

RECOUNT IS NOT TO BE DEMANDED

Census of 1920 to Be Relied On to Restore Thousands Stricken From Lists.

DIRECTORY SHOWS 265,000

Enumeration of Adjacent Suburbs, Which Are Part of Real City, Will Add to Total—Business Growth Shown.

The population, as announced after revision by the Census Bureau, is 267,214, confined solely to boundaries which have not been changed since 1908, while in the meantime independent municipalities which are separated from the city by only imaginary lines have thrived and grown under the same impetus that so greatly increased the population within the city limits proper.

Adding the population of St. Johns, 6,500, as conservatively estimated; Mount Zion district with 10,000; Eastmoreland's 2,000; Lents' 5,000 and the 2,000 in the Linton district, would have made the total population of the real city in April, 1910, 282,214. Going south of the golf links, the city of Milwaukie might be taken into the city and the area still would not equal that of Seattle, but would mean 1000 more population.

Recount Not Feasible.

Business men and leaders of commercial organizations believe that the census count does Portland an injustice but no formal effort will be made to dispute the figures or secure a recount. It is conceded that a recount would be an impossibility now because of the rapid growth of the city. To ascertain how many were here on April 1 would be impracticable, it is said. The returns from the banking clearing-house and the Post-office, as well as other centers of business activity, which are considered a sure index to growth of a city, have gone forward so rapidly the past season as to indicate a tremendous influx of inhabitants.

While Seattle, with its 52 square miles of territory is conceded at this time to have a larger number of inhabitants than Portland, it is pointed out that its bank clearings and postal receipts have consistently fallen behind those of Portland during the past year in percentage of increase.

It is asserted by Portland merchants that Portland's remarkable increase in population, most of which is accounted within the past five years and which is accredited as 12.2 per cent in a decade, will hold Portland among the leading cities of the United States, and they propose to leave it to the census of 1920 to make restitution of the thousands who were stricken from the original enumeration.

Directory Indicates 265,000.

A second enumeration of the city, begun on September 1, has just been completed by R. L. Polk & Co. in securing data for the new directory of the city. Using a multiple of 2 1/2 for every name in the directory, H. T. Hutchinson, manager for the directory concern, contends that the population of Portland on April 1 was approximately 245,000, with 25,000 additional inhabitants living in the suburbs served by the streetcars and interurban railroads, and which are just a portion of the city for comparative purposes.

"It is evident to me that Portland has been treated with scant courtesy by the census people," said Mr. Hutchinson yesterday.

"Leaving out all Chinese and Japanese, except the merchants of those nationalities, Portland will show the same record as the new directory. From long experience in the United States our company has adopted the multiple of 2 1/2 to 1 as a basis of determining the census of people living in a city. On that ratio the city would have had 265,000 inside the incorporated limits and adjacent to the city. My estimate places 25,000 in the suburbs."

Manager Hutchinson was until last year in a similar position at Seattle and his family, with whom he has been married for three years, beginning in 1908 the town of Ballard, with approximately 15,000 inhabitants, was annexed and finally in 1909 a scheme for the extension of the mantle of Seattle government to all suburbs was fostered and carried out. The census of 1910, just before the date of the census enumeration, Seattle again reached out and engulfed Georgetown with its 6000 to 8000 people.

Suburbs Counted Separately.

While Seattle was growing by annexation Portland was adding the smaller towns which are really a portion of the city and appear in the census returns until they knocked at the door of the larger city for admission. Under those conditions each of the towns lying in the district surrounding Portland has been enumerated as portions of Multnomah County.

Commenting upon the character of the inhabitants of Portland, Hutchinson said that those of the city on the Sound, Manager Hutchinson declared that Seattle had a floating population of at least 30,000, and his estimate of the same census returns in Portland was placed at 15,000.

"By a floating population I mean a class of persons who are not permanent residents in a city," said Mr. Hutchinson. "Seattle is so situated as to gather a tremendous lot of people either going to the Alaska and northern countries or returning from such places. These do not come to Portland, or if they do they simply pass through. Again, Seattle receives a larger tourist business than Portland. People make that town their headquarters for the summer and then turn north into Canada. Thousands of people coming back into the states from a tour of Canada reach Seattle and then drift east."

Home Owners Predominate.

"Portland laboring people are largely home owners, and in that respect it will be shown by the census returns to be one of the leaders in the United States."

Teedy Brothers, railroad contractors, and Porter Brothers, similarly engaged, in this state, yesterday expressed emphatic disapproval of the elimination of several thousand Japanese and white laborers who could not be found in Portland when the inspection took place. They aver that 20,000 laborers and loggers make their homes in Portland during the winter, and that most of them are out at work before April 1 every Spring.

It is declared that the larger part of the census returns of the census of 1910 were of such laborers who could not be found when the examination was made. Their landlords had endeavored to tell

MAP OF PORTLAND AND INDEPENDENT MUNICIPALITIES WHICH REALLY ARE PORTION OF CITY.



The enumerators that the men belonged here and to have them counted.

FIGURES ARE ENCOURAGING

Portland Residents Assert City to Be Greatest Commercial Center.

"Disappointed as almost every Portland citizen will be, the census figures are still a great encouragement," said Mayor Simon.

"Portland is going ahead faster than any city on the Coast, as is shown by the advancement made in the last two years and from conversations with visitors, familiar with what is being done in other places. Los Angeles is becoming a great home city, and is sought by wealthy people from all parts of the United States who are able to support winter homes. That is as it should be, and along the same line of reasoning Portland may expect to become the greatest commercial center of the Coast within the next ten years."

In line with the views expressed by the Mayor almost every citizen of Portland, who was consulted, expressed disappointment at the result of the census and believed that the difference in area between Portland and Seattle. No one admitted that Seattle is at this time a greater city than Portland, and refused to concede a difference of 20,000 in favor of the Puget Sound city, in view of the comparative reports from the banks and postoffice receipts for the past few months.

"We don't care how many people Seattle has," said Harvey Beckwith, president of the Portland Commercial Club and manager for Wells, Fargo & Co., "so long as Portland has been correctly enumerated. I want to see Seattle credited with the full number of people and, if the population of that city is greater than that of Portland, it should be so recorded, but I honestly believe that we had more people here than that."

"I looked for nothing less than 300,000, and were to include some of the important suburbs within our city limits, making the area as large as that of Seattle, we would have at least 350,000."

"However, the figure they have given us is official and we must be satisfied. It will do us no good to criticize. We will have to start in with renewed efforts to increase our prosperity and thereby increase our population. In the next five or six years we will outstrip every other city in the Northwest and possibly every other city on the Coast."

William MacMaster, president of the Chamber of Commerce, also thought the count would be more, but expressed his pleasure at knowing that it had crossed the 250,000 mark.

"The result places us in the same class of cities as those having many more people than we," he explained, as in looking them all cities between 200,000 and 300,000 are placed in one class. Our showing in this respect will be the same as that of Seattle, Denver, St. Paul, Providence and other cities that have been in a class above us."

"While I had looked for at least 350,000, the figures as reported from Washington will give us additional room to grow during the next ten years. There will be no question at the end of that period which place is the greater."

SEATTLE HOPE OF 300,000 GONE

Citizens, However, Will Engage in No Census Controversy.

SEATTLE, Nov. 27.—While there is bitter disappointment that the census gives Seattle a population of only 237,184, it has been known for six weeks that the total of 300,000 inhabitants, and after a long and bitter battle, the census returns had been materially reduced.

The report generally accepted was that the total had been cut to 237,000; hence the additional 300 names is a solace. It is felt that it would be undignified to engage in a controversy with Director Durand, and probably no action other than a formal protest to the Chamber of Commerce will be taken.

During the enumeration last Summer, Seattle people say, the names were excluded of thousands of Alaska and Westerners in Seattle and who had left Seattle for the North before the Seattle census was taken and after the Alaska census had been completed. Sailors on ships that ply from this port were not enumerated unless they had a fixed abode ashore, and they generally did not have.

It has been known since last Summer that the regulations of Director Durand had dashed Seattle's hopes of being credited with 300,000 inhabitants, and after thinking it over Seattle has decided to make the best of it.

Fast Work Done on Wire.

What is probably a record in Washington-to-Portland telegraphic service was made Saturday evening by the Western Union, in "flashing" the Portland and Seattle population figures to the Oregonian.

The figures were handed by Director of the Census Durand and Harry J. Brown, of The Oregonian News Bureau, Washington, to an operator in the Western Union office of the Census Bureau at 6:52 Portland time. A few seconds before 6:53 the figures for Portland and Seattle were in the hands of The Oregonian's news force, having been telegraphed directly into The Oregonian office.

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AMENDMENT STRS LOCAL ATTORNEYS

New Judiciary Measure Held to Be Clouded and Contradictory.

PRECEDENTS WIPED OUT

Multnomah Bar Association to Discuss Law Which, It Is Said, Takes Power From Jury and Sets Aside Forms of Evidence.

Intense interest among the legal fraternity has been aroused over the meeting of the Multnomah County Bar Association, to be held on Tuesday evening in Department No. 2 of the Courthouse, for the consideration of Article VII to the constitution of Oregon, recently adopted, which revolutionizes the present judicial system of the state and opens wide the gate for a new kind of a Supreme Court.

The more the amendment is considered, the more it becomes apparent that its meaning is clouded with contradictory statements. F. J. Holman, James B. Kerr and A. B. Clark, attorneys, who were interviewed yesterday, declared that the measure was the most revolutionary adopted by any state of the Union and for that matter, any English-speaking nation, for it wiped out in a single stroke all precedents. Half a dozen or more attorneys are giving the subject careful consideration and preparing themselves for a full diagnosis of the meaning and intent of the new constitutional amendment. Judge M. L. Piper will deliver an exhaustive lecture on the subject, giving his views of the new powers of the Supreme Court and the placing in the hands of the Legislature power to create a new judiciary system for the state.

Law Is Contradictory.

"The preparation of this law," said Mr. Holman, "was in the hands of the People's Power League and, the way I understand it, several drafts were prepared before the present one was decided to be placed before the voters. I know of three that were prepared by the league, but these were so drastic and so unusual that they were changed. The present law follows the general lines of the other drafts, and I am at loss to know how an attorney could have drawn it up. It is contradictory, misleading, at variance with the precedents of a century of legal practice, and crosses swords with the common law, which is the source of our jurisprudence, while the bill of rights is made a plausibility."

"Any attorney who will sit down and read the amendment over will find the whole thing into the corner of his room in disgust at its lack of clearness and definitive form. Let us take up Section 3 in the beginning of the section which says, in defining the duties of the Supreme Court:

"It will be a long step backward when we destroy or impair trial by jury. It is through our jury system alone that the ordinary citizen comes in contact with, and as a part of, the administration of justice. We will not better that system or increase its efficiency by taking from the jury composed of citizens at large the right to try and determine controversies between man and man, and between the state and its citizens, and give that power to the courts, trained as they are before the bar and on the bench to determine with abstract questions of law than with the concrete instances of right and wrong between contending individuals."

Appeals Would Be Barred.

"What does that mean? Simply this: You cannot appeal to the Supreme Court unless there is no evidence to support the verdict. No client would go into court without some evidence. It would be a rare lawyer, indeed, who did not have some sort of evidence. The trial judge in the lower court would throw the case out before the case got well along if it was so full of evidence that there will be no cases go to the Supreme Court if my judgment serves me right."

But let us read a little further: "Upon appeal of an case to the Supreme Court, the party may have the bill of exceptions to the whole testimony, and the charges to the jury and the other matter material to the decision."

"Now, what do we get from this wonderful gem which desires to reform the judicial system of Oregon? The bill of exceptions to the whole testimony, and the charges to the jury and the other matter material to the decision, without 'no evidence to support a verdict,' they propose to send up all of the documents involved in the case. The bill of exceptions to the whole testimony, and the charges to the jury and the other matter material to the decision, without 'no evidence to support a verdict,' they propose to send up all of the documents involved in the case. The bill of exceptions to the whole testimony, and the charges to the jury and the other matter material to the decision, without 'no evidence to support a verdict,' they propose to send up all of the documents involved in the case."

"If the Supreme Court shall be of the opinion that it can be determined what should have been entered in the court he should be charged with the duty of entering in the same manner and with the effect as decrees are now entered in equity cases by the Supreme Court. But to continue to a conclusion. The next clause is the 'wheel about' of the author."

"Attorneys generally will take exception to the phrase 'notwithstanding any error.' That phrase will dispose of all appeals on practice, and thereby revolutionize our present methods of trying lawsuits. The errors of trial are the greatest bulwark for the bar of the state, and the removal of this clause will be a blow to the bar. But to continue to a conclusion. The next clause is the 'wheel about' of the author."

Phrase Is Revolutionary.

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"There you have it. First, you are barred from appealing from the Supreme Court unless you had 'no evidence'; now you have the Supreme Court revising the whole case, trying it upon all the evidence, judge's charge and exhibits and changing the verdict to suit his own judgment, and to become more observant of whether or not they are fulfilling their pledges to the public and the city."

"It is a matter of congratulation that a Portland judge has crossed the path of the white slave traffic in Portland in such a way as to check the progress of the most devilish system of legalized iniquity. Few things more creditable or indeed more likely to help the city in the opinion of those without have occurred during the last six months than the terms of impeachment meted out to two of those depraved brutes last week, and while Judge Wolverson merely did his duty and acted as the law directed, yet does he deserve the 'well done' of his fellow citizens who desire the advancement of Portland, and he should be aided by all in his attempt to make this city an impossible place for harbor of this particular type. The glory of Portland will be the condemnation of all participating in this heinous crime, no matter what their position or pull or affiliations may be."

Dr. Holman went on to show that the disciplining of a soldier in the Army is creditable to the Army; that the expulsion of evildoers from the church is creditable to the church, and that it is no more than just that Portland should do the same.

Much Depends on Supreme Court.

A. E. Clark expressed his views upon the amendment by declaring that it was startlingly revolutionary and in effect disposed of the jury system but he believed that the Supreme Court will find a way to get around the jury feature of the amendment.

"The amendment," said Mr. Clark, "seems to give to the Supreme Court in every action at law, civil or criminal, the right to retry all the facts, ignore every error committed by the trial court, however gross or prejudicial, and re-

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HINSON LAIDS JURIST

PORTLAND SHOULD OUST WHITE SLAVERS, HE SAYS.

Minister Declares City Must Take Notice of "Devilish Systematized Iniquity."

Portland should be made just as uncomfortable a place as possible for white slavers and their ilk, according to Dr. W. B. Hinson, of the White Temple.

"He took the white-slave traffic for the subject of his sermon last night, although he called his topic 'The Duty of Condemnation.' His text was 1 Cor. 13: 'For we are laborers togeth with God; ye are God's husbandry, ye are God's building.'"

"The Oregonian performed a public duty last Wednesday morning in calling attention to conditions in the city of this city, narrating the manner in which they are being conducted with the connivance of the police, if not under their protection."

"Now, this city owes it to itself to take notice of such statements as these. It cannot afford to pass by them in its disregard, for in the last six months the city of Portland has been the scene of a series of heinous crimes. Caesar's wife is not above suspicion. A condition of things exists which directly challenges the police force, the members of the City Council and the Chief Executive of the city."

"If laws are being openly violated, if places such as the harem exist with the full knowledge of the officers of the law who are sworn to law enforcement, then it is high time for some man in the name of the City of Portland to once more read to them their oaths of office, and to become more observant of whether or not they are fulfilling their pledges to the public and the city."

"It is a matter of congratulation that a Portland judge has crossed the path of the white slave traffic in Portland in such a way as to check the progress of the most devilish system of legalized iniquity. Few things more creditable or indeed more likely to help the city in the opinion of those without have occurred during the last six months than the terms of impeachment meted out to two of those depraved brutes last week, and while Judge Wolverson merely did his duty and acted as the law directed, yet does he deserve the 'well done' of his fellow citizens who desire the advancement of Portland, and he should be aided by all in his attempt to make this city an impossible place for harbor of this particular type. The glory of Portland will be the condemnation of all participating in this heinous crime, no matter what their position or pull or affiliations may be."

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CHARGED WIRES FEARED

Irrington Residents Petition for Removal of High Voltage Lines.

Complaining that the Portland Railway, Light & Power Company maintains a high voltage line of poles on Barr road and on Broadway and other streets in Irrington, residents petitioned the City Council at its next meeting, praying that the company be required to remove the wires or reduce the alleged high voltage.

"Other wires are charged with about the same voltage that they use for executions in New York state, and they are a danger to life and property of all that district, especially during storms, fire and such sleet storms as we had two years ago," the petition says.

THE INTERNATIONAL

Limited.

The Great Northern daylight train for Kalama, Kelso, Centralla, Chehalis, Tacoma, Seattle, Everett, Bellingham and Vancouver, leaves from Hoyt street Station, 11th and Hoyt sts., daily at 10 A. M. Other trains leave at 5 P. M. and 11:30 P. M. Tickets, sleeping and parlor car reservations, City Ticket Office, 122 3/4 street, and at depot.

The Philadelphia mint coined 146,000,000 cents of silver, expected to exceed the 100,000,000 mark this year.

THE PHILADELPHIA MINT

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TRAVELERS' GUIDE.

land should rid herself of all engaged in the white-slave traffic.

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S. S. CLEVELAND. Jan. 12, 12 noon

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