chat of two hours with the Emperor, and while I am not at liberty to give the details of the conference, I can assure America that Japan is one of the best and staunchest friends we have."

## MT. ANGEL HITS 135 MARK

College Directors See Prosperity Shining on 1910 Year.

MT. ANGEL COLLEGE, Or., March 18.—(Special)—All records for years were broken at the college today when, with the arrival of Caesar Landzi, the registration books showed 185 students. When Mt. Angel was one of the pioneers in the educational field, her registration seldom fell below 350, but with the coming of the numerous small colleges and the expansion the large state institutions, her attend-ance began to decrease, the list of students having for the last few years hovered slightly over the 100 mark. The directors expect a still more prosper-

## FIVE SHEEP ARE DONATED

Idaho Experiment Station Receives

Agricultural College, is receiving donations of some of the finest specimens of sheep in the United States for use on the agricultural farm.

These donations were secured mostly at the recent National convention of sheepmen held at Ogden. Among the donators are the Wood Livestock Company, pair of full-blood Hampshire ewes; A. J. Knowlton Company, of Chicago, pair of Shropshire ewes; I. W. Perrin Company, of Twin Falls, Idaho, a pair of Merino ewes; Butterfield Livestock Company, of Weiser Idaho, and the Rambouillet Company, pair of Hampshire ewes each; George McKerrow & Son, of Wisconsin, pair of full-blooded Oxford ewes; Frank Harding, of Waukesha, Wis., prize

consin, pair of full-blooded Oxford ewes;
Frank Harding, of Waukesha, Wis, prize
winner Oxford ram; R. Nell, Ogden, pair
of Linclin ewes,
John L. Smith, of Spokane, donated a
bull calf. Clark Henry, of Denver, donated a pure-bred Berkshire sow, and
the Ladd estate, of Portland, a hog.
A pair of Percheron mares will arrive
next week. Several thoroughbred cows,
among them an imported Jersey and several prize-winning Holsteins, are being eral prize-winning Holsteins, are being

UMATILLA GRAND JURY RE-TURNS 40 INDICTMENTS.

Man at Helix Escapes Because Collector of Samples Fails to Visit That Town.

PENDLETON, Or., March 18.—(Special.)—Every dispenser of near beer in Umatilla County, with the single exception of a man at Helix, has been in-dicted by the grand jury for the vio-lation of local option law. It was found that the beverage being sold by them contained 4 per cent. of alcohol, whereas the temperance drink is sup-

whereas the temperance drink is sup-posed to contain less than 2 per cent. The Helix man escaped for the reason that the man who was collecting the samples failed to visit that town. The 50 true bills returned by the grand jury today brought the total for the five-day session up to 68. About 40 are reported to have been against the near beer saloon men and the others were against gamblers. Among those accused of gambling were Wilthose accused of gambling were Wil-liam Roesch, former proprietor of Pen-dieton Brewery, and Jacob Sheuerman, former manager of the Pendleton Woolen Mills.

Jake Weich was indicted for per-

mitting gambling in his cigar store. R. W. Henneman and James Estes were indicted for permitting minors to play

In its final report the grand jury recommended that improvements be made to the county jail to prevent a repetition of recent delivery and recommend that the towns make a stronger effort to enforce Sunday closing and to solve the cigar store and billiards room problems.

WRITES LETTER TO SPOKANE MAN WH OSUES HER.

Action of Leicester M. Pond Said Deeply to Have Humiliated Young Society Woman.

POUGHKEEPSIE, N. Y., March 18.— (Special.)—Despite the far defendant's denials, Charles Morschauser, attorney for Leicester M. Pond, of Spekane, who is suing Miss Elizabeth Kelly, of this city, for \$25,000 for breach of promise of marriage, declared today that she had written the young man a personal letter asking for his terms of settle-ment.

Mr. Morschauser's statement has in Poughkeepsie n which Miss Kelly

long wondered why she had not en-gaged counsel and settled the case cate subject to become public propty. That Miss Kelly has been deeply imiliated by Pond's suit is indicated the fact that she has practically withdrawn from society.

## COLONIST TRAVEL REVIVES

Lull, Due to Floods, Followed by Rush for West.

Colonist travel to the West, which was halted temporarily to a large extent by flood troubles affecting nearly every line, to advices received by Portland railway officials from the East.
The flood situation reached an acute stage very shortly after the rates went

into effect. Colonist travel had started in a volume that gave promise of dis tancing all previous records. Then with the papers full of stories of delayed trains thousands of persons intending to come West postponed their trip until later. All railroads are now handling through JAPAN AMERICA'S FRIEND traffic expeditiously and confidence in ability to get through has been restored. Train reports from the Middle West show that all transcontinental trains that carry tourist cars have been compelled to add equipment to take care of the colonists.

Fruit - Canning Establishment Is Sought by Club.

OREGON CITY, Or., March 18 .- (Speor of the capital necessary to start a fruit-canning establishment, the publicity department of the Commercial Club is preparing to open negotiations with a Baltimore firm. The matter has been taken up with

onsiderable enthusiasm by the Commercial Club and it is estimated that between \$10,000 and \$15,000 will be required to launch the project. The Commercial Club's secretary, Charles E. Sawyer, is in correspondence with people who may establish a cheese fac-

Teamster Accused of Smashing Auto. John Leel, a teamster residing at 409 Shaver street, was arrested by Patrol-man Croxford last night on a warrant sworn to by Patrolman R. S. Fiack, charging him with causing the collision of his team and the police auto-patrol, driven by Flack, at Fourth and Oak streets Thursday evening. The patrol

was partially wrecked when the pole of

Sailor Peddles Without License.

Michael Garvey, an lilnerant peddler, was arrested by Patrolman Hunter at Second and Burnside strets last night, Thoroughbreds for Investigation.

MOSCOW, Idaho, March 18.—(Special.)

Dr. W. L. Carlyle, director of the Idaho

Mind and accured the cloth on a recent voyage across the Pacific. He will be arraigned today on the charge of peddling without a license.

Lawyers Finish Argument and Supreme Court Will Soon Render Decision.

HOT CONTENTION ARISES

Bowers Says Net Income From All Sources Liable to Tax-Admission by One of Opponents Stirs

Up His Associates.

WASHINGTON, March 18 .- The last word, by the lawyers, on the consti-tutionality of the corporation tax was spoken this afternoon, and the Supreme Court of the United States took under

Court of the United States took under consideration the 15 cases in which the question arose.

The day was consumed largely by the presentation of the Government's defense of the law by Solicitor-General Bowers. John J. Johnson, of Philadelhpia, closed the attack on the tax, just before court adjourned.

One of the biggest side fights in connection with the great contest was laid bare when Mr. Bowers insisted that "the net income from all sources," mentioned in the law as the basis of measuring the tax, included all the

measuring the tax, included all the property of a corporation.

Assailants Are Divided.

William D. Guthrie and his associates, Victor Morawets and Howard Vansinger, counsel for the Home Life Insurance Company, insisted the law did not mean to include the income derived directly from Federal, state or municipal securities or from real or personal property not used or employed in business. They adaynced this doctrine on the theory that, if the tax were not levied on such property, the law would become clearly constitutional. William D. Guthrie and his associ-

Mr. Bowers argued that corporations cannot hold property that was not devoted to corporate business, either actively or passively. He cited the decision of the Supreme Court, holding the United States could levy an internal revenue tax on the dispensary of South Carolina, as showing that the United States may tax utility corporations.

In closing, the solicitor said the pub-licity feature of the law was not raised in the cases, which involved only private individuals as parties to

Johnson Turns on Guthrie.

Johnson Turns on Guthrie.

Mr. Guthrie, counsel for the Home Life Insurance Company, followed Mr. Bowers, arguing that Federal, state and municipal bonds and property not actively engaged in business are not subject to the tax. He also spoke for the constitutionality of the law as applied purely to a corporation's property actively used in business.

In beginning his argument, Mr. Johnson said the argument of the Solicitor-General was one he would have been willing to listen to had it not been on the other side. As to Mr. Guthrie, Mr. Johnson said he was a "wolf in sheep's clothing," whom he did not want on his side. What made the law so obnoxious, Mr. Johnson explained, was the publicity feature, whereby it was proposed to "embalm" the returns as a public record. "However," he added, "the act must cut off a little higher up."

His principal argument was to prove that the tax was an income tax, and therefore not an excise tax, according

that the tax was an income tax, and therefore not an excise tax, according to the famous income tax decisions.

The wine given to Mark Twain, to drink on the Rhine, did not satisfy his palate any the more, the counsel ex-plained, because they changed the label on the bottle from which it was

"Children in making pictures of cows

and horses," said Mr. Johnson, "have a habit of writing below them 'cow and 'horse,' so you will know what and horse, so you will know what they were drawing. So Congress, for fear if you were left to your own judgment you would not decide it was an excise tax, labeled it."

Mr. Johnson urged that the tax was on the power of a state to "cre-ate" franchises, maintaining that a state does "create" them instead of "authorizing" them, as Mr. Bowers cr-

"If this law is upheld," he said, "and a Federal incorporation law is passed (and I don't know to what extent the fads now running wild will become law), the Federal Government may see tax state corporations out of

Astoria Elks to Build at Once. ASTORIA, Or., March 18 -(Special.)-The building committee of Astoria lodge No. 180, B. P. O. Elks, held a meeting yesterday and directed that the contracts for the erection of the proposed new lodge temple be signed in accordance with the awards recently made. John A. Fastabend was appointed as superinten-dent of construction and work on the building is to be commenced within a

\$6000 to Boost Long Beach.

ASTORIA, Or., March 18.—(Special.)— A meeting of the Long Beach Push Club was held a few nights ago and was attended by several officials of the O. R. & N. Co. The latter made a proposition that if the club would raise \$1200 for advertising purposes, the railway company would add \$5000 to the fund. The re-quired amount was subscribed within 10 minutes and will be used in publicity work in attracting visitors to the beach.

Pythian Sisters Convene.

BROWNSVILLE, Or., March 18 .- Spe ian Sisters closed here Monday night with a banquet. Delegates attended from Salem, Albany, Corvallis, Lebanon, Eugene, Roseburg and Ashland, Delib-eration continued throughout Wednesending day, ending with a night session, which was largely attended by local

Fourteenth Infantry Back Today. VANCOUVER, Wash. March 18.—(Special.)—The Fourteenth Infantry, formerly stationed at Vancouver Barracks, but now returning from a campaign in the Philippine Islands, will arrive tomorrow morning. A six-hour stopover will be made in Vancouver and the soldlers given ce to renew old acquaintances a the post.

Land Board Reduces Loans.

# WE WILL ADVANCE THE PRICES

On every lot in the northeast section of Laurelhurst on April 15. This quarter is known as Plat 2 and has been on the market only a few days. Prices of all lots in this section were reduced to one-half their actual value as a starter and we have decided to allow these prices to remain until April 15. But on that date we will advance these prices to equal the prices being asked for lots in other additions much further out than Laurelhurst and not nearly so well improved. Remember the day

## ON APRIL 15TH

Until Then the Purchasing Power of a Few Dollars Has Never Been Greater Than It Is Now in This Tract-Note the Prices



# LOTS FROM \$600 UP

10% Cash-2% Per Month

An opportunity like the above is seldom had and we advise every person who contemplates the purchase of a home site to act quickly and secure their lot. There are many sections of town without improvements where the poorest lot could not be secured for this sum, yet for a few days only \$60 cash and \$12 per month will secure you a lot in the closest in and most highly improved restricted residence district of Portland which will have every improvement.

**Improvements** 

Asphalt streets, 28 to 48 feet wide, 6-foot cement walks, curbs, 9-foot parkways, shade trees from 15 to 20 feet high, handsome cluster-lighted streets, similar to the down-town district, water, sewer, gas and electric lights—all to be made as soon as possible, for every contract has been let. See this property and compare the improvements here with other sections of Portland.

## How to Get to Laurelhurst

Laurelhurst is on two carlines. The Montavilla and Rose City Park cars go to and through the property. Laurelhurst is not on the outskirts of town. It is from 5 to 10 minutes closer in than other residence additions now on sale. Portland is built up with fine homes for almost three miles beyond Laurelhurst. You are in town if you live in Laurelhurst.

Call at our office or phone us what day and hour you and your family would like to go out to Laurelhurst, and we will be pleased to have our auto call and take you out to the property. Deal with any of our authorized brokers if you prefer.

AUTHORIZED BROKERS: AUTHORIZED BROKERS:
Charles K. Henry Co.
Wakefield, Fries & Co.
George D. Schalk.
H. P. Palmer-Jones Co.
Hulmes & Menefee.
Mall & Von Borstel.
Mackle & Bountree.
K. F. Bryan & Co.
Frick-Dodds Co.
Frick-Dodds Co.
Dubois & Crockett Realty Co.
Chapin & Herlow.
Haas & Bingler.

SALEM, OR., AGENT A. N. Moores 1-2 Bush-Breyman Block

EUGENE, OR., AGENTS Magladry & Shumate

ALBANY, OR., AGENT A. T. Stark

WALLA WALLA, WASH.,

AGENT W. C. Koehne, with Drumheller & Ennis aurelhurst Co.

522-526 Corbett Building Phones-Main 1503, A 1515

MOB FORMS ONCE AND DIS-BANDS, THEN FORMS JGAIN.

Complicity in Jail Delivery Is Offense Charged, One Confesses, Implicates Other.

MARION, Ark, March 18.—Bob Austen and Charles Richardson, negroes, were lynched early today in the courthouse square by a mob of 300 men. The victims were charged with alding a jail delivery here Monday night. Richardson was arrested in Memphis yesterday and was brought here early last night. While on the way to the local jail a mob overpowered Sheriff Lewis and the prisoner. He confessed to complicity in the escape of prison-ers and implicated Bob Austen.

The latter was apprehended and it looked as if the trembling prisoners would be hanged at that time. Coofer counsel prevailed, however, and the Early today, however, a mob formed and marched to the jail. The negroes were seized and the hanging followed.

CLEAN ALLEY, SAYS DOCTOR

To Reduce Death Rate, Municipal Cleanliness Is Necessary.

SALEM, Or., March 18.—(Special.)—
The State Land Board today approved loans from the school fund amounting to \$18.625. Owing to the fact that the fund 1s being rapidly decreased, the Board has made a ruling that hereafter the maximum amount to be lent to any one person shall be \$2500, instead of \$5000, as in the pasi

just as necessary as personal cleanli-

been shown here for three days, will be taken away tomorrow morning. Ten cities have been shown this exhibit and the following will have a chance to see it: Puyallup, March 24 and 25; Ellensburg, April 1 and 2; North Yak-ima, April 7, 8 and 9; Ritzville, April 15 and 16; Spokane, five days, April 19 to 23; Wenatchee, April 29 and 36, Dr. Eugene R. Kelley, assistant state Sealth commissioner, and J. P. Stapleton, county attorney, spoke tonight.

Vancouver Schoolteacher Showered. VANCOUVER, Wash., March 18.—(Special.)—Twenty-three friends of Miss Lillian De Graff, a school teacher in the ity schools, gave her a handkerchief shower last evening, the object of which was to replace a quantity of linen which was lost in an unusual manner. Miss De Graff was washing handkerchiefs, placed them in a boiler, lighted the gas, and went to call on a friend. While she was absent the water in the boiler evap-County, Henry C. Edwards; Sweet orated and the linen was badly burned.

W. C. T. U. to Have Tag Day. MONTESANO, Wash., March 18-(Special.)—The local W. C. T. U. will hold a tag day tomorrow. Funds will be used for the furtherance of the cause of abstinence in this city.

Two Loggers Are Killed. SEATTLE, March 18.-William Mc-Cade and D. Peterson, loggers, were instantly killed yesterday while at work in a camp at Swan Lake, near Kent, Wash., by a log falling on them.

Husband Would Shoot, Wife Fears, DAYTON, Wash., March 18.—(Special.)—Mrs. Ida M. Hoffeditz has obtained an order in court restraining her husband from kidnaping their son. pending action for a divorce. She asserts that he has threatened to shoot, if necessary, to obtain possession of the boy. He lives at Imbler, Or., and

she says in her divorce complaint that in their 15 years of married life, they have lived in 15 towns of the Northwest, much against her will.

Eugene Man Found Guilty. EUGENE, Or., March 18 .- (Special.)-The jury at a late hour last night brought in a verdict of "guilty as charged" against A. J. Patterson, charged with a statutory crime. Sen-tence has not yet been pronounced.

Postmaster to Move April 15. EUGENE, Or., March 18.-Arrangenents have been made by Postmaster Page to move into the new Federal build-ing April 15. The entire arrangement

The entire arrangement and furnishings are elaborate Carriers and Postmasters Named. OREGONIAN NEWS BUREAU, Wash been appointed rural carrier, C. Town send, substitute, route 2, at Portland. Postmasters appointed—Jewell, Claisop

JUST OUT

Home, Linn County, Florence L. Gil-

LIVERPOOL, March 18 .- The Grand National steeplechase handicap of 3000 sovereigns for 5-year-olds and upward. Grand National course, four miles and \$50 yards, was won here today by Jen-

Foxhall Keene's Entry Starts.

kinstown. Jerry M. was second and Odor third. Foxhall Keene's Precentur II was among the 25 starters. Soldiers Are Alleged Thieves, VANCOUVER, Wash., March 18 .- (Special.)-Clyde Williams and Frank Shea, soldiers from Vancouver Barracks, are charged with robbing James Nugent of

about \$40. County Attorney Stapleton filed the information. Donation Claim to Be Subdivided. WOODBURN, Or., March 18 .- (Spe-

cial.)—The J. B. Dimick donation land claim of 320 acres has been sold for \$32,000 and will be subdivided into

All Newsdealers

"THE PRICE INEVITABLE," A GREAT REALISTIC REALISTIC NOVEL By MABEL HERBERT URNER Author of "The Journal of a Neglected Wife." A MAGA-OF CLEVERNESS

APRIL