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INSURGENTS RENEWING WAR ace between regulars and insur nts in Congress is short-lived. The milk of concord has turned sour in from fresh demands of insurts for amendment of the railroad Evidently no amount of conces-

by regulars satisfies insurgents. mins demands that the Administion bill be further cut up so as to mke the Interstate Commerce Comon defendant in all proceedings owing out of orders of the Commisinstead of the Department of Dixon comes forward with all plank of the Democratic National atform, to include control of teleaph and telephone companies in ections of the Commission; also La llette has a plank of the same platrm for physical valuation of rail-

So that the outlook for President Taft's bill is not promising. Germs of strife lurk in many places. Repubfarmonious triumph and insurgents are injecting Democratic amendments into the Republican Administration's

This latest amendment of Cummins. sming the Commission as the Govment's party to rate suits, instead the Department of Justice, directly ses one of the purposes of Presint Taft. At Passalc, N. J., last week President sald in defense of this feature of the . dministration bill.

nother feature of the bill is to give the brney-General complete control over the action after it has left the Interstate innerce Commission and gets into court. erectore the Commission itself has conled the litigation in the courts, and it isented the anomaly of a quasi judicial unal suing in its own behalf to confirm own judgments. It was thought where give this to the Department of Justice, amendments have been introduced by it amendments have been introduced by jich shippers who have an interest may be ard by special counsel if they desire, unegulations of the court President Taft continues trying to

empt insurgents with sugary words ut harmony, when there is no harmony, that will enact his bill as he fered it to Congress and as he has atiently defended it. In few particalars does his bill resemble its former self, and now Cummins and Dixon and La Follette seek to perform other feats of surgery. The mild-mannered successor to the Big Stick President is not an equal match for Congress. Insurgents have found it so easy to get what they want heretofore that they evidently are developing an insatiable appetite.

But insurgents may be going too far with their demands. Their objections to the Taft bill are hypercritand captious. Although the bill gave the Commission authority to review any increase in rates and issue orders thereon, the Cummins amendment has been injected making it compulsory for the Commission to upon every increase of rates before it shall become operative. Insurgents have attacked the Commerce feature of the bill and engrafted upon it a long-and-short-haul clause. They have assailed, in fact, one of its provisions and have even out a vast deal of chatter and laptrap about their argus-eyed statesmanship and their guardianship of the people's interests.

President Taft started out on a proamme of more effective regulation of railroads. His bill has been beset bedeviled on every turn by insurgents. The country at large may not, however, be convinced that this noisy demonstration is for the best interests of legislation or people.

DIRECT PRIMARY IN NEW YORK.

Voters in primaries in Oregon choose nominees of their party and henceforth will have before them in the primaries a ticket of candidates recommended by an assembly. This will make a practicable, sensible primary system. It is the plan of primary reform recommended for the State of New York by Governor Hughes, except that he prescribes an assembly of 150 state committeemen, whereas in Oregon the assembly is to consist of more than 1200 delegates, with possible representation for every precinct in the state.

The Hughes plan was defeated in the lower house of the New York Legislature last week, and in place of it was passed a bill, framed by the well-known committee that investigated direct primaries in other states, providing for election of delegates to nominating conventions in primaries for simultaneous election of a state committee of 150 members, for direct meminating primaries, in any county, or borough whose central committee may sanction that method of nomination, and for extension of registration throughout the state.

The Hughes proposal, embodied in the Hinman-Green bill, was defeated a vote of 77 to 67. The negative vote was 45 Republican and 32 Democratic. The successful bill, known as the Phillips-Meade measure, had a vote of 84 to 54. Now the Senate to be heard from, and perhaps after

that the Governor with his veto. The main point of all of which for the people of Oregon is that the most "radical" proposal in the New York Assembly, that of Governor Hughes, bes not allow wide-open, go-as-youplease primaries, as have been practice in this state for five years Party integrity is protected in the Hughes plan by an assembly of committeemen, who recommend andidates for nomination in primarles. Party electors may accept any or all of the recommended nominees or reject them, as they prefer. In Ore gen, however, an assembly coming directly from the countles and the precincts is to select the recommended

Yet the assembly in Oregon is called I time."

"reactionary" and dangerous to the direct primary law. In truth, however, it is neither. Rather it will make for the security and the success of the direct nominating system. will minimize the evil of office-seeking by unworthy and unfit individuals, and substitute deliberative action in selection of men for office, for the erratic workings of the unaided direct

The cry that Republican assembly in Oregon will undo the direct primary is buncombe and humbug. Assembly is necessary for perpetuation of the direct primary. Governor Hughes and his followers clearly perceived the unwisdom of the unguided direct primary. The abuses of that kind of primary have thrived in Oregon five years and have greatly impaired the character of office-holders in state.

"NON-PARTISAN" LAWYERS

So popular has become the idea of assembly for naming candidates for the people to nominate in primaries that the State Bar Association has issued a call for an assembly of lawyers to name a "non-partisan" ticket for Judges of the Supreme Court. Not to leave any important preliminary undone, the Bar Association has appointed a central committee of "non-partisans," representing the thirteen judicial districts-most of the live members of which committee however, are Democrats and ex-Dem-

So that the assembly movement is making headway. So far, so good. The lawyers evidently know a good thing when they see it, just as the granges and the labor unions do.

But aren't they rather narrow in their non-partisanship when they refuse to take other reputable citizens than lawyers into their conferences and their committees and their assembly? Non-partisanship until this time was supposed to be broad enough to include Democrats, Republicans, Social-Prohibitionists and what not other breed of patriots. The selfishness or clannishness of lawyers is a severe shock to non-partisan credulity. And when lawyers, the world's chief trouble-makers, deny the competency of the mass of the people to name the judiciary, that caps surprise with disappointment.

However, the people have learned to know the lawyers and may not be over-credulous when hearing the good works of the lawyers in non-partisanship. For the people understand that if lawyers had nothing to say about election of judges, more men would be elected to the bench who would make lawyers toe the mark and hurry up business and cease wasting the people's money. Some of the people's best judges have not been approved by lawyers.

The lawyers are to be congratulated. is not to be wondered at that they fail to see the superior interest of the people in the selection of judges.

THE END OF THE WORLD AND THE COMET.

How the world will come to an end is a question which various bellevers answer in different ways. Since the promise given to Noah that there would never be another flood, nobody expects the earth to be destroyed by water, and the natural inference is that the catastrophe will be brought about by fire. Many think that on the last day the world will be wrapped in a vast conflagration, and when the flames cease to rage, there will be nothing left of the earth as we know fact, there will be a heaven and a new earth and there shall be no more sea. It will all be dry land, and the climate and productions will be of the most attractive character. According to John, the principal city of the new creation will descend, ready-built, from the sky; the devil, who troubles our evangelists so seriously, will be chained up for a thousand years at least, and the righteous will have nothing to do but enjoy themselves. Their principal occupation, according to the Book of Revelation, will be to sing hymns, play on their harps and shout hallelujah

All through the New Testament there are clear intimations that at the end the world will be destroyed by fire, kindled perhaps by a comet. Jesus himself does not particularly say so, but those who were in direct communication with him do. His own words describe how the great event will be introduced, and its preliminary signs. For example, there shall be wars and rumors of wars; brother shall betray brother to death, and the father the son; there shall be affliction such as was not from the beginning of the creation; false prophets shall rise-new-thought nealers, professors of the mind cure. and so on; the sun shall be darkened and the moon shall not give her light This sign is interesting in connection with the total eclipse of the moon, which is expected in a few days. The prophecy that the stars of heaven shall fall, which the reader will find in the thirteenth chapter of Mark may have referred to the shower of meteors which astronomers have expected to accompany the transit of Halley's comet. On the morning of the last day, according to the Scriptures, Gabriel will blow his trumpet and awaken the dead, both small and great, who will rise from their graves and ascend to meet the Savior in the The Son of man will come in air. the clouds with power and great glory and shall send his angels, who will gather together his elect from the four winds, from the uttermost part of the earth to the uttermost part of

heaven. What will happen to others it is discreet not to inquire too closely. Just when the last day will be, however, it is not given to any person to know. "But of that day and that hour knoweth no man, no, not angels which are in heaven, neither the Son, but the Father." and nobody else. Some Bible students have rather overlooked this text in speculating on the last day, and have ventured to make exact predictions of its advent. William Miller fell into this sad error in 1831. According to his computations, based on the book of Daniel and Revelation, the day of judgment was to be expected in 1843. and his followers made extensive preparations for the great event. Some of them showed their faith by going crazy. Others gave away their prop-All had white ascension rol prepared as nearly like the fashion in the celestial city as they could con-Even the hens were affected. In sections of the country where the excitement was most fervid, they laid eggs with various prophecies on the One fowl was inspired to inscribe on every egg she laid the words, "The year 1843 is the end of

dawn of the last day the faithful as sembled on a little hill, as was natu ral, since they expected to fly, and waited for the sight of the Lord in the east at sunrise. When he did not appear, they put off the event for a year, and so me of their success have been putting it off from one date to another ever since. Most readers have listened to earnest exhorters who could demonstrate vigorously from Daniel and Revelation that certain date would see the end of the world, and repeated disappointment has not the slightest effect upon their confidence. As soon as one prediction falls, they make another and preach about it just as happily as be

A configgration extensive enough to include the whole earth naturally requires a powerful start, such as it would receive from a comet, should one of these bodies collide with our world. 'Ithough we do not positively know that the final catastrophe will be brought about by Halley's comet or some other, there is good ground for that belief, especially in the book of Revelation. What, for instance can John have meant by the "slel-" he mentions so often in the four teenth chapter, if not a comet's tail? That is the only celestial object which resembles a sickle, and if it should strike the earth fairly it would do precisely what John describes. It would "reap" everything it touched. The "Thrust in thy sickle and reap," text. seems clearly to refer to the effect of some comet's tail rushing over the earth, perhaps the one which is now so fearfully near us. The various angels which are mentioned toward the end of the fourteenth chapter of Revelation can be nothing else, according to some biblical scholars, than the various comets which rush upon us out of the depths of space, and it is perhaps a rational expectation that at the proper moment, predestined from all eternity, one of them will be commanded to strike and bring the futile annals human experience to an end.

COUNTY DIVISION ABUSES, Eight schemes for partition of counties are projected for the initiative election next November, and the end is not yet. Clark County is to be carved out of Grant; Orchard and Hudson Counties out of Umatilla; Otis County out of Malheur; Nesmith, Umpqua and Williams Counties out of Douglas and Lane; and a slice of Clackamas is to be annexed to Mult-nomah. Voters of the entire state are to be called upon to legislate upon these local matters. Boundaries of Orchard and Hudson overlap each other; also boundaries of Nesmith, Umpqua and Williams. Question now vexing direct legislation statesmanship is, what will happen from enactment of all these counties with conflicting boundaries?

The initiative is too easily reached by selfish interests and fad isms. Only per cent of the number of electors voting for Supreme Judge are required on a petition to initiate a bill for statutory or constitutional enactment, and only a majority of the elec tors voting on a measure are required

to enact it into law. This low percentage of petitioners and bare majority of voters expose the commonwealth to initiative nulsances that are becoming intolerable. The number of signatures for petition and votes for enactment should be in-

Also there is need of a general law confining initiative elections for division and partition of counties to the local territory affected. Electors of the state do not possess the knowledge required for intelligent voting on these county questions.

R. H. Thomson will probably not now succeed Chief Engineer Newell, of the U. S. Reclamation Service, So much the worse for the reclamation service, for Thomson is a man of genius. He has fine technical knowledge, great administrative ability. ample experience, bulldog tenacity, unquestioned integrity and far-seeing vision. All these things his remarkable record as City Engineer of Se-attle proves. To Thomson is very largely due the successful carrying out, on a consistent plan formed by him years ago, of the immense project of leveling the ugly Seattle hills and regrading the crooked and precipitous Seattle streets. Seattle as it is today is a lasting monument to Thomson. When Ballinger became Secretary of the Interior and discovered the lamentable condition of the reclamation service, be made up his mind that there must be radical reorganization; and his choice of a chief engineer fell naturally on Thomson. But now undoubtedly the plan must be abandoned. Ballinger's "hands are up," as he graphically put it, and the clamor of the political engineers in reclamation service and the Pinchot-Garfield clique still in Interior Department must be heeded.

The outlook for the uncompleted Government irrigation projects is gloomy indeed. The reclamation service refuses to be reformed or renovated, and the inefficient and haphazard way in which things have heretofore been done will be made even worse by the bitter jealousies and flerce personal feuds in the department.

THE DESCRITES TRUCE.

The public as well as the railroads concerned will not regret that peace has been declared between the Hill and the Harriman forces in the disputed territory through the Deschutes canyon. We have all heard of the commendable work of the man who makes two blades of grass grow where only one grew before; but in a great many cases it is questionable whether a similar degree of merit exists in building two ratiroads where only one is needed. This, of course, applies only to that particular section of line on which the warring roads have declared a truce. After the competing lines emerge from the Deschutes canyon, there is, or will be, business for both roads. Each will carve out its

own traffic territory. To build separate roads through the worst points in the Deschutes canyon would, however, involve tremendous outlay of money for which the public would be assessed in the way of fixed charges until the end of time. One track is ample for the business of the two roads through the disputed points. In the end there will be a heavy saving, which must eventually revert to the people pay the freight. The two roads have already wasted large sums of money in expensive construction, On the night preceding the might have been avoided had the

present truce been reached earlier in proceedings. That it is entirely feasible as well as economical for two empeting lines to use the same track is shown in the Portland-Puget Sound service, where the Harriman lines suc ceeded in securing trackage rights that enabled them to give as good a service as would have been possible had they been sole owners of the line between Portland and Puget Sound Competitive railroad builders, who in the past have largely ignored truces and peace pacts, each year to an increasing extent, realize the folly spending large sums of money to secure results which are as easily obtainable by more diplomatic and much cheaper methods.

LABOR AND REWARD.

"Proctor, a fer years ago, came to Klickitat from Iowa, a poor man, and worked for wages for a start in Klickitat," says a Lyle, Wash., dispatch, announcing the sale of 1 \$15,000 wheat farm which the ex-Iowan had secured in the few years after his arrival. It is quite a parent that Mr. Proctor does not belong to that class weaklings and malcontents who for the past fifty years have been coming into the Pacific Northwest, only to return East after a few weeks' res idence, to spend the remainder their lives in criticising the West.

Nor was Mr. Proctor one of that numerous class who stand on the street corners of the North End and argue that this is no longer a country for the poor man. The Klickitat County rancher with the \$15,000 is only one of hundreds who have me

with similar success. There are today hundreds and thousands of other wage-earners who a few years hence will be reaping the rewards of their industry, just as the Proctors of the present day are reaping theirs.

According to a Washington dispatch, the United States leads the world in the total displacement of completed warships, with the single exception of Great Britain. In numerical strength the showing is less imposing, for there are five other countries which have a larger number of completed vessels than are in possession of this country. In displacement, this country is running a very even race with Germany. As these three countries have so much in common throughout the world, it would seen that they might arrive at some plan by which there could be a check on this tremendous drain on our re-sources. The combined fleets of these three powers could conquer the world with the ships already on hand. The showing of strength would be so formidable that the rest of the world would be overawed to such an extent that it might temporarily make more ploughshares and fewer battleship plates and big guns. The awful cost of peace is rapidly approaching "the awful cost of war.'

The practice of the War Department, in regarding any bridge as an obstruction to navigation, undoubtedly originated in the dim and musty past, when drawbridges were such crude and unwieldy affairs that under the most favorable circumstances they interfered with the passage of shipping, so that the builders were at all times obliged to prevent delays to moving while the people wait may have been all right in the old days and in some cases; but it is all wrong when applied to a city of 200,000 peo. ple where so large a proportion of the number crosses the stream daily. might be a good plan for Portland to re-election four years from now. ington to post our Senators so that depend on Senator Lodge or the other Senator, for a tip as to where their

Hood River berry-growers are re orted to be facing a very serious shortage of labor. Unless they can secure about 2000 berry-pickers a considerable loss will be sustained. A large number of Indians who have in the past been depended on to assist in gathering the crop have not appeared, and are said to be busy looking after their own farms on the res ervations. Nothing of this kind is preventing the horde of idle men who loiter around the North End from going out and earning a little money, but strawberry-picking is hard labor and there is nothing very hard about Spring and Summer cruise among the free-lunch counters of the North End, with an occasional pause to pilot a foaming schooner over a sticky bar. There does not seem to be much of a shortage of men who could labor, but there is undoubtedly an insufficient number who desire to labor.

Tourists and other visitors at the centennial celebration at San Bernardine, Cal., were supplied with a touch of the high life which made California famous in the old days. A Santa Fe special officer encountered an ancien enemy in the midst of a holiday throng, and in the pistol duel which followed one of the feudists fell de d with four bullets in his body. A good deal of the wildness and wooliness has been curried off the West by advancing civilization, but human passions have not changed much the English freebooters set the fashion in killing on the Western shore.

Wonderful that nobody thought to get Roosevelt to allay the fears of the world by issuing a bull against the comet. There is historic precedent for it; and the comet passed without doing harm.

Dispatches say the clash between Peru and Ecuador is averted. It is probable the troops found a case of contractors' liquor and lost sight of the war.

The Oregon Supreme Court having decided that "a good woman need not live with a brute," it is up to the female sex to revise their ways. Of course, no one in Portland was scared about the comet; but some-

thing over 200,000 people feel better Oregon hotel men are organizing to fight prohibition. The hotel man

naturally wants a non-partisan bar. Denver goes "wet" by 15,000. Women vote in Denver. But evidently all did not vote "dry."

Range cattle in Idaho are going mad, very likely on hearing of the high price of mutton.

OREGON A LAW-RIDDEN STATE. And the "Stateamen" Are Busy Piling on More and More.

La Grande Observer Some one in Oregon is working overime to coin new laws for the "peeple. The danger is that this law coining disease wil spread and soon every com munity will have its "statesmen" ready to float a new measure oftener than the amateur poet inflicts the public with a new verse. At present the nu merous laws which are made only to be broken, are burdensome and some of them are the rankest folly.

Now it is proposed to juggle the presidential electors, hold special primaries, etc., for which the dear "per ple" must put up the expense. That is getting too strong. Take the statute of Oregon at the present time and read them over. You will notice that there are many laws in force that you know nothing about and care nothing about Analyze their meaning and many of them will prove to be the most worthless kind of trash. Men sent to Legislatures often get the impression they must pass a law or they will have no standing at home.

What we need in Oregon is a Legis that will kill a whole lot o useless laws and not pass a single one But the Legislature nowadays is not only source of alarm. Under the lative, which may in time prove all right, any citizen who has the bull dog tenacity and a pipe dream can float a measure of his own making. To be sure it costs something, but what of the cost if a man could achieve prominence and leave for his children the distinction of having placed a stat-ute on the Oregon law books?

Along this line of reasoning would

be well to use the pruning knife on a number of useless commis-sions and inspection departments? Here in Oregon we have a Barber Board which is supposed to inspect all bar-ber shops thus protecting the customers. In a good barber shop cleanliness is observed, not because the State Board says it must, but because it is essential to hold the business and usually a good barber will never think of permitting uncleanliness. Yet the Barber Board meets and resolves and adjourns and draws its salary. And then there is the Factory Inspection Department, but what is the use to enumerate these Chamberlain products. George had to have a political machine and in many instances he had to make room for the boys. But the people Oregon are paying the expense. Ju Just how long they will stand for this is hard to say, but for goodness sake do not pile any more new laws on the

The state is law ridden now. It is groaning under its legal load. Supreme Court has been augmented by two more judges, and where will the

POINDEXTER MENACE TO JONES Two Senators From "East Side" Would Not Be "Square Deal." Yakima Republic.

We consider the candidacy of Judge Poindexter, of Spokane, for the Senate a menace to the political future of Senator Jones and thus to our great irrigation enterprises.

Ever since this state was organized it has been the custom to choose one Sena-tor from each side of the mountains. In this matter the west side has always een fair. Indeed, it has been more than fair, for it has always had at least two thirds of the population, and its interest at the National Capital have always been larger than ours. To send another from the east side to Washington now would not be fair. It would be so unfair as vessels desiring to pass through. This to provoke retaliation by the people of tradition that the vessel must keep the west side at the earliest opportunity if it were done. And should the people of the Yakima country, where Mr. Jones lives, to whom his retention as Senator is so highly important, assist in bring-ing this about, it would rightly alienate many of his west side friends and cost him their support when he comes up for keep a special representative at Wash- Jones has many loyal friends on the west side. If that were not so he would not be in the Senate today. Had those friends voted for Judge Snell two years ago on the ground that he was a west side man, Mr. Ankeny and not Mr. Jones would now be Senator. Mr. Jones him-self has asked for a square deal in this matter. He seldom addresses the people of this state except on the subject the work he is doing in Washington the issues of a campaign in which he i engaged, but he is so impressed with the advisability of giving the people of the west side a square deal that he has re peatedly urged his friends on this side west side Senatorial candi date this Fall.

Give Railroads a Fair Show.

Representative J. R. Mann in Leslie's. Transportation by railway is not a mere convenience; it is a necessity. The modern industrial, commercial, social moral and intellectual life depends in a large degree for its success, its useful-ness, its progress and its beneficence upon the railroads. We do not wish to, and we cannot afford to, hamper the progressive construction of rallways, of their prompt and efficient operation, or their wise and successful management. Constructed, owned, operated and managed as they are in our country through the aid of private capital, we do not de-sire to enact legislation which will deprive the owners of that capital of confidence that they may receive just and reasonable returns upon the capital invested by them. Industry would lanuish, commerce would decay, the intel-ectual development of our people might cease if our railways, through legislative interference, were placed upon a side track along the road of continued enlargement and development instead of continuing their trip on that road.

New York Sun. The maid was in the garden hanging out he clothes, when along came a black-

bird and bit off her nose have an employer's liability act on Thus we see the beginning of the move

Two Ways to Succeed. Atchison Globe.

The girl who picks out the style of automobile she wants and makes out a long list of other good things, doesn't succeed in landing a husband as well as the style of girl who talks of love in a cottage and says she will do her own washing at first.

Watermelons and Winter Flannels. Houston Post. We will be burying our countenance in 60-pound watermelons before our New England brethren get their Winter flannels off, but then Texas has a climate made for folks instead of one fashioned for polar bears, walruses and seals.

Not a Circus. Baltimore American. The Administration of President Taff has not been spectacular, but it has been progressive. The only people it doesn't appeal to are those who like a circus.—

Baltimore American Elderly Depravity.

Chicago Tribune

The professor regarded with an eye of suspicion the small yellow cube the walter had brought him. "I take thee," he murmured, "for but-ter-or worse."

MORROW DISCUSSES DIVORCE HARRIMAN PLATS ARE FILED

Suit Money to Be Refused Wives Who Would Trifle With Court.

Allowance of suit money to wives who re "trying experiments in divorce" is a practice that will be frowned upon in Circuit Court, according to a statement lelivered from the bench by Judge R. G. Morrow yesterday. "The husband, when able," said the court, "should contribute within reason to the expense of his wife's It is my practice to allow something, but not much. Applicants for suit noney should be required to show the ames of witnesses, their distance from the court and the materiality of their evidence. I have had frequent experinces where wives had secured suit money in large amounts, and when the cases came to trial it was found that their complaints were frivolous. the laws of this State," con

'Under the laws of this Slate, through Judge Morrow, 'marriage is a civil contract, and though a most important one, there is no more reason that one party should contribute to the other's suit than in other contracts. Divorce is a ne and excess than an attempt to make two people live together who cannot agree."

The matter under consideration was the application of Clara Campbell for suit money in the divorce proceedings brought against her by her husband, John C. Campbell. Some months ago Mrs. Campbell sued for divorce, which was denied by Judge Morrow on the finding of fact that the plaintiff did not desire divorce and was largely at fault in the

Campbell filed affidavit vesterday that since the former divorce proceedings his wife had denied him access to their boy and that when he went to Linnton to see him he was hooted and threatened by a crowd of hangers-on, led by one Svenegald, uncle of his wife, and by her mother and herself. He says that the so-called hotel where his wife resides is no fit place and her family are no fit persons to have custody of the child.
"I have been called upon not less than

ten times to tell these people what could and what could not be done in reference to the child," said Judge Morrow, "and I hope, for the peace of Linnton and the parties and this court, that this case will be settled speedily."

The court directed that Campbell should

The court directed that Campbell should pay \$50 in two equal installments before June 15. Attorney Reed, appearing for Campbell, objected strongly to the order. "This man is on a salary," he said, "and has other obligations. The question is, am I to have my money, or is Judge O'Day, appearing for the other side, to have his?" "If you think that I am going to try this case for \$50," said Judge O'Day, "you are mightily mistaken."

PLAINTIFF CAUGHT OFF GUARD

Woman Who Seeks Damages Displayed Unusual Strength.

That Mrs. Anna Dean, who is suing the Portland Rallway, Light & Power Company for \$50,000 for damages sustained in a collision, was in about as bad a physical condition before the accident as since, and that she is not as badly injured as the evidence for the plaintiff indicates, are the contentions set forth in the evidence of the defense yesterday. The plaintiff was again present in court and had two attacks of hysterics, being carried out screaming each time, to be revived in Judge Gatens' chambers.

Mrs. Irma Hughes, wife of a secret agent of the defendant company, was one of the witnesses yesterday. She told how she and her husband, Frederick Hughes, went several times to Mrs. Dean's residence on a pretense wishing to buy some property and found her going about her housework doing heavy laundry work and moving about freely. Frederick Hughes testi-fied that on one of their visits Mrs. Dean picked up a board half an inch thick and over a foot long and split

it with her hands Isabelle Jeffcott was brought forward to testify to conversations with Mrs. Dean's sister and over the objection of the plaintiff some imsister, who testified in the present trial that the plaintiff's condition was due to the accident, previously told Mrs. Jeffcott that they came from other causes. The case may go to the jury late today.

LAD MAY ESCAPE SENTENCE Court Journal Does Not Show Rec ord of Order.

Half a day was consumed in Judge Morrow's department of the Circuit Court yesterday in an effort to determine whether H. R. Melosch is being legally held for transfer to the reform school, and even then it was necessary to abandon the effort and let the case go over until next Monday.

Melosch, who is 17 years old, was ar-rested on a charge of selling a type-writer not his property. His case was transferred from Municipal Court to the Juvenile Court and he was ordered to the Reform School by Judge Bronaugh. While in custody it was found that he was carrying on a very intimate correspondence with one Zoe Moore, a mar-ried woman, said to be a niece of a city official in a suburban town.

Melosch was brought into court on a
writ of habeas corpus, it being charged
that he had not been properly committed, in that his parents had not been cited and that no legal committment was in existence at the time the writ was issued. The state showed that the boy had no parents within the jurisdiction of

It was found that at the time the writ was issued the court journal had not been written up or signed, although a verbal order had been given by the court In the meantime the attorney for the de-fense secured a certified copy of the journal and with this attempted to show yesterday that his client had not been formally committed. Judge Morrow held that the record could be written up at a date later than the date of hearing but reserved judgment on the question of the citation of the parents. It is intimated that action may b taken against the boy for his activities in gallantry in addition to the charge now

the court.

pending against him.

SONS CONTEST FATHER'S WILL Daughter Who Nursed Testator Is Blamed for Undue Influence.

Whether undue influence was used in persuading W. T. Linn to make a will in which he left an estate of \$4000 to his daughter and only \$5 each to his sons, is now before Judge Clee-ton in the Circuit Court. The trial of the case was taken up yesterday morn-ing and occupied the whole day. The testator died on November 28,

1909. During his long last illness he was nursed by his daughter, Mary Bever, and to her he left his estate, making her executrix without bond. To C. A. Linn, of Portland, and George E. Linn, of Stevenson, Wash., sons, and to Bernard Linn, of Kelso, Wash., a randson, he left \$5 each. The two grandson, he left \$5 each. ent suit, asserting that their father was unduly influenced by their sister. The evidence yesterday concerned the con-dition of the testator just prior to the time of his death.

Route of Buhl Extension Made

Known by Official Action? BOISE, Idaho, May 18 .- (Special)-The Harriman system today made the ern Idaho in some years when it filed plats of definite location in the United States Land Office for the Minidoka & Southwestern road, a subsidiary of the Oregon Short Line, from a point east of Bruneau to the Idaho-Oregon line and

Nyssa, Or., 122 miles. Simultaneously

plats were filed in the Hafley Land Of-

fice for a distance of between 25 and 30 miles making a total distance for the extension out of Buhl to Nyssa of between 150 and 160 miles The route of the Buhl extension is northwesterly, hugging the Snake River most of the distance after it passes east and west through the Bruneau-Twin Falls tract soon to be placed under irrigation. It passed through the towns of Bruneau and Grandview and continues west along the south bank of the Snake

River to Nyssa. It was said today by a representative of the Harriman system that no effort would be made by the Minidoka & Southwestern to begin actual construction work upon the Buhl-Nyssa extension until the plats are approved by the department at ashington. That the extension then ill be completed within two years is mounced by the Harriman representa-Washington.

SAENGERFEST IS ASSURED

Many Portland People Will Hear Singing at Oregon City.

OREGON CITY, Or., May 18 .- (Special.) -Philip Schnorr, president of the German Society, of Oregon City, who has made strenuous efforts to have a saengerfest held in this city, has succeeded, and on Sunday afternoon at 2:30 o'clock this treat will be given the people. This is the first time that an affair of this kind has been given in the state, and it is probable that it will be attended by many of the people of Portland.

There are to be 100 male and female voices in the chorus from Portland, who vill join with the voices of local talent Many members of the Portland Turn Verein are to take an active part. The chorus will be accompanied by an orches-Many members of the Portland tra of seven pieces. Van Jess Portland, will have charge of the Van Jessen. Special cars will be run from Portland.

O'BRIEN GOES TO SPOKANE

General Manager Will Inspect Lines in Inland Empire.

General Manager O'Brien, of the Harriman lines, was at Spokane yesterday. Mr. O'Brien made a hurried trip to the Deschutes Monday and then crossed to the Washington division, where he now is. Mr. O'Brien will return slowly mak-

ing his usual inspections en route. Harry Adams, general freight and pas-senger agent of the North Bank, has returned from Chicago. Mr. Adams reports considerable improvement in his health by the change from strenuous Portland to the quieter railroad situation of the Windy City.

Louis W. Hill, president of the Great

Northern, is reported to end his weeks' trip to Central Oregon through the valleys by arriving Saturday afternoon in Portland.

"STUNG" APPLES TO BE CULLS

Walla Walla Growers Will Improve Quality of Pack.

WALLA WALLA, Wash., May 18 .-(Special.)—Apples with worm stings in them will not be allowed in the pack this year if members of the Walla Walla Fruit & Vegetable Union have any weight

with the orchardists. Last year many growers packed apples with stings all the way from the size of a pinhead to those of a leadpencil. The tiny worm sting does not injure the fruit to any great extent, but the reputation of Walla Walla Valley apples is impaired The rules adopted at the Spokane No tional Apple Show allow each locality to interpret for itself the rule regarding

worm stings and bruises, MYRTLE CREEK BANK IS SOLD

J. R. Laswell, of Portland, and G. W. Huffman, of Woodburn, Buyers.

MYRTLE CREEK, Or., May 18 .- (Special.)—A deal was closed today resulting in the transfer of the Citizens Bank to Jesse R. Laswell, of Portland, and G. W. Huffman, of Woodburn, for the past three years cashier of the Farmers & Merchants Bank of that place. Mr. Luswell purchased the interest in the bank including real estate, formerly controlled by B. J. Howland and also the stock wned by N. Selig.

Mr. Huffman acquires part of the bank stock and real estate interests of C The consideration involved was not made public.

Water Tank Bids Opened.

ASTORIA, Ot., May 18 .- (Special.)-Blds were opened at Fort Stevens yesterday for construction of five rein forced concrete water tanks as a reserve to the system now in use there. Following were the bids which have been forwarded to Washington with the recommendation that the lowest bidder be awarded the contract: Mebidder be awarded the contract: Guire & Jamieson, Astoria, \$2550; Gustafson, Astoria, \$3612; Newport Engineering Company, \$5250

Condon Counts 1243.

GONDON, Or., May 18.-(Special)-C. N. Laughridge, enumerator in this city, today forwarded his final report of the census to Census Supervisor Beach at Portland. The enumeration gives Con-don an official population of 1243, Enumerators in several of the outlying census districts in the county have also sent their report to Portland. The total population of the county will closely approximate 4500.

Resignation of Lochr Is Accepted.

WALLA WALA, Wash., May 18.—(Special.)—Resignation of L. W. Loehr, for two years City Surveyor, has been accepted by the Council. Mr. Loehr's stepoing down and out is the climax of tro ble over street paving that has been ex-isting between his office and the City Council for the past 18 months Walter Reyhorn, his assistant, was the choice of the Council for the vacancy.

Man Kicks Way Out of Jail.

WOODBURN, Or., May 18 .- (Special.) -Kicking a hole through the side wall of the city jail, a man, supposed to be James O'Brien, escaped last night. O'Brien was arrested for drunkenness, the Marshal being unaware that the man was wanted at Roseburg, where a grand jury has indicted him for alleged forgery.

Woodburn Masons to Build.

WOODBURN, Or., May 11-(Special.)-It has been decided to erect a \$16,000 Ma-soulc temple in this city. Building will begin next month. The muterisl will be white pressed brick and the building will be modern throughout, Among several other buildings projected is an operational house, by George Ferneding.