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PORTLAND, THURSDAY, MAY 1, 1913.

LAND GRANT FORFEITED.

Judge Wolverton's decision forfeiting the Southern Pacific land grant was almost a foregone conclusion, but it cannot become effective until it has been finally confirmed by the United States Supreme Court. In the meantime no disposition of the land can be made. The Southern Pacific's title is now so clouded that it could find no buyers, even though it complied strictly with the terms of the grant. The Government can do nothing until the grant is finally annulled and until Congress has provided by legislation for the disposal of the land. The decision is assurance that in not less than two years the way will have been cleared for raising the embargo on the development of Southern Oregon, but how this will be done remains to be decided.

It is necessary to lay stress on these facts because many persons have been deluded into the belief that by settling on tracts in the land grant or by making a tender of the legal price to the railroad, they have established a prior claim to purchase whenever the forfeiture is confirmed. They have established nothing, but have simply thrown away their money. Forfeiture of the grant will rescind all its conditions and will restore the land to the public domain, but not render it open to settlement under any of the general land laws. The courts can only declare that the Government, not the railroad, is the owner. They cannot declare on what terms it may be purchased from the Government; Congress alone can do that. Men who pay $200 to $250 apiece to lawyers and land locaters are buying a mere shoestring. Let them take warning and keep their money.

The decision is important as a judicial determination that the greatest corporations, like the poorest individual, must keep faith with the Government. When they acquire land from the Government, they must comply with the terms of the grant or give back the land. The homesteader cannot get a patent without improving his claim and standing the fire of a special agent's inquiry and a land office hearing. The railroad stands on the same footing. It has the money to fight a lawsuit through to the highest court, but the Government is equally ready and able to fight, and will do so. The decision means that there is to be an end of deals between the people and corporations wherein the people live up to their side of the bargain and the corporations ignore theirs.

It has been freely predicted that the forfeited land, being mostly timbered, will be added to the National forests and that there will be little, if any, left available for agriculture. This is by no means certain. Congress during the Roosevelt administration passed a law forbidding any further additions to the National forests without specific enactment. Congress has shown increasing reluctance to pass such laws. Much of the timbered grant land, being in the valleys and near the railroads, will be admirably adapted for farming when cleared. Such land may be turned over to the Forestry Bureau with orders to sell the timber without delay. It may then be thrown open to homesteading. The West will not consent to the legislative sanction of the Land Office's new classification of some land as "timbered homesteads" and to such land being withheld from settlement on that pretext. It would probably agree to the harvesting of the timber by the Government before agricultural settlers are admitted. That course would accord with the policy of conservation which carries with it the development of the country.

WHY GIRLS GO WRONG.

Committees of various sorts have of late been busy investigating, associations and societies of various sorts have been endeavoring to determine and philanthropists and humanitarians have been trying to discover why girls go wrong. Perhaps it would be more proper to say they are trying to sift out the principal cause; for, disguise the fact as we may, silver coat the crude truth as best we can, the fact is that many of those who are treading the primrose path were drawn down through their innate passions. Whether this came through some pre-natal cause over which science can exercise control is another question. We simply know that in these cases passion held sway and the fall followed.

In all of the investigations made and the reports published it seems that one great cause why the ranks of the fallen are so swiftly augmented has been overlooked, and that is ill-advised marriages. Any candid investigator will find that a very large percentage of those who thread the great white way have stood before the altar and promised some man to love, honor and obey. Which brings us to the sad fact that after all is said and done the parents, and principally the mothers of the fallen, must take a large share of the responsibility for the downfall of their daughters. These mothers have not intended to do so. There is not one mother in a million who could for a moment think of her own daughter going wrong without suffering severest pangs. It is done unwittingly, perhaps through inculcating love for finery, perhaps by permitting association with undesirable companions, or in withholding words of counsel—these are common aids to the downfall of our young women.

On the other hand, there are mothers who go to the opposite extreme and deny their daughters such raiment as they can afford, others who keep them housed against all companionship and society, hold them in ignorance of such joys and pleasures as girls rationally need, and in the end usually will have, even at the cost of honor.

So in the investigations of underpay and overliving and unfit abodes, suppose we go a step further and see what share of responsibility the parents have had, are constantly having, in the downfall of their daughters. This is not a pleasant phase of an unpleasant subject. But it is not an indictment of the average mother or father. It is a mere statement of fact which cannot be denied, and a hint that, to get at the root of the evil, we should, through our best workers, reach the homes of those who are not treating their daughters rationally.

BRYAN'S MISSION FRUITLESS.

Having gone to California to plead with that state not to embarrass the Government in its relations with Japan, Secretary of State Bryan has found his mission has proved the failure which was to be expected. Representing the whole Nation, he weakly begged one of its forty-seven units not to cause trouble, admitting its perfect right to do as it pleased in the Japanese question. His action resembles that of the teacher who says to the obstreperous boy, "Please be good."

This is the humiliating position to which the Federal Government has been reduced by President Wilson's adherence to the long-since exploded state rights doctrine. Our relations with foreign nations are by this doctrine rendered subject to disturbance by the freak legislation of any state. To the protests of Japan Mr. Wilson and Mr. Bryan can but return the impotent reply: "We can't help it." Andrew Jackson, whose name Democrats love to link with that of Jefferson as the ideal Democrat, did not play so pusillanimous a role when South Carolina defied the Government.

The new version of the alien land bill is more offensive than the original through its attempt at deception by change of phraseology and through its pretended scrupulous respect for treaty rights. The bill is still admittedly aimed at the Japanese; mere verbal changes cannot hide that purpose. No other state has a law thus aimed at a single nation which has not long since become obsolete through age and non-enforcement. The California pretense that its bill is on all fours with those of other states forbidding any aliens without distinction of nationality to hold land is too hollow to deceive a schoolboy. The show of respect for rights guaranteed by existing treaties is by implication a denial of the Government's power to make new treaties enlarging those rights.

If the President wishes to assert the supreme authority of the Nation and to show California that it cannot lightly flout the Federal power and disturb international relations because of the phantom danger of 45,000 Japanese among 2,500,000 people, the way is still open. He need but negotiate a new treaty with Japan, by which each nation grants citizens of the other the same rights as to landholding. That treaty would override the California law, for the Constitution would make it the supreme law of the land. By so doing the President would abandon his extreme regard for state rights and would risk a stormy time in securing ratification by the Senate. But he would prove the futility of any attempts by a single state to enact laws which disturb our foreign relations.

CALLING EACH OTHER'S BLUFF.

There was a refreshing novelty about the tariff debate of Monday, which was a relief from the dreary monotony of such discussions. Each party was exposing the insincerity of the other in pretending to advocate a non-partisan tariff commission. All parties have at different times professed to favor such a commission, but all have shown a strange reluctance to establish it when they had the power. Representative Murdock, the Progressive leader, now renews the proposal and accuses the Republicans of having been always opposed at heart to a tariff commission. He is sustained by the Democrats, speaking through Speaker Clark, but his party's practice would probably square as little with its profession if put to the test.

The records of the three parties justify the belief that they are all afraid to establish a really effective tariff board, though all pretend to favor it. During the debates on the Payne-Aldrich bill in 1909 and in former years, Senator Beveridge was its most ardent champion and was well supported by other insurgent Republicans. The regular Republicans very reluctantly yielded to the repeated urgings of President Taft and consented to the creation of a board with very limited powers and with no assurance of permanence. They grudgingly gave it a renewed lease of life and more money in 1910. While the insurgents or progressives appeared clamorous for it, their enthusiasm cooled as President Taft advanced towards success in its permanent establishment. The Democrats were favorable to a tariff board until their opponents endorsed it but insisted that it should report to Congress rather than to the President and should receive its instructions from Congress.

The Democrats no sooner secured control of the House than they turned against the existing tariff board and proceeded to revise the tariff without regard to it. The insurgent Republicans, some of whom have since become party Progressives, helped them. Mr. Taft insisted that Congress live up to the professions of its leaders, but he gained no support except from the regular Republicans. Democrats objected to a board responsible to the President and created a new bureau to perform the same functions, which should take orders from and report to committees of Congress.

The truth is that no party desires what Mr. Taft proposed and actually created — a genuinely non-partisan board of experts which would report facts, no matter which way they hit. Republicans, Democrats and Progressives alike were and still are afraid that such a board would discover most inconvenient facts. Standpat Republicans fear exposure of the jokers they have hidden in the tariff and of the inexcusable character of many high duties. Progressives and Democrats fear revelations which would cut the ground from under their feet in "taking care" of the pet industries of their own districts. If they must have a tariff board, they desire one subservient to the party in power, one which will make no investigations except those they wish and which will find out and report only the kind of facts they wish discovered. That is why the Democrats wish the board made responsible to Congress.

The Taft Tariff Board pleased nobody except Mr. Taft, because it discovered facts which suited the purpose of no party. Regarding wool, it showed that, while wool duties were much too high, they were not as much too high as had been alleged and that free wool would be ruinous to many growers. That was too fair to suit any of the extremists. If Congress had legislated according to these findings and public satisfaction with the result had compelled it to allow the board to continue work and to act upon the board's reports, we should gradually have secured a scientific tariff. Then the politicians would have been deprived of much of their thunder and Congress would have been reduced to the painful necessity of legislating on many other subjects which urgently call for action but which members artfully dodge by wasting time on tariff debates.

Congressmen do not wish to settle the tariff question and let it stay settled. They wish to keep it in the air like a shuttlecock. They do not desire a non-partisan tariff board, for that would reduce them to the necessity of action with some approach to finality. When they advocate a tariff board, they are nearly all bluffing, without distinction of party.

COLLEGE BOYS IN BUSINESS.

It would be terribly disappointing if the college graduate did not make a better man of business than the youngster who has simply "growed" without the benefits of intensive culture. It is common to say that the fine effects of the college show themselves in a general excellence of character rather in mere efficiency. But what is general character but efficiency of one sort or another. A man who is fitted to do nothing but sit like a placid Buddha to receive the worship of the world can hardly be said to have much character. It is more likely that the solid stuff of which character is composed has been washed out of him by the drenching floods of his four years of learning.

The question whether colleges really do produce washed-out and faded human specimens or men and women capable of efficient service in life is admittedly an open one. Some say a man of affairs is vastly better off if he gets his education in "the school of hard knocks." Others contend that the college gives him all the training he could obtain in the stern school of experience without its exhausting hardships.

No doubt observation will settle this little controversy in the course of time. Some light has been thrown upon the point in dispute by a questionnaire which Howard Elting sent out to business men in many parts of the country. He gave the results of his inquiries at a conference on "commercial education and business progress" held at the dedication of the new Commerce Building at the Illinois State University. This excellent university includes the practical and mechanical studies in its curriculum as well as the theoretical.

Mr. Elting said that, from his questionnaire, he must infer that college boys are inclined to be snobbish and easily discouraged, while on the other hand they have more concentration than other youths, and are more conscientious and adaptable. The balance seems to swing to the college side a little, but Mr. Elting predicts that it will swing that way a great deal more strongly when the old "culture courses" have been replaced by studies relating directly to practical affairs. Naturally he had in mind such studies as will be pursued in the Commerce Building which was then being dedicated.

THE APPLE GROWERS' TRIALS.

Among every class of men there are some who lose their heads in time of trouble and some who keep their wits about them. The former are the victims of circumstances. The latter win victories in war and industry where their weak competitors fail. This is no less true of those engaged in orchardry than in other human enterprises. The last season was not propitious to apple growers. The crop of fruit was abundant in all parts of the country, marketing methods were defective and prices were discouragingly low. As Professor Hector Macpherson points out in his letter to The Oregonian, published yesterday, a great many apples produced in the Northwest were not marketed at all. When we remember that the arrangements for manufacturing them into cider and vinegar as well as the canning establishments were far from adequate we must conclude that the loss was heavy. It will be heavy in the years to come unless timely measures are taken to cure these maladjustments.

But this is a situation which human intelligence is perfectly capable of meeting. The apple growers have brought their tribulations upon themselves by too great zeal in speculative planting, by faulty methods of marketing, by careless grading, and it lies with them to apply the proper remedy. There is, as Professor Macpherson remarks, no occasion for panic and it is only the shortsighted and timorous who will be panicky.

It stands to reason that the Western grower cannot compete with his Eastern rival on equal terms. He must have some advantage either of nature or art or else he is doomed to failure. It ought not to require any argument to prove that he cannot pay freight to the East on the same varieties of fruit that the Easterner produces as well as he himself does and sell it at a profit. His only rational hope lies in producing varieties which the East does not grow in perfection. With these he can enter the market and hold his own. There is a great deal of unwarrantable boasting about the superiority of all Western fruit. Some of it is superior to what the East can grow, some is not. In color and general appearance, as other observers besides Professor Macpherson have pointed out, we have the advantage, but as far as flavor is concerned our position is disputed on the Atlantic Coast.

Common sense teaches us to make the most of our natural advantages and send no fruit to market which is not up to the highest standard both in size and color as well as symmetry. In order to attain this end production must be restricted to varieties which reach greater perfection here than elsewhere. What these varieties are experience has pretty well demonstrated by this time. Professor MacPherson says that at least 100 varieties of apples are grown here now in more or less excellence. Naturally many of them are of poor quality. The apple is one of the most sensitive of all fruits to the influence of soil and climate and it is absurd to expect that as many as 100 different varieties should reach their best estate in this quarter of the world. If we have half a dozen varieties which excel, these are the ones to fix upon to the exclusion of the rest.

Of course we must not look to see the same varieties thrive in both the Willamette Valley and the Hood River country. The conditions in the two regions are radically different and growers must accommodate themselves to this fact. Professor Macpherson quotes a Chicago dealer upon the subject of the best varieties for the Coast. He mentions the Spitzenberg, Ortley, Rome Beauty, Jonathan, Ben Davis and others. But the word "Coast" is of wide import. The Spitzenberg is not by any means the best variety for the Willamette Valley, neither is the Ortley, while both these apples reach matchless perfection at Hood River and Mosier. At Wenatchee the Winesap seems to surpass most others. Thus each region has its own problems to solve both in the choice of suitable varieties and in methods of culture. When these matters have been settled wisely the fruit business will go forward at a steady pace to permanent success. But this can not happen until both haphazard ignorance and speculative uncertainty have been eliminated.

Each fruit region needs special methods of culture as well as specially adapted varieties. The tillage which succeeds perfectly in the irrigated sections is not likely to be the best for the Willamette Valley. Here there is abundant rainfall almost every year up to the first week of July and often later, so that the problem of conserving moisture is not nearly so serious as some others. It might almost be said of the Willamette Valley orchard that if soil fertility is properly attended to the clouds will provide all the moisture that is needed. One of our most vexing problems is, in fact, to avoid that unseasonable growth of wood which is promoted by excessive moisture. The question might well be raised whether an annual hay crop or some other which would help dry out the soil in late July might not be directly beneficial to many valley orchards. There is ground to believe that it would increase both the quantity of fruit and its quality. It has often been observed that "wild" apple trees growing without cultivation in neglected fence rows produce regular crops of fruit which are excellent in their modest way. Here as elsewhere the husbandman must submit to take lessons from nature. Theory is often oblivious of simple facts which are fundamentally essential to success.

"Oh, Earth, what changes hast thou seen," must have been running through the workmen's brains as they dug out that old ship buried forty feet deep under a New York street. Since ships don't sail up the streets, the tide must have ebbed and flowed there one day. Tennyson, when he wrote the line we have quoted, was thinking of the changes wrought by streams that "draw down Aeonian hills and sow the dust of continents to be," but the changes wrought by human hands are as interesting and sometimes as extensive.

At the meeting of the National Federation of Musical Clubs in Chicago a few days ago the delegates represented 400 clubs with 45,000 members. This is good, but not good enough. The public schools in every village and city ought to be musical clubs. They ought to make young people as ambitious to compose music as to write short stories. There is no reason why America has not its own Bachs and Wagners except that we do not care to train them up. It is time for us to begin to care.

Wilson sends regrets that he couldn't attend the St. Louis peace conference. With Japan in a bellicose attitude and Mexico on the rocks again the President probably is not in the precise mood to enjoy a peace conference.

Mrs. Belmont is so irritated by the treatment accorded suffragettes in England that she will "not spend a penny" on her London visit. That's the kind of punishment, too, that hurts the Londoners.

Archaic discoveries in New York will be paralleled here in the distant future, when timbers and other debris used in filling deep gulches are unearthed in making foundations for hundred-story buildings.

Whale steaks in competition with beef may suit Californians, who can stand most anything, but Oregonians prefer the steer, the hog and the wether, with a little goat made into a side dish.

John Reed has been sent to jail for threatening to "make boobs" of the Newark police. He's not the first to come to grief through trying to improve on Nature.

With Mexicans once more engaged in their favorite pastime of plundering and murdering Americans, President Wilson shortly may be compelled to show his hand.

Justice will not have been fully satisfied by the get-rich-quick promoters convicted at Philadelphia unless they are compelled to refund the proceeds of their frauds.

With the tariff debate warming up it might be just as well to conduct a daily search for "weepons" on some of the more excitable Congressmen.

The outcry against closing wireless stations on account of the operators' strike reminds us how quickly a new discovery becomes a necessity.

Bryan carries a card in a gold case for identification purposes. As though that genial countenance would need identification in any sort!

When there is no fighting for the army, it can always be relied upon to supply us periodically with a domestic scandal.

Any man who attacks Governor Sulzer may expect to get twice as good as he gives. Senator Brown has learned that.

Fresh Columbia River chinook salmon for dinner tonight will be mighty good and just as suspicious.

The difficulty of unmerging the Harriman railroads is measured by the unwillingness to unmerge.

Forty-five inches is the limit of any trunk hereafter. Barely large enough to accommodate one hat.

Why not make an example of Mexico, for the effect it will have on other off-color people?

Still, let us hope that discussions of the charter do not lead to the divorce courts.

The political spieler has two strenuous days left in which to transmogrify truth.

It would appear, now, to be up to the Japs.

Bryan's visit served to grease the skids.

Stars and Starmakers

By Leone Cass Baer.

Waldemar Young in the San Francisco Chronicle says some pertinent things in this:

"The reason many of the productions which reach here seem to be the victims of economy is not that this Pacific Coast territory lacks the fertility to support the original article in its original splendor, but rather because in the transcontinental journey from New York a vast expanse of theatrical 'bad lands' has to be traversed. The vaunted 'Middle West,' as narrow in its view of life as it is broad in acreage, lies between San Francisco and New York. This is a sad geographical fact, but it's true."

* * *

Mark Murphy, star of "The Coal Strike" at the Empress, is one of the few pioneer vaudevillists who recalls playing in Portland in its hamlet days in 1876. In that year Murphy appeared here as a jig-dancer with Joe Murphy's Minstrels. Then Murphy wore a medal heralding him as the champion jig-dancer on the Pacific Coast and a feature of the minstrel show was the creation of rivalry in every town visited in endeavors to wrest championship honors from Murphy. The veteran actor recounts that a youngster named Keating tried in vain to out dance him in Portland in a hall near the river, where the minstrel show held forth for several nights. Murphy remembers Portland when there were beaten paths on the sites now occupied by skyscrapers and when nothing but forest could be seen on both sides of the river now forming the metropolis of the Willamette.

Murphy regards himself as a Pacific Coast product, all his early stage successes having been won in the Far West. His brother P. J. ("Paddy") Murphy was State Senator in California from 1884 to 1890. Senator Murphy was city editor of the San Francisco Post when Henry George was managing editor. James H. Murphy, another brother of the Empress actor, lived in Portland for many years and is remembered by old-timers here as the owner of the Bank Exchange.

After his first appearance in Portland Murphy returned to this city as a boxer in 1877. In 1893 he again visited Portland, then as the star of "O'Dowd's Neighbors," which was presented at the Marquam Grand. Murphy says he has the distinction of having engaged David Warfield in the early days in New York to play the role of a woman in "O'Dowd's Neighbors." Warfield played the part of Honora Murphy, a scrubwoman.

* * *

Fraulein Martha Haberland, petite and attractive owner of Don, the talking dog at the Orpheum, has invited all the members of the bill to a little celebration after the matinee today in honor of Don's 9th birthday. Don first saw the light of day in Hamburg, Germany, where Fraulein Haberland's father is one of the forest keepers. Loney Haskell, who introduces Don, has promised him a wreath of flowers with a wienerwurst in the center and Vida Reed, the Portland girl, who is "possessed" about dogs in general and Don in particular, is giving him a home-made birthday cake with nine candles. There will be a bone for each of the six white collies in the ballet of the Top o' th' World Dancers and if some of the gifts and plans hinted at by various performers materialize, Don's Portland birthday party will not soon be forgotten.

* * *

The author, whoever he or she may be, of the winning play in Winthrop Ames' American play contest is now assured of the $10,000 prize. Edward Lyons, business manager for the theatrical enterprises of Winthrop Ames, has filed a guarantee bond for $10,000 with the National Security Company.

This insures the winner in the contest, which ends August 15. Officials of the surety company say that the bond is unusual.

The bond was made out to Adolph Klauber and Augustus Thomas as trustees for the unknown author of such a play. These two gentlemen, with Mr. Ames, form the committee of judges.

* * *

Wilson Mizner has been called on to write a new review for the London Opera-House. He is expected to infuse humor and life into the work.

* * *

Adele Farrington, long the second woman of the Belasco Stock in Los Angeles, has gone into vaudeville. She has a sketch called "Turning on the Gas," written by Frances Nordstrom.

* * *

The stork is again figuring in Ethel Barrymore's plans, and she has gone to Europe for two months. Lillian Russell also is going to sail soon.

* * *

Fay Bainter opened last week as leading woman in Toledo, O., with Keith's stock. James Durkin, Maude Fealy's husband is leading man. Their opening bill was Bernstein's "Samson."

* * *

Robert Homans, a one-time Baker player, is with the Northampton, Mass., players.

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Hugh Dillman, who was juvenile man with the Baker company for awhile last season, is to open in three weeks as leading man with the Mary Servoss Stock in Grand Rapids, Mich. Frank Patton will play leads until then.

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Ethel Clifton, who played leads for George Baker stock in Seattle two years ago, is with Poli stock in Springfield, Mass.

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Lillian Kemble is at the Duquesne Theater in Pittsburg.

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Baker Moore will open on next Monday at Union Hill, N. Y. He has been playing juveniles at the Harlem Opera-House.

* * *

Nat Goodwin and Marjorie Moreland are at the Heilig tonight in "Oliver Twist." Miss Moreland is Nancy Sikes.

* * *

From a New York exchange it is gleaned that Florence Roberts, Catherine Countiss and E. D. Price were fellow guests at a house party at Cedarhurst, near New York, on a recent Sunday. It was the first time that Miss Roberts had met Mr. Price since she was under his management at the old Alcazar and on the Pacific Coast circuit, and they had many happy reminiscences to talk over. Miss Roberts is playing Eastern vaudeville time in J. Hartley Manners' fine sketch, "The Woman Intervenes," and Price is still manager of Robert Hilliard, who is nearing the 200th New York performance of "The Argyle Case," at the Criterion. It is one of the greatest hits of recent years. Miss Countiss is on the Orpheum circuit in vaudeville in a sketch "The Birthday Present."

DEFECTS IN NEW CITY CHARTER

Inconsistencies Are Pointed Out in Salary Rates of Officials.

PORTLAND, Or., April 30.—(To the Editor.)—The writer wishes to reply to a letter signed by W. C. Elliott and published in The Oregonian of April 19. Mr. Elliott states in his letter that the salary of the City Engineer is fixed and determined by section 303 of the new charter at $2400 per annum. To correct this statement, I would call Mr. Elliott's attention to section 286, headed "Appointive Officers," wherein the Commissioners have the power of appointment of the City Treasurer, City Engineer, City Attorney and Municipal Judge. The Commissioners "shall also fix and may change from time to time the salary of every officer," so that the salaries of these appointees can be made any amount at the discretion of the Council.

It is easily understood why Mr. Elliott was wrong in his belief that the salary of the City Engineer was fixed by the charter, and the voters of Portland are being disillusioned in the same way, for under sections 289, 303, 330 and 340 the salaries of the City Treasurer, City Engineer, Municipal Judge and City Attorney are fixed at $2400, respectively, except that of Municipal Judge, which is $1800. These sections are in direct contradiction to section 286, wherein the Council is given the power to fix and change the salary of any of these officers at any time.

This is only one of the glaring inconsistencies of this new charter, and is an attempt by the framers of the same to disillusion the voters into the belief that the salaries of these officers remain as they are at present. The framers of this charter knew that at the last election the people overwhelmingly voted down an attempt to raise the salaries of the City Attorney and City Engineer, and have, therefore, in sections 289, 303, 330 and 340 attempted to lead the voters to believe that these salaries will not be raised, and at the same time under section 286 inserted a "joker" giving the Council full power to say what these salaries may be.

The voters are also led to believe that the Auditor, who is elected by the people, is independent and not under control of the Commissioners and Mayor. But this, also, is buncombe, as under section 270 it says "the salary of the Auditor shall be fixed by the Council, and shall not be less than $3600 per annum." By this power of fixing his salary, will not the Auditor be subservient to the will of the Commissioners and the Mayor? They call this the commission form of government. Nothing could be more false, and the voters of Portland should condemn and overwhelmingly defeat this "joker" charter, which would permit to be formed a political machine, such as the present administration would like to form, which would be the "Tammy" of Portland for years to come.

H. R. SHROYER.

POINT RAISED ON NEW CHARTER

Question Which Has Been Overlooked Raised by Mr. Clark.

PORTLAND, April 28.—(To the Editor.)—So much has been said for and against the proposed charter that I would hesitate to call any further attention to its provisions except for the fact that I think an important question has been overlooked. This question will arise in case of the passage of the charter, as the local improvement code of the new charter provides (Section 345a) "That so much of sections 346, 347, 348, 349 and 350, as heretofore amended, and of sections 362 to 421, both inclusive of the charter of 1903, as is not inconsistent with the provisions of this charter, shall remain in full force and effect as ordinances only subject to repeal and amendment and to the enactment of new legislation by the Council," etc. This quotation is sufficient for the purpose of this communication.

It is proposed to change the designated charter provisions to ordinances which may be changed by the Council in accordance with certain provisions, and this change presents the question whether an ordinance can be enacted by the people except in the manner provided by the general laws of 1907, which provide in certain detail the manner of the submission of an ordinance to the vote of the people. In the first place it must show that it is "referred to the people by the Council of the City of Portland" in accordance with the change of the act of 1907, made by ordinance known as the "McNary ordinance." Second, it must have a ballot title, in no case exceeding 100 words; third, it must be numbered on the ballot; fourth, it must have an affirmative and a negative space for voting, each of which shall be separately numbered in numerals. The proposed charter does not enact these ordinances in accordance with this law or with any law in force. It therefore becomes necessary to vote on all these ordinances submitted by charter in the affirmative or negative.

The local improvement code is one of the important provisions of any charter. These questions are bound to arise in the shape of legal proceedings and suits to enjoin improvements, to declare assessments void, to restrain the sale of bonds and as the procedure may be changed several times a year, it will be the subject of grave questions until it can all be determined on appeal to the Supreme Court.

The manner of submitting to the people city ordinances is contained in the general laws of 1907, page 398, and as there provided this law shall govern until changed by city ordinances. Without going into detail the city ordinance governing the voting on these measures is not in conflict with the act of 1907.

EDWARD J. CLARK.

MODEST WISHES ARE OUTLINED

Among Other Things "Taxpayer" Wants Commission Government Installed.

PORTLAND, April 28.—(To the Editor.)—Things we would all like to see:

1. Will King given a job at Washington or sent home to Oregon.

2. A law or ordinance passed prohibiting the cruelty inflicted on the public by candidates defacing the map of the entire county with their photographs on trees, fences and other conspicuous points along the highway. This could probably be brought about by the law against nuisances, or cruelty to animals.

3. Some real good men, who measure up to the job, to be persuaded to run for Mayor and Councilmen or Commissioners.

4. Let us try the commission form of government. It may not be any better than the present form but cannot be any worse.

A TAXPAYER.

Stout Jeweler Has to Move.

New York Herald.

Because he grew so stout last Winter that he can barely squeeze in and out of his place of business, Leo Strass, a jeweler in Sixth avenue, announced that he would be obliged to move to larger quarters June 1. "The jewel box" is what Strass calls his store. It is three feet wide and 18 feet deep, so small that it cannot support a half number street address and is known as 745¾ Sixth avenue.

The stock is displayed in a [illegible] running the length of the ro[illegible] leaves a margin of only tw[illegible] the proprietor to wait on his [illegible]

"After I have established a [illegible] ness here I must leave it," lam[illegible] Strass. "When I opened this pla[illegible] years ago I weighed [illegible] now I weight 185 and p[illegible] in here like a plate[illegible]

Two Cigars for [illegible]

Indianapolis [illegible]

"What sort of a cheap [illegible] top?"

"Well, when you hold out [illegible] to offer him his choice [illegible] both."

On Straw Hat Day

By Dean Collins.

Forth from your shelf, oh faithful straw,
Where you have lain the Winter through!
Old hat, you show full many a flaw,
But still I think that you may do.
In years agone, five bucks I threw
To bear you from the hatter's store.
Since then, each May day, blooming new
Upon my head I've carried you,
As glorious as in days of yore.

Fond mem'ries linger round your brim.
There is the tooth mark, piercing through
Where Arabella bit your rim
When she got mad. Your ribbon too
Is stained and faded from the dew,
The night I left you on the lawn
When Phyllis' dad the bootjack threw
At me with savage aim and true,
And bade me fiercely to begone.

There is the mark of Sylvia's heel,
The evening that she stepped on you.
When, fearful of unsteady keel,
She tried to hop from the canoe.
Upon thy crown, that blotch of blue,
Spreading in broad, uneven stain,
Brings memories to me of Lou,
And how her parasol, brand new,
Faded in sudden Springtime rain.

Those pin pricks scattered o'er your crown,
My dreams of Hazel's eyes renew;
Of how she decked you up and down
With leaves, with daisies woven through.
And, with approving smile and coo,
Placed you on my protesting dome
And spite of all that I might do,
(And I felt like a jackass too)
Begged me until I wore you home.

Old lid, adown the street a bit,
A Greek boy stirs a magic brew,
And swears if you've a dose of it,
You can come back as good as new.
In years agone five bucks I threw
To bear you from the hatter's store.
I'll see what Grecian zeal can do
To take the mem'ries out of you,
And make you glorious, as of yore.

Twenty-five Years Ago

From The Oregonian of May 1, 1888.

Washington, April 30.—The President has sent to the Senate the nomination of Melville W. Fuller, of Illinois, to be Chief Justice of the United States Supreme Court.

San Luis Obispo, April 30.—The Pacific Coast Steamship Company's steamer Queen of the Pacific, plying between San Francisco and southern coast ports, was sunk near Port Hanford this morning.

Salem, April 30.—Two pioneers of 1847 yesterday joined the great majority. They were Mrs. M. J. Watson, relict of the late Sanford Watson, of Polk County, aged 78 years; and John G. Orchard, living near Stayton, aged about 74.

The storm of last evening did not in the least affect the number of auditors of Mrs. Julia Ward Howe's second lecture.

Rev. Dr. J. Bloch last evening was the surprised and gratified recipient of a testimonial in the form of a set of elegantly engrossed resolutions adopted by the board of trustees of the Congregation Beth Israel. Dr. Bloch expects to leave for Europe tomorrow, accompied by his daughter, Miss Rose Bloch.

Prior Adelhelm, of the Benedictine Monastery at Mount Angel, reports the nunnery of the order near Mount Angel rapidly approaching completion.

Salem, April 30.—Articles of incorporation of the Portland & Vancouver Railway Company have been filed; incorporators, Frank Dekum, R. L. Durham and John B. David; capital stock $200,000.

Dr. Josephi has his new residence on Twelfth and N streets, East Portland, well under way.

J. H. Munk has been appointed Councilman for Albina in place of R. B. Deaton, deceased.

All that was mortal of Portland's late Mayor, John Gates, was laid to rest yesterday at Riverview. Over 1000 guardsmen, officials and citizens were in the funeral procesession.

Fourteen subscribers to the hotel fund were added yesterday: Mrs. Mary Phelps Montgomery, Forbes & Wheeler, G. Shindler & Co., Walter Bros. & Co., Dr. A. C. Panton, Dr. C. H Wheeler, Lewis Russell, James Canby, James P. Moffatt, Edward R. Adams, L. S. Watson, Buffum & Pendleton, Percy G. Cline and J D. Meyer.

Mr. H. C. Campbell, president of the Willamette Street Railway Company, has let the contract for grading the railway through Lone Fir Cemetery to the center of the Sunnyside tract.

Mr. George S. Morrison, chief engineer of the O. R. & N. bridge across the Willamette, arrived here yesterday.

FRAZIER HOME ABLY CONDUCTED.

Present Management Is Lauded and Proposed Change Opposed.

PORTLAND, April 27.—(To the Editor.)—As a taxpayer and citizen of this county I wish to enter a protest against the proceedings of Judge Gatens in asking Mr. and Mrs. L. H. Baker to resign as superintendent and matron of the Frazier Detention Home.

It appears that the Judge has asked for their resignation without giving any other reason than that he desired to make a change in the management.

Since learning of the fact that Mr. and Mrs. Baker were asked to resign, I have visited the Home and found the management more than satisfactory. The first thing that impresses you is the cheerful and contented attitude of the children under the motherly and fatherly care of two of the most lovable people it has been my pleasure to meet. The children are well fed and cared for in every way possible, under the circumstances.

Judge Gatens states that he does not want the institution to be merely a place where youthful offenders may be confined. This is exactly what it is not now, but when a night watchman is put on it will be, or will have that effect on the children. Judge Gatens' Juvenile Court bill provides for a night watchman, which is decidedly unnecessary and always will be under the present management. Two boys have run away at night from the Home in the past five years and they were tramps.

As to the children's need of vivacity and good-natured encouragement that the Judge speaks of, judging from the children's countenances and the cheerful manner in which they respond, one cannot help but feel that his wishes are met to the fullest extent at present. Mr. and Mrs. Baker's influence and [illegible] over children are extensive. [illegible] Home building anything [illegible] to be from an archi[illegible] it being very in[illegible] is not the [illegible] neither is [illegible] has [illegible]